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WEST CENTRAL
ASSOCIATION OF REALTORS®
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Article 12

REALTORS® shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations. REALTORS® shall ensure that their status as real estate professions is readily apparent in their advertising, marketing, and other representations, and that the recipients of all real estate communications are, or have been, notified that those communications are from a real estate professional. *(Amended 1/08)*

Standard of Practice 12-7

Only REALTORS® who participated in the transaction as the listing broker or cooperating broker (selling broker) may claim to have “sold” the property. Prior to closing, a cooperating broker may post a “sold” sign only with the consent of the listing broker. *(Amended 1/96)*

NEW Case #12-25: Advertising Role in Sales After Changing Firm Affiliation *(Adopted May, 2009)*

REALTOR® Q was a non-principal broker licensed with ABC REALTORS®. REALTOR® Q specialized in buyer representation. A prominent feature on her website carried the headline, “I sold these – and I can help you buy or sell, too!” Under the headline was a list of over a hundred street addresses of properties for which REALTOR® Q had found buyers.

For personal and professional reasons, REALTOR® Q chose to leave the ABC firm to affiliate with XYZ, REALTORS®. As she transitioned to her new firm, REALTOR® Q was careful to disclose the name of her new firm in a readily apparent manner on her website. Her website also continued to display the list of properties she had found buyers for during her time with the ABC firm.

REALTOR® Q’s parting with ABC had been amicable, so she was surprised to receive a complaint brought by her former principal broker, REALTOR® C, alleging a violation of Article 12, as interpreted by Standard of Practice 12-7, based on her website’s display of sales made while REALTOR® Q had been affiliated with ABC.

At the hearing, REALTOR® C, the complainant, noted that Standard of Practice 12-7 provides, in part, “Only REALTORS® who participated in the transaction as the listing broker or cooperating broker (selling broker) may claim to have ‘sold’ the property. “It was ABC< REALTORS®, REALTOR® C added, “that was the selling broker in these transactions, not our former sales associate REALTOR® Q. Her advertising our sales under the umbrella of her new firm, XYZ, REALTORS® is confusing at best, and potentially misleading to consumers who may get the impression the XYZ firm was involved in these transactions when that’s not the case.”

REALTOR® Q defended herself and her website, arguing that the fact that she had found the buyers for each of the properties listed on her website was still true, and that the only thing that had changed was her firm affiliation. “If it was true when I was licensed with ABC, then it’s still true even though I’m now licensed with XYZ,” she reasoned

The hearing panel agreed that REALTOR® Q had, in fact, sold the properties, albeit while licensed with ABC. The ad, however, suggested that the sales were made while REALTOR® was licensed with XYZ, which was not the case. Consequently, REALTOR® Q was found in violation of Article 12.

WELCOME NEW MEMBERS

TRANSFER

Oakridge Realty
Ellen Roeder

REINSTATED

MLS Member Only

Knopp Appraisals
Vandalia, Ohio
Sue Knopp

West Central Association Membership Statistics

	Year to Date thru 2/15/2010	Year to Date thru 2/15/2009	Year Ending 12/31/2009
# Offices	60	59	63
# Primary Members	333	338	349
# Secondary Members	4	5	5
# Affiliates	26	25	26

West Central Association MLS Statistics

	Year to Date thru 2/15/2010	Year to Date thru 2/15/2009	Year Ending 12/31/2009
# Offices	77	70	76
Total Membership in Multiple	341	338	352
New Listings	374	301	3137
Closings	150	104	1639

MLS TIDBIT

LISTING PHOTOS

An EXTERIOR Photo is required to be put on ALL listings within seven (7) days of the listing being put into the MLS.

Names, Phone Numbers, web site addresses, company signs cannot appear in any of the photos.

If you would like a copy of the MLS Rules and Regulations, they are available on InnoVia under "Links of Interest" on the "Home" Page



The Third Quadrennial Period for the NAR Professional Standards Requirement Code of Ethics Course began January 1, 2009. This course **MUST BE COMPLETED BY DECEMBER 31, 2012**. Fax your certificate to the Board upon completion of your Ethics Course to meet this requirement.

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LAST REALTOR® STANDING

RPAC REVERSE RAFFLE & AUCTION

May 20, 2010

SAVE THE DATE & Mark your calendar now!

Raffle Tickets go on Sale
APRIL 1st



Is Your Birthday in April, May or June?

If you are up for your three (3) year renewal, approximately (60) days before your birthday you will receive notification from the Ohio Division of Real Estate. **WATCH FOR IT!**

Call the ODRE at 614-466-4100 if you do not receive this 60 days in advance.

It is YOUR responsibility to keep a current address on file at the Division. You also need to notify the Board Office so we can keep our records accurate. Call the Board Office and we will fax you a form if you need one.

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The February Board of Directors meeting was cancelled due to the weather. The next scheduled meeting is March 10.



Top 10 Benefits of NAR Membership



Membership to Help Your Business NOW

NAR provides you with a wide array of tools to navigate the current real estate market. To make the most of your membership, [manage your account](#) to get the news you want. Plus, find out exactly [where your membership dollars go](#) and every product and service NAR membership offers you.

1. [Right Tools, Right Now](#)

Tackle today's challenging economic conditions with the hundreds of publications, tools and resources – now made available to you for FREE or AT COST. Hear what REALTORS® are saying about this exciting program in a short video. [Watch now >](#) (3:30)

2. [Public Awareness Campaign](#)

Every day, NAR works to let consumers know you're the best in the industry. By communicating the importance of choosing to work with a REALTOR®, we explain what sets you apart.

3. [Government Advocacy](#)

Political battles won today significantly affect tomorrow for REALTORS® across the country. To ensure your future success, we working harder than ever and need your active support now.

4. [REALTOR® Brand](#)

The REALTOR® brand is a powerful marketing tool that only members of NAR can use—and is supported by the high standards of integrity, honor and service defined in our [Code of Ethics](#). Only members of NAR can claim to adhere to the high standards of integrity, honor and service in the real estate industry.

5. [Education/Specialities](#)

Tap into new opportunities in your market – and as much as double your salary – by gaining designations needed to work with clients with specific needs.

6. [Information Resources](#)

NAR helps you stay up-to-date on the latest trends, technology, sales and marketing by taking advantage of our resources – including REALTOR Magazine, REALTOR.org and Real Estate Today, NAR's new radio show.

7. [Research](#)

It's never been more crucial to know all you can about the economy, your market, home buyers, and home sellers. Understand today's market to build for a stronger future.

8. [Technology](#)

Every REALTOR® needs an edge. Get yours through technology resources designed to streamline your business, secure more listings, attract greater attention to your homes, boost customer service and much more.

9. [Networking](#)

What you don't know could help you. By attending NAR conferences, networking with other REALTORS® and sharing lessons learned, discover how someone else's tricks of the trade could potentially help you conjure up success.

10. [REALTOR Benefits® Program](#)

In this market, we know margins are thin. Our partners' offerings can help you save time and save money. Learn more about two new partners in short informational videos.

[REALTORS® Core Health Insurance >](#) (3:01)

[REALTORS® Federal Credit Union >](#) (3:48)



E-mail: the right way

By **Andrew Kantor** Virginia Association of REALTORS®

Like it or not, e-mail is the most common form of electronic communication today. Chances are it's how you connect with most of your clients, your peers, your broker, or your agents. (And chances are, if you're going to comment about this article, you're going to do it by e-mail.)

That's why you ought to do it right.

Yes, Virginia, there is a right way to do e-mail. There are ways to make your messages easy on the eyes and minds of your recipients, to make your message as clear as possible, and to maintain your professional look.

Here are 11 tips to do just that. Many of you already do these things, but it's also obvious that there are a lot of people who don't. They may not realize how it looks on the receiving end, or they may just not think about it – or they may think, "That's just the way it is."

Well, it ain't. They're all important, and they're all easy – and your recipients will thank you for taking the time.

Content is king.

Use a smart subject. The subject is the first thing people see, so make it count. Obviously it should give some idea of what the message is about, but it should also make it clear whether it's just some information or whether there's an action necessary.

Really Bad: Smith project

Bad: Smith project cost changes

Good: Need your approval for Smith Project changes

Many, many people use those "Really Bad" subjects, maybe because they're thinking of it as a title, not a subject. There's a huge difference. Titles are meant to be catchy ("War and Peace"), subjects are meant to deliver information. Don't mix them up.

Clean that subject. When a message is a reply, the subject gets a "Re:" added. No problem; we've all seen it. But if a message goes back and forth a while – or gets forwarded outside the original recipient group – some e-mail software is not smart enough to keep the subject manageable. You end

up with a subject of "Re: Re: Re: Fwd: Re: smith project."

So if you're about to send such a message, do everyone a favor and trim the subject line. Either pare it to a single "Re:" or, better, change the subject completely. Chances are, after all those backs-and-forths a new subject will make more sense anyway.

Sign your messages completely. Most e-mail software lets you add a signature – your "sig" – to the bottom of your messages. If you aren't doing that, start. And make sure that signature includes your contact information clearly labeled. (Yes, using a "P." for a phone number and "F." for a fax is cute, but why confuse the issue?)

Put that sig on all your outgoing messages, including replies. That makes it easy for someone to reach you, because they can open any message you've sent knowing your phone number is there.

And consider the legal angle. If the message has anything that be perceived as advertising, you should include some important disclosures: Your name, your firm's name, the city and state of the office you work from, and the jurisdiction(s) where you hold a license.

Because of all that, you shouldn't add much more. Your signature is not the place for a huge ad for your company, or to tout the awards you've won. If you end up exchanging several messages, it get tiring seeing a huge block of text repeated over and over.

That said, it's also a good idea to remove nested signatures. If you're having an e-mail conversation with someone and that means your sig is appearing multiple times in a message, clean it up. Once is plenty.

Put action items and other important info at the top. If you need something done, say so immediately, then explain the details. Even skimmers will read the first part of a message. If you bury a phrase like "...make sure to send me those papers..." somewhere below, it's easy to miss.

If you think it's too abrupt to start a message with "I need you to send me some documents," add a

short pleasantry, but that's it: "Hey, John, hope you're doing well. I need you to send me some documents. . ."

If your recipient wants a surprise ending, she'll go see "The Sixth Sense."

Use English. It's about professionalism. Sure, if it's an urgent message to a colleague you can forego the niceties, but you should get in the habit of treating every message like it's going to someone important. Because it is.

Your grammar, spelling, and style don't have to be English-teacher perfect, but take a moment or two to at least clean it up. You know, capitalize the first letter of a sentence, use decent punctuation, check for spelling mistakes, and so on. It may be a small thing, but it cultivates the impression (hopefully accurate) that you're thorough and that you consider your recipient important. Which you do.

Don't use stationery. Ever. Background images of leaves, balloons, butterflies, stripes – forget it. Forget it all. It's distracting, it's annoying, and it may not display properly in anything other than a white background in typical business correspondence.

The obvious exception: Newsletter. If you or your company sends out an electronic newsletter, then sure, go to town. Just be sure to check the result on a variety of e-mail software (Outlook, Windows Mail, Gmail, etc.) to be sure it looks the way you intend.

Keep your fonts simple. Your messages should be composed in one of five typefaces: Times New Roman, Arial, Georgia, Tahoma, Verdana. Period. Those are sometimes called "core Web fonts," and they're guaranteed to be available to anyone you send a message to. So pick one and use it – no scripts, or slab-serifs, or other nonsense. And under no circumstances should you ever, ever use Comic Sans if you're over the age of eight.

On a similar note, you can use any color you want, as long it's black. Or blue. If you're in third grade, then all the purple and green you want. Otherwise, this is business correspondence, and – unless you're working for the Cincinnati Bengals – it's no place for orange text.

Stick to one typeface. Your e-mail messages shouldn't switch from one font to another, willy-nilly. You picked one and you need to stick with it. It's less distracting, and there are only a few, very limited cases when you need to use more.

Ah, but what if you paste something into a message from a Web page, a document, or another e-mail?

Sometimes that will retain the formatting from wherever you got it.

So clean it up' it's simple. You just need to past the text into Notepad first, then copy it out and past it into your message. Notepad strips out all the formatting, so whatever you paste will look like the rest of your message and not sport a jarring change of typeface.

Reduce nested quotes. When a message goes back and forth, with each person adding a comment, the original messages end up below those comments (or in some cases, above). So you could have a one-line message ("Sounds good to me") followed by 30 lines of previous exchanges. Messy.

So trim it down – delete any old conversation that is no longer necessary, so your recipient doesn't have to see all the flotsam. Or jetsam.

This is especially useful if you're sending to someone using a Blackberry or other PAD to receive messages. That small screen can easily fill with nested quotes and signatures – so take 'em out.

Finally, one suggestion that's not about the content of your mail: Don't send immediately. Many e-mail programs give you an option to hold an outgoing message until the next time you check your mail. So if you're set up to check every five minutes, it could be up to five minutes before your message goes out..

Till then, it's in the Outbox. This gives you a chance to make any last-minute changes – think of it as a cooling off period. And we all need those once in a while.

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www.ohiorealtors.org Ohio REALTOR® Online



SINCERE CONDOLENCES

to Dawn Arheit, Busy B Realty, on the death of her Father-In-Law, Rev.Thomas Arheit on February 16th.

DO YOU HAVE A QUESTION OR A CONCERN REGARDING THE BOARD????



Officers

President	Jim Kitchen	419-222-3040
President-Elect	Neal Obringer	419-222-2560
Vice President	Linda Painter-Stemen	419-222-1212
Past President	Teresa Irwin	419-659-5151

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Chris Fleischman	222-1212
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belindaglenn@juno.com
joebikeshop@earthlink.net
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10 Hour Post Licensure

March 6th & 7th 9:00 – 2:30
Lunch included both days

West Central Association of REALTORS®
400 S. Cable Road
Lima, Ohio 45805
419 227-5432

\$55 Members \$65 Non-Members

Call now to Register

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THANK YOU

to Michelle Snyder, Tim Sprague, Superior Federal Credit Union and Chrisa McGhee, Sue Alexander, The State Bank for providing lunch for the 30 Hour C. E. Classes on January 18th and 19th.

to Cindy Sawmiller, Wells Fargo Home Mortgage for providing the lunch and Free Continuing Education at both the January and February Membership Meetings.

* * * * *

Membership Meetings

March 12th

Lunch 12:00
Meeting 12:30

2 Hours FREE C.E. 1:00 – 3:00

MOTIVATE, MEASURE & REDUCE AGENT RISK

Esther Johnson, First American Homebuyer's Protection Corporation will provide lunch and two Hours of Continuing Education.

Call the Board Office to register so we can have your certificate ready for you.

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Congratulations to Brian DePalma, Cowan, REALTORS®, on the birth of his daughter, Addyson Christine on February 1st.

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REAL ESTATE DISCIPLINARY ACTIONS

SHJUANA A. WILLIAMS, salesperson, Batavia, Ohio, had her license suspended for six months, which commenced March 30, 2009, for violating 2 counts of Revised Code 4735.18(A)(34), 2 counts of Revised Code 4735.18(A)(6), misconduct, at it incorporates Revised Code 4735.21, 6 counts of Revised Code 4735.18(A)(6), misconduct, 2 as they it incorporate Section 1, Article 1, 2 as they incorporates Section 1, Article 2 and 2 as they incorporate Section 1, Article 4 of the Canons of Ethics for the Real Estate Industry. Ms. Williams authorized or permitted an entity not licensed under Chapter 4735, to act as an agent in the capacity of a real estate broker, or a real estate salesperson, who was not then licensed as a real estate broker or real estate salesperson under Chapter 4735 or who was not then operating as an out-of-state commercial real estate broker or salesperson. Also, she collaborated with an unlicensed entity to receive a deposit, payment, and/or management fee in connection with the property management of properties. Ms. Williams failed to endeavor to maintain and establish high standards of professional conduct, failed to endeavor to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and, further, to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession and failed to be knowledgeable of the laws of Ohio pertinent to real estate and keep informed of the changes in the statutes of Ohio affecting the duties and responsibilities of a licensee.

KIMBERLY C. YANOSCSIK, broker, Willowick, Ohio, as the result of an investigation of a formal complaint, was fined \$250.00 and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(6) as it incorporates Revised Code 4735.13(A). The Commission found that Ms. Yanoscsik failed to obtain a branch office license for a location.

D. ANTHONY ZEHE, II, broker, Mentor, Ohio, as the result of an investigation of a formal complaint, had his license suspended for one year, unless he provided proof to the Superintendent that the complainant had been paid the commission Mr. Zehe collected. In addition, he was fined \$2,500.00, and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(31). Mr. Zehe failed, within a reasonable time after receipt of a commission, to render an accounting to and pay a real estate salesperson affiliated with him at the time, their earned share of a commission.

PERNELL SCOTT HARRIS, Cincinnati, Ohio, as the result of an investigation of a formal complaint, was found by the Commission to have violated 701 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$18,000.00. The Commission found that Mr. Harris, when for another, in expectation of collecting a fee, commission, or other valuable consideration, held himself out as engaged in the business of selling real estate in an email and offered or attempted to offer, listed or attempted to list property, without first being licensed under Revised Code Chapter 4735.

STEVEN M. HELMRICH, Columbus, Ohio, as the result of an investigation of a formal complaint, was found by the Commission to have violated 174 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$50,000.00. The Commission found that Mr. Helmrich, when for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation; offered, attempted, or agreed to negotiate the rental or leasing of the subject properties; listed, or offered, attempted or agreed to list the subject properties for rent or lease; managed or offered, or attempted to operate, manage the subject properties; agreed to direct or assist in the procuring of prospects that was calculated to result in the leasing or renting of the subject properties and advertised or held yourself out as engaged in the business of managing, renting or leasing of real estate, without first being licensed under Revised Code Chapter 4735.

TERRY L. TOWNS, Cleveland, Ohio, as the result of an investigation of a formal complaint, was found by the Commission to have violated 3 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$3,000.00. The Commission found that Mr. Towns, agreed to manage property for the owner of the property; thereafter, he managed or offered, or attempted to operate, manage the property when he accepted a security deposit from a prospective tenant and held himself out as a property manager on a hand written receipt provided to a prospective tenant, without first being licensed under Revised Code Chapter 4735.

T & T PROPERTY MANAGEMENT, Cleveland, Ohio, as the result of an investigation of a formal complaint, was found by the Commission to have violated 2 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$2,000.00. The Commission found that T & T Property Management, agreed to manage property for the owner of the property; thereafter, managed or offered, or attempted to operate, manage the subject property when the company accepted a security deposit from a prospective tenant, without first being licensed under Revised Code Chapter 4735.

* * Coming in April – Unlicensed Activity, Appraisal Disciplinary Actions * *

MARCH 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6 10 Hour Post Licensure 9:00 – 2:30
		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> OAR Legislative Conference Columbus </div>				
7 10 Hour Post Licensure 9:00 – 2:30	8	9	10 8:30 Meeting Board of Directors	11	12 Lunch 12:00 Membership Meeting 12:30 2 HR CE 1:00 – 3:00 See Page 6	13
14	15	16	17  St Patrick's Day	18	19	20
21	22	23	24	25	26	27
28  Palm Sunday	29	30	31			



Check These Out

[How NAR Works
For You](#)

[Housing Market Facts](#)

[NAR: Public Awareness
Campaign: Television](#)