



# San Francisco REALTOR® Advantage Online

Opening the Door™

A bi-weekly newsletter highlighting important news and events for REALTORS®

April 30, 2013

## Get Creative and Win

The SFAR Education and Member Services Committee is bringing back its free, weekly seminars open to all SFAR members. The seminars, previously known as “Teach Me Tuesdays,” will now be held on Thursdays. With the seminars being held on a new day of the week, we now need a new name for the education series since Teach Me Thursdays just doesn’t have the same ring to it. That’s where you come in.

## Win a \$100 Gift Card or an iBox

We are holding a contest for all SFAR members to help us come up with a creative name for our new Thursday educational series. The winner will receive either a **\$100 Visa gift certificate** or a **Supra iBox BT valued at \$145**. Please email your suggested names to us at: [sfar@sfirealtors.com](mailto:sfar@sfirealtors.com) by **Friday, May 17th**.



The Education and Member Services Committee will review and pick the best name at its next meeting. Email us your name ideas for your chance to win!



## PAY YOUR DUES ONLINE

Starting June 1, your billing statements will be sent to your email inbox rather than your physical mailbox.

Be on the lookout for an email with the subject line “SFAR Billing Statement.” To ensure that your most up-to-date email address is on file with the Association, simply log into [mysfar.sfirealtors.com](http://mysfar.sfirealtors.com) and click on “Email Address Update.”



# 4,033

Number of active SFAR members as of April 29

Teach me Tuesdays are back! The free seminars will now be held on Thursdays.



### Currently in the Works at the SFARMLS

The SFARMLS Committee and Board of Directors have approved several

significant changes and updates for the SFARMLS. These changes are in the development process and will be released for your use as soon as the necessary coding changes and policies have been put in place.

### Selling Agents Able to Submit Comparable Sale

When the listing agent has not submitted the comparable sale to the SFARMLS, the selling agent will be able to submit the sale for comparable purposes. New forms to provide for the submission are being developed and will soon be available in the "Links and Documents" section of the SFARMLS. Information regarding restrictions will also be made available.

### Private Listing Option

The SFARMLS will also be adding a "Private Listing" status option for all subscribers. Private listings will only be able to be viewed by the agent submitting the property and the company the agent is affiliated with. Days on market will not be accumulated while the listing is in Private status. Additionally, Listings in the Private status cannot be emailed to other participants and subscribers.

### Coming Soon Status

The "Coming Soon" status will be provided as an option for properties that will soon be listed for sale, but are not yet ready to show. "Coming Soon" status will be available for all subscribers. Listing in the "Coming Soon" status will be searchable and available to be emailed to other agents. Days on market will not be accrued during the time a listing is in the "Coming Soon" status.

### Fractional Property Type

A new property type titled "Fractional" is also being developed for the SFARMLS. Fractional properties are those where the seller is selling a fractional percentage interest in the property.

### SFARMLS to Implement New Lease Property Types on Friday, May 3, 2013

On Friday, May 3, 2013, SFARMLS will implement three new lease property types for single family, apartment, and commercial listings. The new lease property types will also include a variety of listing price styles such as per month, per week, per day, as well as per square footage.

You can enter these lease listings as you would a listing for sale, making sure to choose the correct property type. You will also find these new lease property types in all of the SFARMLS Searches.

### Supra Releases Updated Android App

Supra has released an updated eKEY for Android application, version 1.3.11.716. This update improves the eKEY for Android's ability to connect, a process known as pairing, with the iBox BT. Samsung Galaxy and OS 4.2 Nexus Tablet users in particular should notice improved pairing performance.



To take advantage of this update, simply update the eKEY application from your app source (typically Google Play).

### Rapattoni Will No Longer Support Internet Explorer 8

In February of this year, Internet Explorer® 10 was made available for public download. Rapattoni MLS is compatible with the newest version of this popular web browser. Starting July 1, 2013, Internet Explorer® 8 will no longer be supported by Rapattoni MLS. Note that Internet Explorer® 10 is only available on Windows 7 and Windows 8. Microsoft is NOT making Internet Explorer® 10 available for Windows Vista or Windows XP users, and

Internet Explorer® 9 is not available for Windows XP either.

### Realist Tax Database Not Yet Compatible with Internet Explorer 10

In February 2013, Microsoft automatically updated all Internet Explorer browsers from version 9 (IE9) to version 10 (IE10). Since that update, SFARMLS users who attempt to view the Realist tax database with IE10 will see an error message that states, "You do not appear to be running a supported browser." Until the issue is resolved, SFARMLS users are urged to use the Mozilla Firefox browser to access Realist.

### dKey Reminder

Please be aware that, according to our agreement with Supra, any SFARMLS participant or subscriber with an inactive dKey has 30 days to return it to the San Francisco Association of REALTORS® office or your key deposit will be forfeited.



If you are in possession of an inactive key, please return it to the SFAR office located at 301 Grove Street to ensure your deposit is not lost.

### SFARMLS Members Can Now Link Directly to CAR through the New zipForm® 6 Link on the MLS

SFARMLS has added a convenient Single Sign On (SSO) link on the MLS that links REALTOR® members directly to the California Association of REALTORS® (CAR) website. This is the first stage of a two-part project that will eventually allow SFAR REALTOR® members to link directly to zipForm® 6 and also auto-populate MLS information into existing zipForm® 6 documents.



## Reminder Regarding SFARMLS Listings

Under MLS rules, there is no such thing as an off-MLS listing. The only exception is an exempted listing in which an [exclusion form](#) has been submitted to SFARMLS within three business days of the execution of the listing agreement.

Once an agent has signed a listing agreement, he or she **MUST** input the listing into the SFARMLS within three business days, or submit to SFARMLS the completed [exclusion form](#). Failure to input the listing, or submit to SFARMLS the [exclusion form](#) will result in a violation under MLS rules.

### MLS rules 7.5 and 7.6

**7.5 Mandatory Submission:** Broker participants shall input exclusive right to sell or exclusive agency listings on one to four unit residential property and vacant lots located within the service area of the MLS by the end of the third business day after all necessary signatures of the seller(s) have been obtained on the listing. Only those listings that are within the service area of the MLS must be input. Open listings or listings of property located outside the MLS's service area (see section 7.7) are not required by the service, but may be input at the broker participant's option.

**7.6 Exempted Listings:** If the seller refuses to permit the listing to be disseminated by the service, the listing broker shall submit to the service by the end of the third business day after all necessary signatures of the sellers have been obtained on the listing an approved certification (Exclusion form) signed by the seller that the seller does not authorize the listing to be disseminated by the service during the specified waiver period.

### Penalties

**Please be advised that violators of the MLS rules will face the following penalties under Appendix B (Citable Infractions) Section 2.1 and 2.2**

**2.1 Listing Not Loaded Within the Required Timeframe of Start Date of Listing (Sec. 7.5) FINE LEVEL B (\$100)**

**2.2 Listing Waiver Not Submitted to MLS Within the Required Timeframe of Start Date of Listing (Sec. 7.6) FINE LEVEL B (\$100)**

### Violations will be cited by SFARMLS as follows:

First offense — warning

Second offense — fine per fine schedule (\$100)

Third offense — two times the fine per fine schedule (\$200)

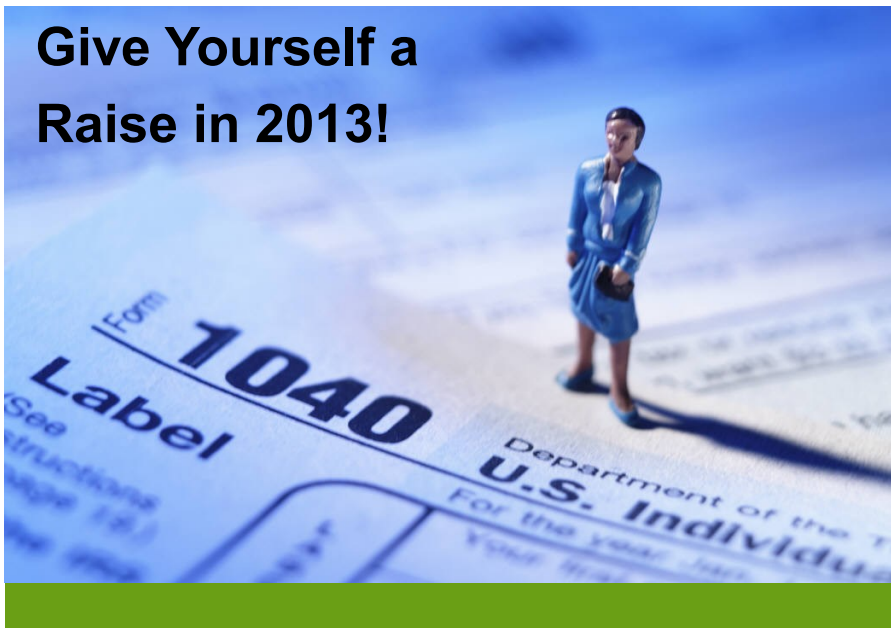
Fourth offense — three times the fine per fine schedule (\$300)



### Off-Market Sales Webinar

The California Association of REALTORS® (CAR) recently hosted a webinar featuring Senior Counsel Elizabeth Miller-Bougdanos and MLS Listings Chair and CAR Past-President Robert Bailey, discussing how off-market sales are impacting the real estate industry. If you were unable to participate, you can view the [webinar here](#).

# Give Yourself a Raise in 2013!



Kelly Clark of Bradford and Company, Inc. will return for an encore of **Tax Strategies for the Real Estate Professional**

This special presentation will help you identify between \$2,500 and \$27,000 in new deductions that can be used immediately to pocket thousands of dollars in tax savings. These deductions are based in tax law, but presented in simple English that all of us can easily understand and follow.

## You Will Learn:

- How to use the tax side of your business to increase your spendable income;
- Documentation tips that will save you time;
- Six methods that produce thousands of dollars in deductions;
- How the new 2013 tax laws affect purchases of cars, computers and desks, as well as other equipment for your business;
- New automobile depreciation deductions updates;
- Why real estate professionals may now safely qualify for a home office deduction and how it transforms personal commuting to deductible business miles;
- Two remarkable entertainment deductions available to real estate professionals that may surprise you;
- How to safely transform 50% of entertainment deductions into 100% of entertainment deductions;
- Learn how a 105 medical plan can turn your family's medical expenses into tax-favored business expenses; and
- Red flags to avoid and ways to reduce your chances of being audited.

**MAY 9**

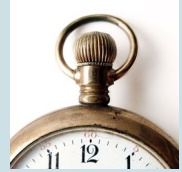
10 a.m. – 12 p.m.

Holiday Inn Golden Gateway  
1500 Van Ness Ave.

**FREE** to SFAR Members

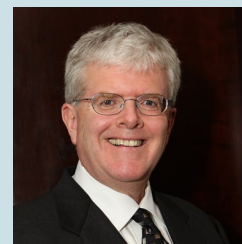
Register at:  
[www.mysfrealtors.com](http://www.mysfrealtors.com)

## Legal Minute



### Permanent Estate Tax Reform

Our lawmakers accomplished 'permanent' estate tax reform early this month. The exclusion from estate, gift and generation skipping tax is now \$5 million, indexed for inflation (approximately \$5.25 million in 2013). A married couple can transfer \$10.5 million tax-free. This is the largest exemption amount ever. The estate tax rate, for estates subject to the tax, was increased from 35 percent to 40 percent. The annual gift tax exclusion amount has increased from \$13,000 to \$14,000 due to an inflation adjustment. Portability -- the ability of a surviving spouse to use the unused estate tax exclusion of a deceased spouse -- was made permanent. Portability is usually not the best available tax planning. The documents we draft provide for flexibility so that the trustee can choose between traditional tax planning and portability when the time comes. Despite much talk about closing "loopholes," the rules for planning with grantor retained annuity trusts (GRATs); valuation discounts; and intentionally defective grantor trusts (IDGTs) were not changed. The tax planning in almost every trust should be reviewed in light of the new law.



**John O'Grady** helps people navigate family conflicts concerning aging, death, taxes, inheritance, and property rights

while addressing the underlying conflicts, salvaging important relationships, and staying connected and in conversation for a lifetime. He is the Immediate Past Chair of The Estate Planning, Trust & Probate Section of the Bar Association of San Francisco.



# Tips on Disclosures

The following article is from the California Association of REALTORS® (CAR)

California has been a leader in striving for complete transparency in property sales, and the state has some of the most stringent disclosure rules in the country. Each of the hundreds of thousands of residential property contracts that cross the desks of California REALTORS® every year include pages upon pages filled with boxes to tick and places to sign.

The following tips from CAR are meant to keep you up to speed on essential disclosure information and a **NEW** mandatory disclosure you need to know about coming in July.

## Why are there so many disclosures?

Disclosures are meant to protect both buyers and sellers by making sure that all parties are aware of problems or potential problems with a property. Though at times frustrating, the level of detail in the paperwork is designed to make both buyer and seller aware of the specifics of their transaction, and to minimize or eliminate issues down the road.

## What are the disclosure requirements for REALTORS®?

In California, sellers may ask REALTORS® for help when disclosing information on a wide range of issues including airport proximity, methamphetamine contamination, whether or not the windows have security bars, and natural hazards such as flood, fire and seismic risks. Sellers may also be required to include information on quantifiable issues such as whether they know there is lead paint on the property to more subjective issues like noisy neighbors or whether or not a common fence is an issue.

Keep current on the rules . The laws are always changing and in past years, and in response to those changing laws, California REALTORS® have added notices on items such as carbon monoxide detectors, pest control, water heater bracing, and how buyers can find information on registered sex offenders.

## What's new for 2013?

Beginning July 1, 2013, California REALTORS® must add a specific notice on gas and hazardous liquid transmission pipelines for residential sales contracts. This notice, a response to the 2010 pipeline explosion in San Bruno and similar incidents, informs buyers that they can find the general location of these pipelines via the U.S. Department of Transportation's National Pipeline Mapping System at [www.npms.phmsa.dot.gov](http://www.npms.phmsa.dot.gov). C.A.R.'s standard form purchase agreements will be updated to include this new notice.

## Do REALTORS® need to list the pipelines affecting each property?

No. Absent actual knowledge, you won't need to inform the buyer about specific pipelines affecting the property and will not be required to disclose any additional information. Your role will be to advise buyers where information on pipelines is located and available, and how they can find that information.

## When in doubt, disclose

Occasionally a property might have an issue that's not covered in the comprehensive list of standard disclosures. In these cases, full disclosure is the best way to go. It protects both parties legally, and can eliminate troubles down the road. An additional disclosure might figure into final negotiations for entering into a sales contract, but in most cases will not be enough to derail a sale.

## The stakes are high

In addition to being ethical and following good business practices, full disclosure will keep you on the right side of the law. If a seller or REALTOR® is found to have failed in properly disclosing a problem, they can be held liable for the buyer's damages. Needless to say, the phrase "better safe than sorry" is more than applicable when it comes to disclosures.

## Questions?

Did you know your C.A.R. membership includes FREE access to Legal Hotline attorneys? You can call with questions Mondays through Fridays from 9 a.m. to 6 p.m. or Saturdays (transactional questions only) from 10 a.m. to 2 p.m. for free legal advice on a vast array of real-estate related topics including disclosure requirements.



The San Francisco **Small Business Network** will host its 29th Anniversary Gala on **Thursday, May 9, 2013.**

**Where:** Marine's Memorial Club - 609 Sutter Street, San Francisco, CA 94102

**When:** Cocktails at 6 p.m.  
Dinner at 7:30 p.m.

**RSVP** by May 1, 2013

**For More Information:**

Call: 415-661-3860

Email: [execdirector@sfsbn.org](mailto:execdirector@sfsbn.org)

Visit: [www.sfsbn.org](http://www.sfsbn.org)

## Got a News Tip for RAO?

Contact us at:

[kristy@sfirealtors.com](mailto:kristy@sfirealtors.com)

Submissions must be received by the first and third Tuesday of each month to be considered for the following week's issue.

301 Grove Street  
San Francisco, CA 94102  
(415) 431-8500

Stay connected by liking SFAR on Facebook!



Don't forget to sign up for Real Estate Connect San Francisco July 10-13. **The first 50 SFAR registrants can save \$100 off their registration** by signing up here:

<https://register.inman.com/shop/RmcqIH>



## May 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## June 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

SFAR Board and Committee Meetings

SFAR Member Orientations

Special Events and Trainings

Cloud CMA Demos: Thursday, **May 2**, 10:00 - 11:00 a.m. and 1:00 - 2:00 p.m.

Tax Strategies for Real Estate Professionals: Thursday, **May 9**, 10:00 a.m. - Noon

MLS Broker Orientation: Thursday, **May 16**, 9:30 - 10:30 a.m.

MLS Specialized Training: Thursday, **May 16**, 2:30 - 3:30 p.m.

SFAR Membership Orientation: Friday, **May 24**, 9:30 - 11:00 a.m.

Board of Directors Meeting: Wednesday, **May 29**, Noon

Board of Directors Meeting: Wednesday, **June 19** Noon

SFAR Membership Orientation: Friday, **June 21** 9:30 - 11:00 a.m.