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Real Estate LEADER is the official publication of the Mississippi REALTORS®. The quarterly magazine provides Mississippi real estate professionals with timely information on trends and best practices, tools and resources for professional development, and news about innovative business and community leaders.

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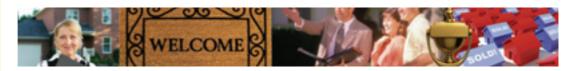
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**SUMMER 2014** 

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### On the cover:

Deborah McGhee of Gulfport and Greg Gillespie of Tupelo urge Mississippi REALTORS® to register early for "All Hands on Deck" 2014 MAR Convention & EXPO.

Stav updated on MAR's latest news and events. Visit us on:











PRESIDENT'S PERSPECTIVE

Summer has arrived, vacations are scheduled and Mississippi REALTORS® are in the midst of the peak buying and selling season. Across the state, REALTORS® have indicated that the real estate market is strong and some have even talked about receiving and negotiating multiple offers. It is certainly good news that home ownership seems to be within the reach of more consumers, and Mississippi REALTORS® are wasting no time in providing the professional service and real estate expertise consumers need to purchase.

In this issue of *Real Estate LEADER*, we focus on the 2014 MAR Convention & EXPO scheduled to be held October 7 - 9 at the Baytowne Conference Center in Sandestin, Florida. This year's convention theme "All Hands on Deck" serves as a reminder of the power of REALTORS® working together to help consumers fulfill their home ownership dreams, but also relates to the influential strength and importance of REALTOR® membership that is over one million members strong. We have put together an overall experience at the meeting that will provide fun, sun and education that can be practically applied back home. Gulfport REALTOR® and MAR Member Services and Technology Committee chairman Deborah McGhee along with Tupelo REALTOR® and MAR Member Services and Technology Committee vice-chairman Greg Gillespie share their words of encouragement and invitation to register early for this exceptional event.

Other timely articles include information about aerial video using drones in our "For the Tech of IT" column. Then read about the three most common licensee disciplinary issues cited by the Mississippi Real Estate Commission in "For the Course of Your Career." MAR General Counsel weighs in on the recent Mississippi Commercial Broker Lien Act in "Legal Ease".

Check out the photos of the recent NAR REALTOR® Party Conference and Capitol Hill visits in Washington D.C., photos of the MARPAC Major Donor reception held in conjunction with the June MAR Committee meetings in Jackson and the recognition of several of our members who have received awards.

I hope that you will make attendance at the 2014 MAR Convention & EXPO to be held October 7 - 9 in Sandestin a priority. This year's theme "All Hands on Deck" assures to be one of our best events yet and will feature Jared James, back by popular demand, as our keynote speaker. The Early Bird rate of \$199 ends July 31, so register now and save substantially off the onsite registration price.

I look forward to spending time with you this year as we serve our state association together.

Sincerely,

Janice Shows

Janice Shows President

### **NAR Board approves Mandatory Core Association Standards**

At the recent REALTOR® Party Conference & EXPO in Washington D.C., the NAR Board of Directors voted to approve a set of mandatory core standards designed to touch on every aspect of association operations from the local to the national level. The premise behind the wide-sweeping changes was aimed at raising the level of service and professionalism offered to members.

"This is an issue of professionalism in our industry," said Andrea Bushnell, chair of the Organizational Alignment Presidential Advisory Group (PAG), which drafted the standards. "We want to ensure unity within—and the long-term viability of—the 100-year-old REALTOR® organization. All three levels of the organization must thrive together as a true and strong association, rather than acting as group of independent but federated organizations."

Specifically, the country's approximately 1,400 state, local, and territorial associations have to meet standards in six areas: Code of Ethics education and enforcement, advocacy, consumer outreach, organizational unification, technology, and financial solvency

Among other things, under the new standards, associations must

- Provide Code of Ethics training
- Participate in Calls for Action
- Make an effort to collect fair-share contributions to the REAL-TORS® Political Action Committee, or write a check to cover the fair share
- Promote the value proposition of using a REALTOR®
- Maintain a strategic or business plan
- Maintain a website with links to other levels of the association
- Meet minimum financial performance

The Board approved up to \$20 million to help associations meet their new responsibilities: \$5 million would help associations create or update their strategic plan; \$3 million would help states implement the standards; and \$12 million is allotted to facilitate association mergers or dissolutions. For additional information, go to www.realtor.org/articles/mandatory-corestandards-for-state-and-local-association.



# **Listings Stay with the Broker**

Don't assume your listing makes the switch when you change brokers.

By Bruce Aydt

Q: About a week after I took on a new listing, I switched brokerages and had my license transferred. My client, the seller of the property, wants to follow me to my new broker. Can she ask my former broker to terminate the listing so she can relist with me at my new brokerage?

A: This situation requires a delicate balance. The Code of Ethics governs only activities of REALTORS® and not activities of clients. Therefore, there is nothing that prohibits the seller from independently requesting that your former broker terminate the listing.

Whether and to what extent the listing broker must honor that request is a matter of contract law in your state. The seller should consult with her attorney about her legal rights under the listing contract.

Where the need for balance comes into play is in your conduct. Generally, a listing agreement is entered under the name of the broker or brokerage—not the sales associate. In such cases, the listing is "owned" by the broker and not by the sales associate. As Article 16 of the Code provides, "REALTORS® shall not engage in any practice or take any action inconsistent with exclusive representation or exclusive brokerage relationship agreements that other REALTORS® have with clients."



Assuming that "your" listing was an exclusive listing, Article 16 of the Code prohibits you from interfering with your former broker's listing, including one that was "yours" prior to your departure from the company.

Standard of Practice 16-20 amplifies this obligation and expands on a REALTOR®'s conduct both before and after

leaving a brokerage: "REALTORS®, prior to or after terminating their relationship with their current firm, shall not induce clients of their current firm to cancel exclusive contractual agreements between the client and that firm."

So, while the seller can decide to follow you to your new company, you may not do anything to attempt to induce that seller to ask that the listing be cancelled or terminated.

By Bruce Aydt for REALTOR® Magazine, June 2009. Used with permission of the National Association of REALTORS® 2014. Columnist Bruce Aydt, ABR®, CRB, is senior vice president and general counsel of Prudential Alliance, REALTORS®, in St. Louis and a former chair of the Professional Standards Committee for the NATIONAL ASSOCIATION OF REALTORS®. You can send him your ethics questions at ethics@realtors.org.

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# LEGAL EASE

# **New Commercial Broker Lien Law Goes Into Effect July 1**

Ron Farris, Esq., MAR General Counsel

fter over a decade of effort, Mississippi REALTORS® partnered with the Mississippi Legislature to put Mississippi's new Commercial Real Estate Broker Lien Act on the law books. The new act goes into effect on July 1, 2014.

The new act defines "commercial real estate" for the first time. The new law creates a mechanism for brokers providing broker services to an owner

or tenant in a transaction involving commercial property to create a lien to protect their right to compensation under a written agreement for broker services.

Written broker agreements must include certain elements in order for the broker to be entitled to a lien. These include provisions clearly setting forth the broker's duties to the owner and the conditions upon which specific amounts of

compensation are deemed earned and due.

A lien qualifying under the act is created by filing a Notice of Lien in the Chancery Clerk's office where the land is situated. A Notice of Lie Pendens must also be filed when suit is initiated on a lien. The Notice of a Lien is good for one (1) year from the date of filing, and suit must be initiated on the lien within that year. Under certain circumstances — as in cases involving compensation paid in installments or where compensation accrues upon lease renewals or extensions — a lien may be renewed before the year ends, extending the lien for another year. The law specifically provides for a lien to automatically expire if suit is not filed in a timely manner or if a lien is not extended prior to the end of the current one year period.

The act includes language giving deeds of trust and mortgages priority over commercial broker liens no matter whether the deed of trust or mortgage is filed before or after the broker lien. The act also tracks existing law which affords priority to liens for unpaid taxes and any liens that were filed prior to the time a broker lien is filed.

If a lien is filed and the compensation is paid, the broker has the responsibility to file a release cancelling the lien. In cases where partial or installment payments are made, but some portion of the compensation is still due or due at a later date, the broker must file appropriate partial releases as each payment is received.

The new law provides alternate methods for owners of commercial property to free their title of a valid lien, including the posting with the Chancery Clerk of a cash bond in an amount that is 125 percent of the amount claimed to be due under the lien. In such cases, the lien stays in place as to the funds

deposited with the Clerk, but the land itself is freed of the lien.

The new law also provides several means for an owner or tenant to cancel liens when a broker fails to file a partial release or a full release in a timely manner, including filing proof of payment with the Chancery Clerk or filing a final judgment proving that a court has acknowledged satisfaction of a lien.

Lawmakers included serious penalties for brokers who falsely and maliciously file false liens, including exposure to double damages, in addition to any other damages that may be available to an aggrieved owner for tortuous offenses such as slander of title.

The act does contain some specific exclusions and various technical requirements that should be studied and carefully followed to ensure that a lien is properly created, acted upon and released. Brokers using the new

law are encouraged to seek qualified legal counsel in evaluating their broker service agreements and other forms in light of the new law and as they take advantage of the new law's protections.

Ron Farris, Esq. is General Counsel to the Mississippi REALTORS®, and available to Association members through the Legal HotLine. For non-HotLine matters, he can be reached at Farris Law Group, P. O. Box 1458, Madison, MS 39130-1458, or by email: ron@farrislawgroup.net.





Call MAR's Legal <mark>Hotline</mark> 800-747-1103, ext 25

MAR's Legal Hotline offers free and confidential legal information relevant to broad-based real estate practices and applications, including MAR Standard Forms

and Contracts, to MAR members, and is available Monday through Friday, 8:00 a.m. -5:00 p.m. Messages are retrieved each day at 3:00 PM and will be returned the following business day.

# HEADLINERS Members in the news

# Nancy Lane is Selected as 2016 NAR Region 5 VP Nominee



Congratulations to Mississippi REALTOR® Nancy Lane, who has been selected as the nominee for NAR's Region 5 Vice President for 2016. An MAR Past President, Nancy has represented Mississippi well in

Lane

several key leadership positions on the national level, and she will contribute that expertise as part of NAR's 2016 expanded leadership team. The nomination will be forwarded to the NAR Nominating Committee for their approval, and Nancy will be installed in November, 2015 to serve the REALTORS® in Alabama, Florida, Georgia, Puerto Rico, the Virgin Islands and Mississippi in 2016.

# **Ellen Short receives prestigious award** in Washington D.C.



REALTOR® Ellen Short of Tupelo was honored last month at the REALTOR® Party Convention and Trade EXPO in Washington D.C. as one of just two winners of NAR's (Federal Political Coordinator) FPC

Meritorious Service Award. Short's prestigious

recognition was made before the conference attendees and will be permanently displayed by plaque at the REALTOR® Building in Washington D.C. The award is an acknowledgement of Short's hard work not only with Senator Roger Wicker, but also with the rest of the FPCs in Mississippi and NAR's Broker Involvement Council and REALTOR® Party Involvement Committee. Pictured is Ellen Short with her permanent plaque displayed at the NAR building

# Clark, Glenn and Shows inducted into the RPAC Hall of Fame







Glenn S

Ernie Clark, Judy Glenn and Janice Shows were recently inducted into the NAR \$25,000 RPAC Hall of Fame in Washington D.C.

# MAR mourns the passing of REALTOR® Sue Tate



Tupelo REALTOR® Sue Tate passed away Sunday, April 27, 2014 at the age of 91. Sue and her husband Bill founded Tate Realty Company in Tupelo, now known as TRI Inc. REALTORS®, where Sue served as an active

Broker/Owner for more than 50 years. She served as President of the North Mississippi Board of REALTORS®, and Chairman of the Mississippi REALTORS® (MAR) Risk Reduction and Equal Housing Opportunity committees. While in these roles, she was instrumental in MAR becoming a signatory to the NAR/HUD Equal Housing Agreement. Sue also served on MAR's Executive Committee as the Northern District Vice President and was a member and National Director of the National Association of REALTORS® Equal Housing Opportunity Committee. Sue was inducted into the Mississippi REALTOR® Hall of Fame in 2001. Sue was the mother of Tupelo REALTOR® Ellen Short.

# **Cumbest chosen as Chairman of ARELLO Committee**



Representative on the Mississippi Real Estate Commission, was recen

Commission, was recently appointed Chairman of the

Gulf Coast REALTOR® Mark

Cumbest, who serves as the

Fourth Congressional District

ARELLO Fair Housing Committee. MAR congratulates Mark on this very important national appointment.



# **ASSOCIATION NEWS**

# $\begin{tabular}{ll} \textbf{Mississippi REALTOR}^{\circ} & \textbf{Disaster Relief Fund aids Mississippi REALTORS}^{\circ} \\ \end{tabular}$

In the wake of the catastrophic weather Mississippi experienced on



Monday, April 28th, Mississippi REALTORS® suffered varying degrees of loss. Almost immediately, Mississippi REALTORS® began to send in monetary donations to the Mississippi REALTOR® Disaster Relief Fund to help aid their fellow REALTORS®. Within a few weeks, the REALTOR® Disaster Relief fund had distributed over \$51,000 to 3 REALTORS® and 38 others.

If you would like to make a financial contribution to the Mississippi REALTOR® Disaster Relief Fund please make your contribution by check and mail to: Mississippi REALTOR® Disaster Relief Fund; PO Box 321000; Jackson, MS 39232-1000

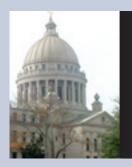
# "BuyInMississippi.com" gets recognition in national publication

Created by NAR in 2000, the Strategic Issues Working Group was formed to study the future and identify the trends that will impact the real estate busi-

ness. Additionally, the group was charged with delivering a report so REAL-TOR® Associations could prepare and find solutions.

Every two to three years, the Strategic Issues Working Group releases a report written and presented in book format by Strategic Consultant Jerry Matthews of Florida. Matthews is recognized nationally for interpreting future trends and concepts through presentations, articles, books and video

In the latest strategic issues report titled "Simplify," eight major trends are identified: simplify, consolidate, collaborate, enrich, dream, embrace, lead, and evolve. These eight trends are explained in detail in the book and examples of associations and companies taking positive actions to address each of these trends are presented. In the chapter titled "enrich," the Jackson Association of REALTORS® (now Central Mississippi REALTORS®) and the Northwest Mississippi Association of REALTORS® are mentioned as examples for their development of Buy in Mississippi, a website designed strictly for the public to find listings. BuyInMississippi.com now has ten Mississippi MLSs participating, and Matthews describes the product as "enriching the consumer experience with the transaction."



# CAPITOL WATCH

UPDATE ON LEGISLATIVE ISSUES IMPORTANT TO YOUR BUSINESS

by Derek Easley

# Mississippi REALTORS® send clear, united message in Washington

ississippi REALTORS® and industry leaders descended on Washington, D.C. May 12-16 for The REALTOR® Party Convention & Trade Expo. REALTORS® and association leaders came together to speak in unison on issues that are important to real estate.

MAR members were on Capitol Hill Wednesday, May 14, 2014 to discuss our legislative agenda that is important to ensuring the American Dream of home ownership. Meetings were held with Senator Cochran, Senator Wicker and Congressional Staff (House members were on recess back in their respective districts).

Our elected officials depend on Mississippi REALTORS® to send them a clear, united message about our legislative priorities. Attendees addressed three major issues with our Mississippi Delegation:

- 1. Preserve the mission and purpose of the FHA program We urged Congress to ensure that the Federal Housing Administration (FHA) single-family program has the tools and policies in place to meet its mission of providing access to safe, affordable mortgage financing to qualified borrowers nationwide, without imposing burdensome limitations.
- 2. Preserve real estate-related tax policies Lawmakers were asked to remember the vital role that real estate tax provisions play in the nation's housing markets and economy. Tax reform is important but should first do no harm. Several tax provisions vital to distressed homeowners and commercial real estate have expired and need to be extended.

3. Reform the secondary mortgage market to provide certainty in the U.S. housing market — We stressed the importance of restructuring the secondary mortgage market to ensure that affordable mortgages are available to consumers in all types of markets, and avoid a major disruption to the nation's economy that would result from the total collapse of the housing finance sector.

Now more than ever, it is critical for REALTORS® across America to come together and speak with one voice about the stability a sound and dynamic real estate market brings to our communities. From city hall to the state house to the U.S. Capitol, our elected officials are making decisions that have a huge impact on the bottom line for REALTORS® and their customers.

I want to thank everyone who took time out of their schedules to join us in our Nation's Capitol. If real estate is your profession then politics is your business. Your involvement makes a difference!



Derek Easley is MAR's Governmental Affairs Director. Email bim at deasley@msrealtors.org.



### **Governor signs Commercial Broker Lien Act**

Mississippi REALTORS® and lawmakers gathered at Governor Phil Bryant's office recently for the signing of SB 2559, the Commercial Broker Lien Act. Pictured from left to right: MAR Governmental Affairs Director Derek Easley; Representative Hank Zuber; Representative Jeffrey Guice; Senator Gary Jackson; Senator Josh Harkins; Senator Will Longwitz; Governor Phil Bryant; Speaker of the House Philip Gunn; Lynette Praytor; 2014 MAR President Janice Shows; Bob Ridgway; 2014 MAR President-Elect Andrea Cummins and MAR CEO Beth Hansen.

# **Congressman Gregg Harper** visits MAR

Congressman Gregg Harper recently stopped by the MAR Building on Lakeland to visit with MAR members about the latest update from Washington D.C.



## **Senator Thad Cochran visits MAR**

Senator Thad Cochran stopped by the MAR Building on Lakeland to visit with Mississippi REALTORS®. They were able to thank Senator Cochran for his consistent support of legislation that has helped to make the dream of home ownership possible for Mississippians.







# Mississippi REALTORS® attend REALTOR® Party Conference in Washington D.C.



REALTOR® Lynette Prayter of Jackson with Senator Thad Cochran



Mississippi REALTORS® gathered in front of the U.S. Capitol



Federal Political Coordinator Ellen Short of Tupelo with Senator Roger Wicker

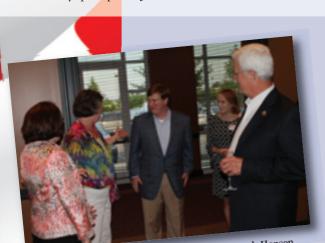


Mississippi REALTORS® with Senator Roger Wicker

# **MARPAC Major Donors honored at reception**

Mississippi REALTORS® who have given or pledged \$1000 or more to MARPAC in 2014 were invited to a reception in their honor at Table 100 in Flowood. Present at the reception were Lieutenant Governor Tate Reeves, Commissioner of Agriculture and Commerce Cindy Hyde-Smith, 2014 NAR Region 5 Vice President B.J. Harris and NAR's REALTOR® Party Spokesperson John Harrison.





Lt. Gov. Tate Reeves, Janice Shows, Ellen Short, Beth Hansen and Ernie Clark



Jocelyn Raimey and Betty Jo Ison

Region 5 VP B.J. Harris and 2014 MAR President Janice Shows





REALTOR® Party Spokesperson John Harrison with Andrea Cummins Detrick and Larry Edwards



18 Major Donors in attendance from Central Mississippi REALTORS®

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\*As of January 2014, current vehicle mode's includes the following 2013/2014 Model floar Vehicles: Chryster Brand: 200 Sedan rescludes UX model), 300/300C,\*\*\*Town & Country, Dodge Brand: \*\*\* Charger, \*\*\* Challenger, \*\*\* Avenger, Isumey Inscludes AIP model), Grand Caravan (Excludes AIP model), Durango\*\*, Dart. Jeep Brand: Grand Cherokee, \*\* Cherokee. Ram Brand: Ram 1500/2500/3500 Quod and Crew Cab, Ram CV, ProMaster Vans. Fult Brand: 500L. Check with your dealer for complete list of vehicles. included in this offer. Not all Chrysler Droup vehicle models are included in the \$500 cash allowance program for REALTORS® and association/board staff. Check with your dealer for complete details, vehicle eligibility and program compatibility exclusions. ""All SRT models of theirs vehicles are excluded (ineligible). Some program exclusions and limitations apply See dealer for complete details on all IMR-related offers. See dealer for complete details on all IMR-related offers. Chrysler, Jeep, Dudge, Ram and the Pentastar logs are registered trademarks of Chrysler Group LLC. RAV is a registered trademark of Fast Group Marketing & Corporate Communication S.p.A., used under license by Chrysler Group LLC. G2014 Chrysler Group LLC. All rights reserved.

# 10 Facebook Dos and Don'ts

Facebook is a great marketing tool, if you use it wisely.

May 2014 | By Graham Wood



Facebook is a powerful way to stay in touch with your past clients, friends, and sphere. It's also a great way to show your network the multifaceted you. But Facebook is for friendship and sharing, not for selling, so be a personality, not a salesperson, when you post or update your status.

### Dos

- Do share personal tidbits about your life. Let people know you have interests outside of real estate. But not even your mother wants to know what you ate for breakfast—unless it was something really memorable.
- Do visit the pages of your clients and friends, and "like" their posts. Then follow up with a phone call or note that shows you actually care.
- Do be genuine. Post items that you are truly passionate about.
- Do make your personal profile somewhat public. Your personal profile will come up higher in online search results than your business page. Set at least half of your items to "public" through the privacy controls so potential clients can actually learn a little about you.
- Do group your friends into lists. A "Local Folks" list can receive your invitations to local events. A "Clients" list enables you to check in with them easily.

#### **Don'ts**

- Don't post virtual tours on your personal profile. Just don't.
- Don't auto-post from a third party. Your page will look like it's run by a robot.
- Don't self-promote. It's as much of a turnoff on Facebook as it is in person.
- Don't post negative comments about people. It tells others that you might talk about them that way.
- Don't forget to log in daily. To be successful, consistency is key.

Sources: Leigh Brown, ABR, CRS, RE/MAX Executive Realty, Concord, N.C.; Raj Qsar, The Boutique Real Estate Group, Brea, Calif.; Maura Neill, CRS, RE/MAX Around Atlanta Realty, Alpharetta, Ga.

By Graham Wood for REALTOR® Magazine, May 2014. Graham Wood is a senior editor for REALTOR® Magazine. He can be reached at gwood@realtors.org. Used with permission of the National Association of REALTORS® 2014





# FOR THE TECH OF IT



BY CHRIS ADCOCK

# Aerial real estate video using drones

Technology is getting smaller and cheaper by the day. Drones, or UAVs (Unmanned Aerial Vehicles), are just one example of this trend. Amazon (the online retailer) recently teased the world with a delivery drone prototype that would theoretically be used to fly packages to your front door. Other companies were quick to show off their own possible future use of

drones, including Domino's Pizza delivery. Now these drones are popping up everywhere because they are affordable. You may have seen some video on the local news taken by drones touring damage after the recent tornados.

The most popular type of drone for businesses and hobbyists is quad-copters, which have 4 upright propellers and a mounted camera. These are incredibly easy to fly as the four propellers keep it flying smoothly. The prices range, but a great starter quad-copter for video would cost around 475 dollars (not including a video camera). These copters will come with a remote that allows you to control them within a thousand foot range. Professional-grade quadcopters are often equipped with a camera for capturing amazing aerial

video and photography. Many popular video cameras will transmit video to your smartphone in a 300-foot range, but they can also store video to the camera's memory card if you go further than 300 feet. You can use the remote video to better guide your quadcopter or to get the best shot while directing your video or photos.

I recently had the chance to fly a DJI Phantom quadcopter and I was amazed at how different it was than flying those RC helicopters I had when I was a child. If you let go of the controls, the quadcopter just hovers. It will sit completely stationary in the air like a hummingbird, waiting for you to tell it where to go. The speed and height at which these quadcopters can travel is also pretty incredible. You can send it so high in just a few seconds that you will struggle to see it.

Some real estate agents are already using quadcopters for video. You can browse some of the videos on YouTube to see the results. Some of these videos show off the exterior of a home, which looks great if it has multiple stories or a large yard. Other videos will start with an aerial view of the neighborhood and bring you down to the home's front door. To get the best results for video, you want to look at a high- quality camera, such as GoPro, which starts around 200 dollars. You will likely also want some type of gimbal to keep your camera steady. On a windy day, the video will look a bit shaky, but a gimbal will keep your camera steady while the quadcopter moves about. You might also think about some extra batteries that you can keep charged so if you are out and away from a power

source, you can swap out to a fresh battery. The quadcopters I looked at could fly around 15 to 30 minutes on a full battery.

Before you go out and buy your own, we need to talk about the law. Currently most types of drones fall into a gray area where the technology has outpaced regulation. The Federal Aviation Administration does not

sanction flying quadcopters outdoors for commercial purposes. Though so far there have not been specific regulations written for these types of uses, existing rules have been used to prohibit commercial use. There have been a few cases where the FAA has imposed a fine for commercial use of drones. The most watched case is probably the March 6, 2014 case where a judge ruled that FAA law does not ban the commercial use of drones. The FAA is currently appealing that decision.

Some real estate agents who are using quadcopters interpret the rules as not applying to their use, since they are not being paid for video or photos they take. I am obviously not a legal expert and can't speak to how the FAA would interpret how current rules would affect UAV rules for real estate agents.

Due to the pressure from businesses wanting to use drones, the wide availability and low cost,

we may see rules allowing some commercial use, likely with limits on flight altitude and proximity to airports. If you are going to use a quad-copter for personal use, it would be a good idea to follow some common sense rules and avoid flying above crowds of people or near an airport. You also don't want to fly in areas where someone has a presumption of privacy and always treat the airspace above private property as private property. You can read some great articles written by quadcopter hobbyists who have a wealth of information and experience to draw from. If the rules are clarified to allow quadcopters for commercial use, we will see an explosion of uses by businesses.

Should you go out and buy a quadcopter today? If you want to experiment with this technology and you have some free time, then why not? But they certainly aren't for everyone. I would not recommend anyone buy the most expensive quadcopter with the best camera. I would set a budget between 600 dollars and 800 dollars for a good starter quadcopter and camera to get some experience. You can always sell your copter later as they have maintained their value very well thus far.

As the technology improves and becomes even more affordable, there is little doubt that we will be seeing more UAVs in our daily lives. And the applications for real estate are not difficult to imagine.

Chris Adcock is MAR's Information Technology Manager. Contact bim at cadcock@msrealtors.org



# All Hands on Deck!

hether you are a veteran convention attendee or have never attended, this year's "All Hands on Deck" event in popular Sandestin, Florida should be a priority. For those who have never visited the Sandestin area, you won't be disappointed—

the Baytowne Conference Center sits adjacent to
the Village of Baytowne which offers you and your family
numerous opportunities after the convention's daily events. In addition, the convention hotel is offering additional discounted rates immediately prior to and following the convention.

If you have never considered attendance at the annual MAR convention, perhaps you've never heard all of the benefits that members who attend year after year share. Even though educational classes are offered fulfilling all 16 of the required and elective hours taught by an experienced cadre, the educational emphasis is just a small part of the overall MAR Convention & EXPO experience. Gulfport REALTOR® Deborah McGhee currently serves as Chairman of the MAR Member Services & Technology Committee and Tupelo REALTOR® Greg Gillespie serves as Vice-Chairman. Both of them have been involved in the selection of Sandestin as this year's MAR Convention site and both will be heavily involved in the preparations for the event.

"I attend convention to connect with agents from around the state and develop relationships for referral basis," said McGhee. "Being a life-long learner, I'm inspired by the information covered by the speakers and I incorporate the information obtained into my business practices. And for me, convention is so much fun with the entertainment, dinner and danc-

ing."

Many Mississippi REALTORS® make the convention an annual event and cite numerous reasons why they wouldn't miss the three-day event. Because of their involvement in MAR committees,

task forces and other leadership roles, they build life-long relationships with other members around

the state and look forward to spending time with them, not only networking, but in simply having fun. "I'm looking forward to convention this year because it's the first time in over 10 years that we have had it out of state," said Greg Gillespie of Tupelo. "Networking is a big part of convention and I feel that REALTORS® tend to share more when we are away from our trade area."

Not enough can be said about the annual support of the numerous sponsors and vendors who make the MAR Convention & EXPO possible. Each year, our EXPO is filled with affiliated real estate services, products and affinity partnerships in a relaxed and face-to-face atmosphere. The opportunity to hear firsthand about a product or service that is vital to the efficiency, productivity or success of your real estate business is made simple by the gathering of these patrons in one convenient location. Their exhibit booths are always filled with interesting activities and generous give-aways.

Continue to read in this special section devoted entirely to this year's MAR Convention & EXPO and be sure not to miss the Early Bird discount of \$199 that expires on July 31!

# Here's why these folks are going to convention



**Barry Clemmer**, Jackson

I really enjoy getting to hear national speakers and mingling with my fellow REALTORS® and speaking face-to-face with convention sponsors. Who doesn't like a tax-deductible trip to the beach?



Melinda Dees, Yazoo City

I've made it a habit from the beginning of my real estate career to go to convention. Since I get my CE, I never have to worry about my hours.



Keith Henley, Tupelo

The networking opportunity will more than pay for any expenses you incur through referrals from fellow REALTORS® across the state you come to know.



**Ashley McAdory, Jackson** 

I go to convention to network and to learn from other REALTORS®, to have fun and to show support for the association.

# Le's Back!





**Amanda Woods,** AE Northwest MS Association of REALTORS®

I am looking forward to Jared James because he is more than just your average instructor. I enjoy networking with other AEs, members and EXPO vendors. Besides — it's on the beach!



**Ashley Endris, Gulfport** 

I enjoy the education and networking which help to grow my business and get new ideas. I like to know what people in other parts of the state are doing.

# **Keynote Speaker**

Jared James is a sought after Keynote Speaker and trainer who has earned a reputation among many people as the "why guy" due to his understanding of why people do what they do and how to get them to change their behavior.

By the age of 28 Jared was recognized by REALTOR® Magazine's over two million readers as their "Web Choice Award" Winner, was inducted into the International Hall of Fame of the world's largest real estate company and had written a best-selling book.

Jared's ability to connect and engage with his audiences has led to his having opportunities to keynote events for some of the largest comhe panies in the world and has been recognized by the popular site "Klout" as one of the top 25 most influential people in the real estate industry today.

www.jaredjamestoday.com/ www.twitter.com/jaredjamestoday www.facebook.com/jaredjamesenterprises

# Convention presenters and instructors



Ken Austin Contract Law



**Brian Estes**Commercial Elective CE



Lisa Hollister Agency Law



MREC Administrator Robert Praytor License Law



Stephanie White Elective CE

1:30 PM



# Schedule at a glance

	<b>⊺Start Time</b>	End Time	Description
Q	Monday, Octob	er 6	
The same of the sa	4:00 PM	6:00 PM	Executive Committee Meeting
	4:00 PM	6:00 PM	AE Forum
A	Tuesday, Octob	er 7	
William .	8:00 AM	5:00 PM	Registration Open
	8:00 AM	5:00 PM	Cyber Cafe Open
	9:00 AM	12:00 PM	Local Board Management Conference
	11:30 AM	6:00 PM	EXPO Open
	11:30 AM	1:30 PM	Lunch-on-the-Go in the EXPO
	1:00 PM	2:30 PM	Board of Directors Meeting
	2:30 PM	3:50 PM	Continuing Education - Robert Praytor (License Law)
	4:00 PM	5:40 PM	Continuing Education - Stephanie White
	4:00 PM	5:40 PM	Commercial Continuing Education - Brian Estes
A A			
V	Wednesday, Oc		
	8:00 AM	5:30 PM	Registration Open
	8:00 AM	5:00 PM	Cyber Cafe Open
	8:00 AM	2:00 PM	EXPO Open
	8:00 AM	10:00 AM	Continental Breakfast in the EXPO
	9:00 AM	10:40 AM	Continuing Education - Jared James
	11:00 AM	12:40 PM	Continuing Education - Jared James
	12:30 PM	2:00 PM	Lunch-on-the-Go in the EXPO
	2:00 PM		EXPO Closes
	2:00 PM	3:30 PM	General Membership Meeting / Annual Awards Program
	3:45 PM	5:25 PM	Continuing Education - Jared James
	6:00 PM	7:00 PM	Past Presidents Wine & Cheese
	7:00 PM	10:00 PM	Installation of Officers, Dinner Reception, Dancing
Thursday, October 9			
-	7:30 AM	9:00 AM	CRS Breakfast
	7:30 AM	9:00 AM	RLI Breakfast
	8:00 AM	2:00 PM	Registration Open
	8:00 AM	2:00 PM	Cyber Cafe Open
	9:00 AM	10:40 AM	Agency Law Part I - Lisa Hollister
	11:00 AM	12:40 PM	Contract Law - Ken Austin
	12:30 PM	1:30 PM	Lunch Break

This is a tentative schedule and may be subject to change. Please check website for updates.

Agency Law Part II - Lisa Hollister

2:50 PM

# Grab your sandals and let's head to the beach!

# 2014 CONVENTION & EXPO REGISTRATION FORM

Get ALL of your required & elective CE, EXPO admission, three lunches and a dinner/dance all for one low price.

Our annual convention is as exciting as ever, featuring keynote speaker (back by popular demand!) Jared James, as well as other special guests bringing you empowering education you won't find anywhere else!

Each year, hundreds of REALTORS® from around the state gather together for the networking opportunities, quality education, and the amazing EXPO.

### **Hotel Information**

The hotel has extended our room block rates to include October 5 - 10 for those who want to come a little early or stay a little later. For hotel reservations, you can call 800-320-8115 or click here for FORM or go online towww.sandestin.com and mention the Mississippi REALTORS (GROUP CODE: 23276K) when making your reservation. Prices are \$140.36 for a Grand Complex Studio and \$155.42 for a Grand Complex 1 Bedroom. Prices shown include a 12% tax and a 12% resort fee (for parking and WiFi access).

### **Convention location:**

Sandestin Golf & Beach Resort Baytowne Conference Center 9300 Emerald Coast Parkway W. Destin, Florida 32550

- If you cannot register online please complete the form and fax or mail it to MAR Headquarters.
- One form per registrant.
- Please PRINT.
- For more information, contact MAR at 800-747-1103.

Name			
Company			
Address			
City/State/Zip			
Day Phone	Mobile		
E-mail address			
NRDS#			
Real Estate License #			
Appraisal License #			
Spouse/Guest Name			
Check all that apply			
Rookie REALTOR®:	\$169 (open to REALTORS® licensed on or		
REALTOR®:	\$199 early bird until July 31 / \$249 Au	,	
Non-REALTOR® Licensee: Non-Licensee Spouse/Guest:	\$229 by Sept. 30 / \$249 after Sept. 30 \$99 by Sept 30 / \$119 after Sept. 30		
Affiliate Member:	\$199 by Sept. 30 / \$229 after Sept. 30		
	7177 by 30pt. 30 / 4227 dillor 30pt. 30	O Olisho	
Method of Payment (No registrations will be processed	without payment. A \$50 processing fee will	be charged for returned check.)	
Registration Fee: \$	Spouse/Guest Fee: \$	TOTAL:\$	
Charge my: VisaMa	ster CardDiscover AMEX		
Credit Card #:	Ехр	). Date:	
Signature (required)			
I have enclosed a check paya	ole to Mississippi REALTORS®		
Send your completed form with MARCVN 2014, P.O. Box 321000	•		
or fax it to 601-932-0382			

All cancellations must be submitted in writing or by email. Refunds minus a \$50 processing fee will be granted until September 30, 2014. Absolutely no

In compliance with the ADA, MAR will make all reasonable efforts to accommodate persons with disabilities at its meetings. Please contact MAR if you have

msrealtors.org

any special needs.

**Registration Cancellation Policy** 

refunds will be processed after September 30, 2014. No exceptions.



# FOR THE COURSE OF YOUR CAREER



BY JOHN PHILLIPS

# **Three Things**

t has been said that smart people learn from their mistakes, but wise people learn from other people's mistakes. Our charge at the Mississippi REALTOR® Institute is to help our members make more money and to help them stay out of trouble. When we see the complaints being made against licensees at the real estate commission, it gives us an opportunity to focus on the most common problems and try to avoid them. The discipline page at the MREC website should be required reading for every licensee. http://mrec.ms.gov/disciplinary.html

The three areas that are causing the most concern at this time are agency disclosure, property condition disclosure and property management.

### **Agency Disclosure**

License Law 73-35-21 (e) and MREC Rule 4 state the requirements for disclosure of agency in real estate transactions including the purpose of the disclosure, definitions of possible agency relationships and the duties required with each, when the disclosure must be made and the forms on which disclosure is made. Agency disclosure has been the law and the rule for many years, and it is astonishing to discover that less than half of the licensees in our state are properly making the disclosure at the right time or even doing it at all.

The Working with a Real Estate Broker (WWAREB) form, which is a disclosure but not a binding legal document, is to be used at the first substantive meeting with a potential buyer, seller, landlord or tenant to explain to them the various agency relationships available in real estate transactions. This disclosure allows them to choose or refuse among the various disclosure options. If the date on the WWAREB form is the same date as the one on the HUD-1 used at the transaction's closing, it would indicate that the agency disclosure was executed at the closing, which almost certainly would not be the first substantive meeting.

The required WWAREB form is a disclosure and does not establish a client/agent relationship. A client/agent relationship is established with a seller through a listing agreement and with a buyer through a buyer-agency agreement. The WWAREB form also does not establish disclosed dual agency. Checking the dual agency box with buyers and sellers simply allows licensees to show company listings to their client-buyers. A dual agency cannot be confirmed until there actually is a dual agency. The Dual Agency Confirmation (DAC) form should be executed by the purchaser immediately before writing an offer on a company listing, then the DAC must be attached to the front of the offer. The seller must execute the DAC before looking at the offer.

### **Property Condition Disclosure**

License Law 89-1-501 – 527 states that sellers of one to four- family dwellings must fill out a Property Condition

Disclosure Statement (PCDS) to be given to buyers prior to making an offer so that the buyer can make an informed decision about the condition of the property. The PCDS form should be filled out by the seller and not the licensee. The licensee's duty is to be sure the sellers make the disclosure, that all of the lines on the PCDS are filled in, that all known material facts are disclosed on the form, that the executed form is attached to the listing agreement and that the PCDS is given to the buyer before an offer is written on the property.

It is in the seller's best interest to report all known material facts on the disclosure form because when given the PCDS prior to their executing an offer to purchase, the buyer cannot use information contained in the PCDS to walk away from the contract without loss of their earnest money. It is also in the licensee's interest to have all known material facts named in the PCDS because the seller holds the agent harmless in all claims, disputes, litigation or judgments arising from information given by the seller.

### **Property Management**

Many licensees have made the decision to manage a few rental properties to produce revenue to help them make it through the recent difficult financial period. Managing a valuable asset for another person is a serious matter. The laws of agency and fiduciary duties apply and a real estate license is required. It is also necessary for all real estate licensees to have knowledge of fair housing and the protected classes. Too many licensees think that all a property manager has to do is to find a person who wants to rent and has enough money to pay the first month's rent. The owner expects the licensee to find a qualified tenant who will pay the rent on time and not destroy the property. Three documents are essential to manage other people's property: A Property Management Agreement establishes a client/agent relationship with the owner and allows the agent to act for the owner. A Rental Application form is used to screen potential tenants as well as to get permission to run a credit check. A Lease Agreement establishes the length of the tenancy, the rent and security deposit amounts, who will have the right to occupy the dwelling, what, if any, repairs or renovations the tenant can make and many other terms and conditions.

The Mississippi REALTOR® Institute addresses these and many other concerns that cause problems for our members in our required law and elective CE classes at local board or real estate company locations all over the state.

John Phillips, a Hall of Fame inductee and Past President of MAR, is the Vice President of Professional Development for the Mississippi REALTOR® Institute. E-mail him at jphillips@realtorinstitute.org.



# Mississippi REALTOR® Institute 2014 schedule

### SALESPERSON PRE-LICENSE

(Weekend) Jackson July 25 - Aug. 15 Jackson Sept. 22 - Oct. 2 (Day) Jackson Oct. 17 - Nov. 7 (Weekend)

### **STATE FXAM REVIEW**

(Weekend) **Jackson** August 10 October 1 Jackson (Day) Jackson November 2 (Weekend)

# GRI I (SALESPERSON POST-LICENSE) GRI II (BROKER A)

Jackson July 21 - 24 **Jackson** Oct. 20 - 23 Jackson Aug. 18 - 22

**BROKER POST-LICENSE** 

**GRI III** (BROKER B) Nov. 10 - 14 **Jackson** 

Jackson July 28 - 31 Jackson Dec. 15 - 18

### GRI II & GRI III (60 HOUR BROKER PRE-LICENSING)

Additional Pre- and Post-License courses are being scheduled for other parts of the state. Please visit realtorinstitute.org for an updated list of available courses.

# **Continuing Education Schedule**

Agency, License & Contract Law Concepts, Forms & Disclosures \*Electives (TBD)

Agency, License & Contract Law Concepts, Forms & Disclosures

Agency, License & Contract Law Concepts, Forms & Disclosures \*Electives (TBD)

Jackson September 17, 2014 9A-6P September 18, 2014 9A-6P

November 18, 2014 9A-6P November 19, 2014 9A-6P

December 10, 2014 9A-6P December 11, 2014 9A-6P

Jackson Jackson

Jackson Jackson

Jackson

# www.realtorinstitute.org

Check the website for up-to-date information as classes are added frequently.

### Mississippi REALTOR® Institute Classroom CE Courses

### Required Law (8 hours needed)

\*Electives (TBD)

Agency Law (4) License Law (2) Contract Law (2)

### Electives (8 hours needed)

8 Steps to Building a Book of Business (4) 21 Things I Wish My Broker Had Told Me (4) Accredited Buyer Representation (16) Accredited Buyer Representation Manager (12) Avoiding Anti-Trust (4) Basic Computing (4) BPO Standards & Guidelines (4) Buyer Prospecting (2) Buyer Representation (2)

Buyer, Showing to Contract (2) Buyer, Contract to Closing (2) Commercial Real Estate 101 (4) Employer-Assisted Housing (3)

F1 Contract (2)

Facebook for REALTORS® (4)

Foreclosures, Short Sales, REOs & Auctions (4) Marketing a Listing (4)

Military Relocation Professional Certification (8) Property Disclosures (4)

Property Management for the Residential Agent

REALTOR® Code of Ethics Quadrennial (3) REALTOR® Code of Ethics Quadrennial (4)

REALTOR® Etiquette: Professional Conduct

& Courtesy (4)

REALTOR® Safety at Home & Work (4) REALTOR® Safety in the Workplace (2) Red Flags: Property Inspection Guide (4)

Risk Management (4)

Sell Yourself & Your Listing with Video (2) Seller Representative Specialist (14)

Seller Prospecting (2) Seller, Pricing to Sell (2) Seller, Marketing that Works (2) Social Media Dos & Don'ts (4)

Standard Forms (4) Standard Forms (8)

Technology Tour for Real Estate Professionals (4)

Website & Internet Basics for Real Estate Professionals (4)

The Professional's Guide to Real Estate Listings (8)

Includes: Seller Prospecting Pricing to Sell

Marketing that Works From Contract to Closing

The Professional's Guide to Real Estate Sales (8)

Includes: **Buyer Prospecting** 

**Buyer Representation** Showing to Contract Contract to Closing

### **President's Circle**





















## **Golden \$5000**

















### **Crystal \$2500**





Lisa Hollister











Sterling \$1000

Ken Austin Pass Christian









James Carson Jackson



Gloria Clyatt







Judy Corts









Moss Point





Jeffrey Dillon Ridgeland





Joan Ferguson





John Jones Pascagoula





Tracy Kirkley Southaven





Vicki Klein































Bruce Kammer













































Dorothy Thompson

Jo Usry Jackson









Nell Wyatt





**REALTOR® Services Corporation** 

# **Local Board MARPAC participation levels**

As of June 4, 2014 MARPAC reached 84.9% of its \$215,000 2014 goal with \$182,441.

Biloxi-Ocean Springs	59.1%	
Central Mississippi	42.1%	
Clarksdale	71.4%	
Cleveland	58.3%	
Four County	38.0%	
Golden Triangle	55.5%	
Greenville Area	76.7%	
Greenwood	50.0%	
Grenada	95.0%	
Gulf Coast	51.5%	oal
Hattiesburg Area	52.2%	on G
Laurel	84.5%	fair Share Participation Goa
Meridian	54.6%	urtici
Mississippi REALTORS®	100.0%	re Pa
Mississippi Commercial	68.7%	Sha
Natchez	37.8%	Fair
North Central Mississippi	<b>52.9</b> %	
Northeast Mississippi	60.5%	
Northwest Mississippi	62.8%	
Pearl River	55.2%	
Southwest	69.1%	
Vicksburg-Warren County	24.3%	
Total Participation	52.1%	100%





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# YPN SPOTLIGHT





### Adam Watkins, Hattiesburg

I have been having great success using Docusign efficiently with most of my clients. This has saved a lot of time and paperwork. I know people have been using electronic signature for years, but it finally seems that the majority of clients now have the appropriate technology for it to be quick and easy.

I also recently had clients relocating from Ohio. The wife had to remain in Ohio, but the husband was already in Mississippi working at his new job. She wanted to see a home at the

same time as her husband, so, we used FaceTime on my iPhone. I was able to walk her through the house and show it to her as if she was there.



YPN recently hosted a "Knockin' Down Pins for YPN" bowling event in conjunction with the MAR committee meetings at Fannin Lanes in Flowood. The event was held to help raise money to host a YPN speaker for the 2015 MAR Convention.



# Making life better one dream at a time

At Regions Mortgage, we believe helping families achieve their dream of home ownership is an important step toward building strong communities. That's why our financing options offer home loans with low closing costs, low interest rates and affordable monthly payments. We want life to be better. That's a dream we all share. Here at Regions Mortgage, it's more than a dream. It's our mission.

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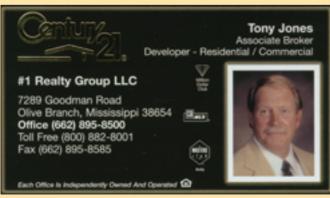
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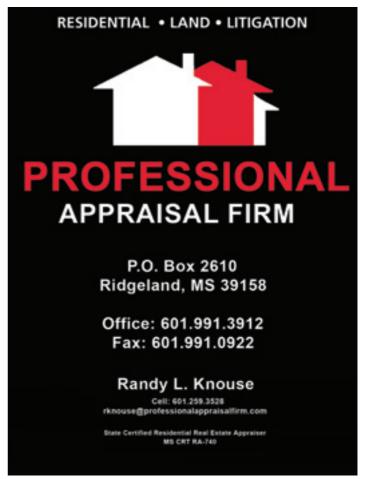














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