



January/February 2007 Issue

You are Invited to Attend the FEBRUARY MEMBERSHIP MEETING

Dan Strayer, HMS Midwest Regional Manager, has been involved in the marketing of Errors and Omissions Insurance and home warranties to real estate brokers and agents since 1985. In his position as Regional Manager, he has spoken to thousands of real estate agents regarding risk reduction. Dan is a graduate of Ohio State University, majoring in insurance.

WHEN: Thursday, February 22, 2007

WHERE: *Ramada Inn, Elkhart (Please note change of location!)*

TIME: 11:30 AM

COST: \$10.00 for Affiliates & Guests

SPEAKER: Dan Strayer, HMS Midwest

PROGRAM: Risk Reduction for REALTORS®

RESERVATIONS ARE A MUST FOR BOTH REALTORS® AND AFFILIATES! Please call the Board Office, 875-3283 or drop us an email at members@ecbor.com to let us know if you plan to attend. Thank you.

2007 ECBOR Board of Directors

Tona Ambrosen
President

Karen Smith
President-Elect

Gary Decker
Secretary/Treasurer

Janice Ruskowski
3 Year Director

Cory White
3 Year Director

Dennis Risser
2 Year Director

Barb Swartley
2 Year Director

Bob Shultz
1 Year Director

Joydeen Smith
1 Year Director

Ann Wisler
1 Year Director

Don DeShano
Past-President

Jim McCaslin
Board Attorney

2007 MLS Board of Directors

Jeff Birky
President

Robert Przybylski
President-Elect

Dave Myers
Secretary/Treasurer

Emmon Schmucker
3 Year Director

Brett Crume
2 Year Director

Tona Ambrosen
1 Year Director

Joyce Ott
1 Year Director

Susie Tucker
1 Year Director

Karen Smith
Past President

Jim McCaslin
Board Attorney



2007 AFFILIATE OF THE YEAR

The 2007 Affiliate of the Year is Monica Lamley from Goshen Community Bank. Monica is very supportive of board events and attends virtually every membership meeting and event that is sponsored. She has served as a committee member and the 2006 Entertainment committee co-chair. Monica will serve again this year as 2007 Entertainment Committee co-chair. She is an asset to our organization and the real estate industry. Monica has worked in the service business for most of her career,

primarily in the title insurance and banking industry where she is currently employed as a mortgage loan officer.

On the personal side, Monica is very family-oriented lives in Edwardsburg with her husband, Pete, and two children.



2007 REALTOR® OF THE YEAR

Joyce Ott
Prudential One Realty

The Realtor® of the Year award stands for high principles in real estate practice both among fellow Realtors® and the general public and Joyce Ott exemplifies this principle.

Joyce joined the Elkhart Board in September of 1984 before the Elkhart-Goshen merged to become the Elkhart County Board of REALTORS®. Joyce has been with the same firm since joining the Board in 1984 but the firm has changed their name several times over the years. Joyce has volunteered on almost every committee and Board position. She has served on several MLS computer conversion committees, lock box conversion committees, merger committees, forms committees as well as President of the Board in 1993 and the MLS in 2002.

Currently she is a member of the MLS Directors and a member of the Indiana Association of Realtors® forms committee. She is a woman who serves with integrity and professionalism. She has a heart of gold and this really shows when she talks of her children, Tracey and Jeff and her 3 little grandchildren.



2007 LIFE MEMBER AWARD

The Life Member Award is given to members who helped contribute to the rich history of this Board. Tom has been a dedicated volunteer who dedication has helped advance this Board to the place we are today.

Tom Shultz was awarded the Life Member Award at the January 12th Installation -Realtor®/Affiliate of the Year Banquet. Tom has been a part of the Elkhart real estate community since 1959 when he sold his first home. He then joined the Air Force reserves and attended Ball State. After completing college and the service he returned to Elkhart to enter into the family business, Shultz Realty. He received his broker's license in 1972 and his GRI designation in 1974. Over the years, he has served as a committee person, committee Chair and also President of the Elkhart Board of Realtors® in 1975-76. He also served the Indiana Association of Realtors® as a Director and as District Vice President. He became a Life Member of RPAC in 1979. In 1986, Tom started Shultz Appraisal Services with offices in Granger, Syracuse and Rochester. Tom also taught the Real Estate Approved Salespersons and Broker's pre-licensing courses and the Appraisal courses at IUSB. In 2006, Tom made the decision to retire from the real estate business and focus more on his Drug Testing Laboratory and the game of golf. Tom is married to Joyce and has 3 daughters, Tena, Kathy and Teresa.

UPCOMING EVENTS

Murder Mystery Dinner
Friday, March 9, 2007 - \$25.00 - 6:00 p.m.
Location is a MYSTERY....to be announced
MORE INFO TO FOLLOW LATER - MARK YOUR CALENDARS!!

LOCAL NEWS

NEW MLS POLICIES

Effective January 15, 2007

SECTION 1 LISTING PROCEDURES: All listings of properties, properly signed by the seller(s) and the agent, of the following types, located within the territorial jurisdiction of the MLS of Elkhart County, Inc. and are taken by Participants and are exclusive right to sell or exclusive agency listings shall be entered into the computer within 72 hours (excepting weekends and holidays). Effective January 15, 2007, Participants will not be required to submit copies of every listing contract to the MLS unless the contract falls in the following categories:

Late Input or Quiet Listing
Special Designations
*Listing Contract Audit

Listing contracts in these categories must be submitted to the MLS within 7 days of obtaining seller's signature or pay a \$25.00 late fee.

*The MLS will randomly audit the listing contracts. In the case of an audit, the Participant(s) will be required to submit a copy of the listing contract to the MLS office within 2 business days. If the MLS does not receive the listing contract within 2 business days, the listing will be removed from the MLS and the Participant may be subject to further fines. If the listing is removed from the MLS, the listing will be reinstated upon compliance.

Late Input or Quiet Listing: According to Section 1.3 Exempted Listings, if the seller refuses to permit the listing to be disseminated by the Service, the Participant may then take a quiet listing and such listing shall be filed with the Service but not disseminated to the Participants. Filing of the listing must be accompanied by certification by the seller(s) that he does not desire the listing to be disseminated by the Service. Failure to submit required listing contracts within the allotted time will incur a \$25.00 late fee.

Special Designations: According to Section 1, Listing Procedures the following designations are required:

Exclusive Agency Listing (EAL): The exclusive agency listing also authorizes the listing broker, as exclusive agent, to offer cooperation and compensation on a blanket unilateral basis, but also reserves to the seller the general right to sell the property on an unlimited basis or restrictive basis. Exclusive agency listings should be clearly distinguished by a simple designation such as a code or symbol.

Prospect (PRO): Exclusive right to sell listings with named prospects exempted should be clearly distinguished by a simple designation such as a code or symbol from exclusive right to sell listings with no named prospects exempted, since they can present special risks of procuring cause controversies and administrative problems not posed by exclusive right to sell listings with no named prospects exempted.

Dual Commission (DC): The existence of a dual or variable rate commission arrangement (i.e. one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker without assistance and a different commission if the sale/lease results through the efforts of a cooperating broker, or one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker either with or without assistance of a cooperating broker and a different commission if the sale/lease results through the efforts of a seller/landlord) shall be disclosed by the listing broker by a key, code, or symbol as required by the MLS (DC). The listing broker shall, in response to inquires from potential cooperating brokers, disclose the difference that would result in either a cooperative transaction or, alternatively in a sale/lease that results through the efforts of the seller/landlord. If the cooperating broker is a buyer/tenant representative, the buyer/tenant representative must disclose such information to

their client before the client makes an offer to purchase or lease. Failure to disclose Special Designations in the MLS will incur a \$100 fine per violation.

SECTION 1.2 DETAIL ON LISTINGS FILED WITH THE SERVICE: A listing agreement and profile sheet, when filed with the MLS by the listing broker, shall be complete in every detail which is ascertainable as specified on the Profile Sheet. A Property Data Profile Sheet is required as approved by the MLS and the seller or Participant must certify that the information on the Profile Sheet is true and accurate to the best of their knowledge and belief. The MLS disclaims any and all liability for the publishing of any misinformation, unannounced deletions and exceptions or any errors common to the transactions and publishing of the detailed information. A \$25.00 fine will be assessed monthly for each incomplete listing. (An incomplete listing is one in which a starred item on the profile sheet is not filled in with complete and accurate information.) Failure to disclose Special Designations in the MLS will incur a \$100 fine per violation.

AGENT LISTING INPUT FEATURE

Effective January 15, 2007, Participants may give agents in their office access to listing input features. The Participant will remain responsible for the actions of the agent including payment of any fines levied for violations by the agent. The Participant must send written notice containing the agent name, agent number and effective date to the MLS. The MLS will have 24 hours to activate the agent's input features.

Agent(s) input features to include: add a listing, maintain fields, and load photo(s). Only Participants and office staff are authorized to change listing statuses such as extension, renew, pending, closed, reduced, raised, first right, back up offers, back on market, and cancelled. Violation of this rule will result in immediate termination of agent input privileges.

Status Change Policy

Only Participants and office staff are authorized to change the status of a listing. Status change forms or like documentation does not need to be sent to the MLS on a regular basis. The MLS will conduct periodic status change audits to verify compliance with the requirement to have signatures on the appropriate status changes. The audit is not negotiable and the requested documentation must be provided within 2 business days. Failure to comply with the audit could result in a suspension of privileges and/or fines.

LOCKBOX SERVICE FEE

Effective September 7, 2006, Participants who utilize the service provided by Supra but do not use a keypad will be charged an annual Lockbox service fee. The amount will be equal to the annual fee of the D-Key. The fees associated with the keypads offset the cost of the entire service and therefore if a member uses some but not all components, they will be charged. If a Participant does not use the keypads or the lockboxes, no fees shall be assessed.

2007 COMMITTEE SIGN-UP

The 2007 Committee Sign-up is under way. This is a great way to get involved in the Board and network with your fellow members. Click [here](#) for information about each committee and the sign-up sheet. Fax your form to Carol at 875-7174 or email her at members@ecbor.com with your selection.

The Board President is still seeking Chairman for several committees. If you are interested in serving as a committee member or a Committee Chair contact President Tona Ambrosen at 522-2822 or the Board office at 875-3283.

The Board President will be hosting a Committee Chair orientation at the Board office on Tuesday, February 13, 2007 at 4:30 p.m. Refreshments will be served and we hope to see all the new chairman there.

[Enrollment Form](#)

NEW MEMBER APPLICATION PROCESS

An appointment is **REQUIRED**. Please call Carol - 574-875-3283 to schedule. (24-hour notice required.) Please be sure to read **ALL** of the information below the schedule.

January 30, 2007 - 10:00 AM - Board Office

February 6, 2007 - 10:00 AM - Board Office

February 13, 2007 - 10:00 AM - Board Office

February 20, 2007 - 10:00 AM - Board Office

March 6, 2007 - 2:00 PM - Board Office

March 13, 2007 - 2:00 PM - Board Office

March 20, 2007 - 10:00 AM - Board Office

March 27, 2007 - 10:00 AM - Board Office

April 4, 2007 - 2:00 PM - Board Office

April 11, 2007 - 2:00 PM - Board Office

April 17, 2007 - 10:00 AM - Board Office

April 24, 2007 - 10:0 AM - Board Office

2007 MEMBERSHIP MEETING DATES & TOPICS

February 22 - Risk Reduction For Realtors - 11:30 a.m.

March 22 - Combined with Home Builders - 11:30 a.m.

April 19

May 24

(no June meeting)

July 20

August 23

September 20

October 25

(no November meeting)

December 13 - Holiday Auction

CALENDAR

January 2007

January 15	Martin Luther King Day		Office Closed
January 17	Grievance Committee Meeting	1:30 PM	Board Office
January 29	Leadership Conference		Indianapolis
January 30-31	IAR Tri-Annuals		Indianapolis

February 2007

February 12	Page 5 Task Force	1:30 PM	Board Office
February 12	Broker Reciprocity Task Force	3:00 PM	Board Office
February 13	Facilities Task Force	2:00 PM	Board Office
February 13	Committee Chair Orientation	4:30 PM	Board Office
February 14	Grievance Committee Meeting	1:30 PM	Board Office
February 15	Board of Directors Meeting	8:30 AM	Board Office
February 15-20	AE Institute		San Diego
February 22	Membership Meeting	11:30 AM	Matterhorn

Looking Ahead - March 2007

March 1	New Member Orientation	8:30 AM - 5:00 PM	Board Office
March 8	Board of Directors Meeting	8:30 AM	Board Office
March 9	Murder Mystery Dinner	TBA	TBA
March 14	Grievance Committee Meeting	1:30 PM	Board Office
March 22	Membership Meeting	11:30 AM	Matterhorn

Opportunity is extended to present objections or support for the following:

REALTOR® Member Applicants:

Don Tucker - Stellar Real Estate
Jody Jones - Cressy & Everett
Ray Essig - Century 21 Landmark

Affiliate Applicants:

Jennifer Fisher - HMS Midwest
Steve Noonan - Meridian Title Corp.
Gloria Gregory-Fikes - Meridian Title Corp.
Jeff Donovan - Real Estate Resources
GayLynn McKay - Real Estate Resources

BOARD MEETING HIGHLIGHTS

December 2006/January 2007

MLS motion passed to open the MLS input feature to agents in accordance with the following policy: Participants will have the authority to determine which agents in their office will have access to the input feature. The Participant will retain all responsibility for the actions of the agent including payment of any fines levied for violations by the agent. The Participant will send written notice to the MLS with the name of the agent(s) who have been given the authority to input. Policy becomes effective January 15, 2007.

Julie updated the Board on the status of the Shared Service Agreement with South Bend. MLS motion passed to amend the Shared Service Agreement to require all existing non-primary offices to be grand-fathered through December 2008. After that date, the office would have to comply with all existing requirements.

Julie asked the Board to develop a policy on how to handle 2007 keypad refund requests from agents who have gone inactive. MLS motion passed to refund the 2007 keypad fees minus a \$25 processing fee. This will be a one-time exception for those who have already paid the 2007 fees due to conversion.

Don DeShano and Karen Smith reported that a task force is working with the Truth to develop a PR program that would fill a weekly page in the Right Moves donated by the Truth. Karen Smith updated the Board on the sale of the Main Street building.

Julie Alert reviewed the 2007 Board Orientation Packet with the Board including the 2007 Calendar. Julie explained the differences between the ECBOR and MLS organizations and the role of the Board of Directors. Julie encouraged all Board members to attend the Participant meeting scheduled for Thursday, January 18, 2007 at the Board office at 10:00 AM. Julie asked all Board members to familiarize themselves with the Anti-Trust brochure for Board Leadership provided in their packet as it outlines their duties and obligations under the law. The 2007 IAR State Directors are ECBOR President, Tona Ambrosen and MLS President, Jeff Birky.

Julie gave an IAR update. The new IAR Executive Vice President Chief Executive Officer, Ellen Engleman Connors resigned in December to care for her ailing husband. Amy Sharp will be active EVP until a replacement can be found. Julie advised the Board that IAR is undergoing changes and that Jodi Tuttle, IAR General Counsel and Betty Cortis, IAR Administrative Assistant are no longer with the State Association. Julie announced she has been asked to co-chair the 2007 IAR Association Executive Committee. Julie reviewed the duties and received the Board's permission to accept the position.

The MLS Listing Contract Policy was reviewed. MLS motion passed to increase the Special Designation violation to \$100, remove the 5% and add randomly to the audit process, and include the incomplete listing data regulation language to the policy.

ECBOR motion passed to approve the following applicants for membership pending licensing, paperwork and payment of fees.

ECBOR motion passed to approve the following applicants for membership pending licensing, paperwork and payment of fees.

Member Applicants:

Don Tucker	Stellar Real Estate
Jody Jones	Century 21 Landmark
Ray Essig	Century 21 Landmark

Affiliates:

Jennifer Fisher	HMS Midwest
Steve Noonan	Meridian Title Corp.
Gloria Gregory-Fikes	Meridian Title Corp.
Jeff Donovan	Real Estate Resources
GayLynn McKay	Real Estate Resources

MLS motion passed to approve MLS Office Applications for Willie Miller Realty LLC, Willie Miller Participant, Trans Union SSI, Beth Hoffman Participant, Creekstone Realty LLC, Josh Hendricks

Participant, North Central Realty LLC, Tina Bontrager Participant, and Reciprocal Application for Advantage Team Realty, Gregg Carpenter Participant.

The next Board of Directors meeting will be held on February 15, 2007 at 8:30 AM at the Board Office.

CONGRATULATIONS!

Congratulations to Russ Bess (Re/Max Realty Marketing) for obtaining his ABR designation from the National Association of Realtors. The Accredited Buyer Representation (ABR) designation is the benchmark of excellence in buyer representation. The Real Estate Buyer's Agent Council awards this coveted designation to real estate practitioners who meet the specified educational and practical experience criteria.

Criteria for this designation is as follows:

Complete a comprehensive two-day REBAC course in buyer representation and pass a written exam.

Demonstrate practical experience by completing and closing five real estate transactions in which the practitioner functioned as buyer's representative.

Maintain membership in good standing in the National Association of Realtors and in the Real Estate Buyer's Agent Council.

Successful completion of one approved elective course and pass the written examination.

NEW OFFICES

Creekstone Realty, LLC - Participant Josh Hendricks
North Central Realty - Participant, Tina Bontrager

RECENT INACTIVE AGENTS:

Jose Botello - Homeward Bound Real Estate
Sherrill Diehl - Realty Group Resources
Jackie Foster - Cressy & Everett
Lee Garner - Century 21 Landmark
Shelley Gingerich - Hallmark Excellence
Erin Haarer-Schrader - Century 21 Landmark
Joe Martin - Homeward Bound Real Estate
Sheryl McClure - Cressy & Everett
Tina Williams - Century 21 Abbey

ON THE MOVE

Lane Northam - from Lane Realty to Century 21 Landmark
Carol Slabach - from Re/Max Realty Marketing to Carol Slabach, Realtor
Janice Soard - transferred from Brad's Realty & Property Mgt. to Burton Realty & Assoc.

GET WELL WISHES

Get well wishes to Dick Wise, Wise Realty. Dick was involved in a car accident in December and is still recovering in the hospital.

STATE NEWS

LICENSE RENEWAL NOTICE

On December 20, 2006, a notice was sent to all licensee's from the Indiana Professional Licensing Staff reminding Brokers to renew their license. Brokers who have not renewed their license as of December 31, 2006 will pay more in renewal fees and the fees increase as the time increases until ultimately the time for "renewal" runs out. When the time limit expires, Brokers will not have a license to operate and would be required to retake the exam etc so don't let that happen to you. If you want to verify your license has been renewed go to www.in.gov/pla

As of December 20, 2006, 13,311 Brokers out of 15,410 (86.37%) had renewed their license. Anyone who has not renewed their license has an expired license and cannot be practicing real estate. If someone would like to renew their license they can do so online at <https://extranet.in.gov/mylicense/Login.aspx> or by visiting our office. It is strongly recommended not to use a paper renewal at this point, because of the length of time that is involved for the post office to mail it to the licensee and then for it to be returned to their office.

NATIONAL NEWS

President Signs 2006 Tax Bill with Real Estate Provisions

President Bush signed a wide-ranging tax bill, P.L. 109-432 (H.R. 6111), that renews and extends through 2007 the NAR-backed brownfields deduction and the 15-year life for leasehold improvements. A new, limited deduction for private mortgage insurance (PMI) premiums was also created. To view a summary of the PMI deduction, go to: <http://www.realtor.org/letterlw.nsf/pages/didknow?OpenDocument&Login>

For more info, contact: Linda Goold, 202/383-1083.

FTC Enforcing Prohibition on Recorded Sales Calls

In 2007, the Federal Trade Commission begins enforcement of its rules against prerecorded sales calls. The rules apply except in cases in which the calls meet a narrow exception. The FTC's rules prohibit prerecorded calls even if the caller has an "established business relationship" with the recipient, putting its rules in conflict with the Federal Communication Commission's rules. To read more about the rules and FTC's enforcement in the latest "Did You Know" memo from NAR Legal Affairs. For more information go to:

<http://www.realtor.org/letterlw.nsf/pages/didknow?OpenDocument&Login>

SUPRA NEWS

ShowingValue Enhancements!

After receiving your feedback on how we can make ShowingValue even more useful, we are very excited to share with you many new features.

First of all, we have simplified the ShowingValue Dashboard to make it even easier to use. We believe that this feature alone will make ShowingValue simpler to navigate. The general overview page has been eliminated and the associated links are now located on the main ShowingValue Dashboard page.

Additional enhancements include:

- The link for ShowingValue is now a subheading under Activity Reports in the left navigation bar.
- The “Configure Showing Activity” link has been moved under “Actions” on the Dashboard.
- The “Training and Tutorial” link goes to the correct training page.
- If a user is from a DisplayKEY only or eKEY Basic Board, a message will be displayed to indicate listing addresses are not available.
- If the user has no keyboxes assigned, an error message will be displayed.
- The Treo 650 market area configuration tool was corrected to the proper size.

Other features include:

- The copyright symbol may now be used in the personalized signature.
- The user may select to “ignore all” feedback rather than delete feedback one by one.
- The Showing Activity Report now contains the email address and the key serial number of the showing agent.
- Users can now make up to 1,000 keybox assignments!

Check out all of these new enhancements - just go to: www.supraekey.com and logon to KIMweb. From there, enter your Key Number and PIN - that is all there is to it - and you will be at the ShowingValue Dashboard!

Exciting e-KEY INFORMATION!

*** New device certifications**

We are pleased to announce that the following two devices are now certified for use with the eKEY software:

- Treo 700w (Verizon)
- Treo 700wx (Sprint)

These go-anywhere Windows Mobile® devices combine a smarter phone with wireless email, a web browser, rich media capabilities, and familiar Microsoft® applications. Go to <http://jngo.net/y.z?l=http%3A//www.verizonwireless.com/&e=646576947>. For more information about the Treo 700w, or www.sprint.com for information about the Treo 700wx.