

TEXAS REALTOR®

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March 2020 \$3.50



SHAPING TEXAS 1920-2020



TREPAC MAJOR INVESTORS p.16

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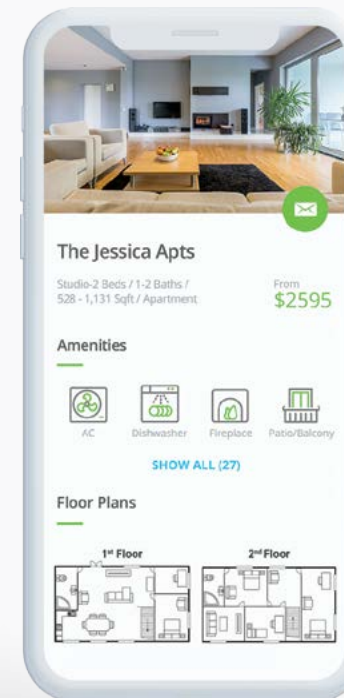
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Renters insurance	✓	✓
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Corporate accounting		✓
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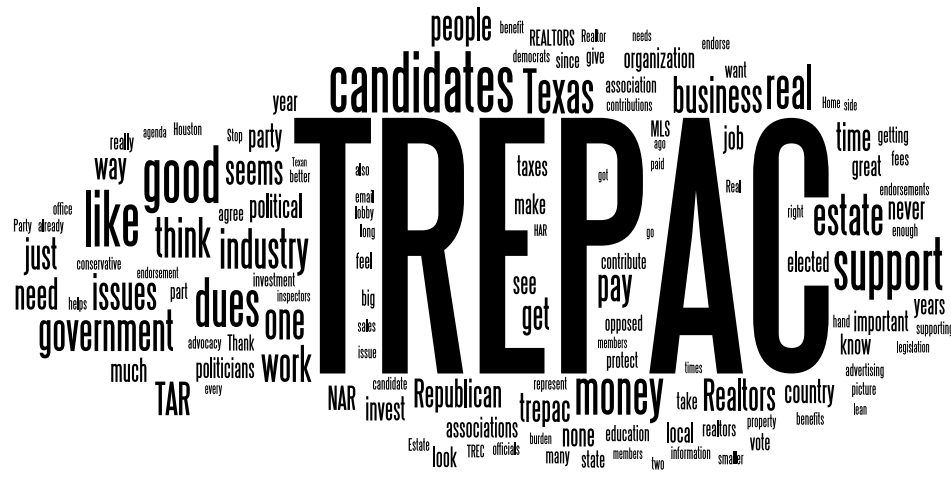
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Danielle Drozdek
RB Homes, Inc.

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CONTENTS

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TEXAS REALTOR

March 2020-Volume 73-Number 2

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14

FEATURE WHO GETS THE COMMISSION?

by David Jones
Find out the rules that determine who can claim compensation from a real estate transaction and what happens when brokers disagree.



INSERT: 2019 TREPAC MAJOR INVESTORS

16

FEATURE 2020 TEXAS REALTORS® WINTER MEETING

See photos, takeaways from sessions, and award winners from this year's event.



20

FEATURE SHAPING TEXAS: 100 YEARS OF TEXAS REALTORS®

Your state association turns 100 in 2020. Learn about its beginnings, its influence over the years, and ways you can participate in the celebration.



- | | | | |
|----|---|----|--|
| 4 | INSIGHTS
Chairman's column: Why the centennial matters to members and consumers
One way to help your community
What do you really know about Texas?
TREC lowers license-renewal fee
The fund that helps Texans recover from natural disasters | 10 | Your forms: <i>Notice of Information From Other Sources</i> |
| 5 | What do you really know about Texas?
TREC lowers license-renewal fee
The fund that helps Texans recover from natural disasters | 11 | From the Legal Hotline: Can a broker appoint himself to work with one party in an intermediary situation?
Taking drone videos or photos of your listings? Make sure you do this first
Fact or fiction? TREC requires you to have certain links from your social media accounts |
| 6 | BUSINESS
Branding is more than a logo | 12 | Required ethics training
Changes to inspector, education rules |
| 7 | Brokers, what's your feedback mechanism?
Free education wherever you are | 13 | The member benefit you hope you never use
New rules regarding branch-office licenses |
| 8 | The rise of alternative living arrangements
Tell Texas REALTOR®: Do you encourage sellers to find buyers?
Tools to improve email subject lines | 31 | SHARE THIS
REALTORS® have 130 forms that other agents don't |
| 10 | LEGAL & ETHICS
Switching financing sources mid-contract | 32 | TAKE 5
Ways to stay safe while on the job |



ABOUT THE COVER

The association's design team combed through 100 years of photo archives to create this collage. The main photo shows attendees of the first convention in San Antonio in 1920. Photos of members and association milestones comprise the cover's background.



Chairman

Over 1,100 REALTORS® converged on Austin for the Texas REALTORS® 2020 centennial kickoff and Winter Meeting.

The four-day February event began with the unveiling of a commissioned art piece commemorating the 100-year legacy of Texas REALTORS® #ShapingTexas. Members shared marketing and risk reduction tools; debated public policy and MLS positions; held a leader-to-leader rap session with NAR President-Elect Charlie Oppler, First Vice President Leslie Rouda Smith, and Region 10 Vice President Kaki Lybbert; and recognized outstanding TREPAC, governmental, and career achievements. Marvin Jolly of Plano was affirmed as our 2021 chairman of the board, and Russell Berry of Dallas and Marcus Phipps from Harlingen were elected as 2021 chairman-elect and secretary/treasurer. Such collaboration among fellow professionals for the greater good of Texas consumers is precisely what Texas real estate practitioners envisioned in 1920 when our association was chartered.

I credit the excitement of the centennial for a renewed sense of ownership and engagement among our members. The centennial planning began last year with a member-led Centennial Work Group, the incredible Texas REALTORS® staff, and the senior leadership team. Our #ShapingTexas theme formed the basis for the 3D art piece, centennial logo, 100 Acts of Kindness recognition, and an epic celebration coming up in San Antonio. Every detail is designed not simply to commemorate our past but to inspire commitment to our future. For example, the 3D art piece features a Texas-shaped gold leaf outline atop a Texas flag foundation with the iconic preamble to our Code of Ethics inscribed. Mementos are symbolically arranged in a counterclockwise timeline. The piece will be on display at our San Antonio Conference beginning August 31, and later permanently installed in the lobby of our Austin headquarters.

Our story is also beautifully woven into a coffee table book commemorating key moments in our journey so far. The book is available at texasrealestate.com/100. There, you can also enjoy an interactive version of the art piece, watch videos of past association leaders sharing their wisdom, nominate yourself, your colleagues, or your association for an act of kindness award, and buy centennial merchandise.

Please share our story. Texas consumers deserve to know Texas REALTORS® are at the heart of their successful real estate investments. Healthy markets are the result of healthy consumer voices, and Texas REALTORS® have been #ShapingTexas with those voices for a century. Tell them they can always count on us.

Cindi Bulla
Cindi Bulla

TEXAS CONSUMERS DESERVE TO KNOW TEXAS REALTORS® ARE AT THE HEART OF THEIR SUCCESSFUL REAL ESTATE INVESTMENTS.



HOW TO HELP YOUR COMMUNITY

As a REALTOR®, you are in a unique position to make a difference by encouraging people in your area to be counted in the 2020 census. A complete count helps bring federal funds to your community, ensures that Texas gets its fair number of representatives in Congress, and helps real estate developers and city planners make good decisions. These are only some of the reasons Texas REALTORS® is an official census partner. To learn more about the census and find ways you can participate, visit texasrealestate.com/2020census.



WHAT DO YOU REALLY KNOW ABOUT TEXAS?

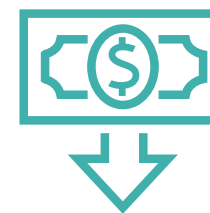
Texas REALTORS® is proud to sponsor *The Texas Tribune's* new educational email series, Teach Me How to Texas.

Whether you're a new resident or a lifelong Texan, you could learn something new.

Sign up now for a crash course on all things Texas, and share the link to encourage others to join you in learning some Texas trivia: trib.it/teachme-tr.

The first edition focuses on Texas elections, so you'll be more informed before going to the polls.

LICENSE RENEWAL FEE GOES DOWN



The Texas Real Estate Commission is using a different system to perform criminal background checks, which eliminates the \$28.25 fee license holders had been paying to meet this requirement. TREC now relies on the FBI Rap Back Service, a real-time system of supplying criminal history information.

All license holders must be enrolled in the free FBI Rap Back Service before renewing a license. License holders and applicants who were fingerprinted after June 1, 2015, have already enrolled in the program. Those who have not yet enrolled can submit the Rap Back Service form after logging into TREC's Online Licensing Service.

WHAT IS THE TEXAS REALTORS® RELIEF FUND?

The Texas REALTORS® Relief Fund helps Texans who have suffered losses from natural disasters.

The fund has provided relief to those who suffered damage from Tropical Storm Imelda, flooding in the Rio Grande Valley, severe weather in East Texas, and other natural disasters that have displaced homeowners across the state. In response to Hurricane Harvey, the fund distributed more than \$3 million.

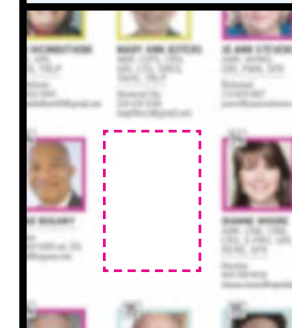
Who Does the Fund Benefit?

The Texas REALTORS® Relief Fund offers assistance to members and consumers following a disaster. When activated, criteria to apply for assistance are posted at texasrealestate.com/relief.

Celebrate the Association's Centennial and Help the Fund

Proceeds from all purchases of Texas REALTORS® 100th anniversary merchandise benefit the fund. You can find centennial merchandise at texasrealestate.com/100.

The Texas REALTORS® Relief Fund is a 501(c)(3) nonprofit organization. Anyone can donate to the fund, and contributions are tax-deductible to the extent allowed by law.



REGION 14
JOHN NICHOLS, GRI
Magnolia, TX

JOHN NICHOLS was inadvertently left off the list of Texas REALTORS® regional vice presidents in the January/February issue's leadership pages. Texas REALTORS® regrets the omission.

IT'S MORE THAN A LOGO

A logo is only one part of branding your business. Here are 5 steps to create a successful brand for your brokerage.



“Your brand is what other people say about you when you’re not in the room.”
—Jeff Bezos, Amazon founder/CEO

1. Define your purpose

Every successful brand has a purpose behind it.

- Why does your brokerage exist?
- What problem do you solve for your clients?
- What value do you present to real estate consumers?

The answers to these questions form the foundation of your brand. Whether you love helping first-time homebuyers using FHA financing or finding retail space for local small businesses, define what your brokerage’s purpose is.

2. Look at the competition

List the other brokerages in your area who are serving the same or a similar purpose and note their voice, services, messaging, logo—everything that creates their brand. Your goal is to differentiate your brokerage from the competition, not to copy others.

3. Know your ideal client

Take the purpose you’ve defined and use it to describe the perfect client match for your services—and be specific. This type of client is who you’re trying to reach, and you’ll fit your mission and message to meet their needs.

TOO BROAD

- luxury homesellers
- first-time homebuyers
- renters in my city

MORE FOCUSED

- sellers of \$500K+ listings in five ZIP codes
- first-time homebuyers in the military
- students and young professionals looking for modern apartments

4. Determine your voice

Think of your brokerage like a person. What will that person’s communication style be? Let your intended audience inform this decision. You want to select a voice that will resonate with your ideal client. Will that client respond best to a professional tone? A playful voice?

5. Create the visual element

Finally, it’s time for the visuals. You can select a color palette that matches your identity and fonts that convey your personality. These elements will also go into the logo, which will appear on your website, emails, social media channels, business cards, and everything else.

Consider using a graphic designer. Even if it’s an online freelancer, a professional can turn the other elements of your brand into something visual faster than someone without design experience.

Remember, a logo is only one part of branding your business. Put in the work to define your purpose, ideal client, and voice to arrive at a successful brokerage brand.



BROKERS: DO YOU HAVE A PLAN TO GET FEEDBACK FROM YOUR AGENTS?

Having a clear system in place to gather and implement feedback from agents can be a boon to brokerages.

Soliciting feedback from workers has been shown in studies to positively affect retention, and holding onto competent, high-producing agents is a key component of a thriving brokerage. Improving agent retention also reduces costs related to recruiting, onboarding, and training.

In addition to improving retention, soliciting feedback from agents can be a source of ideas to improve your business from those who know it best. For example, the brokerage Compass claims to have implemented more than 650 ideas that have come from its agent feedback tool.

Systems to gather agent feedback can take a number of forms, such as:

- A software tool that surveys workers
- An online form distributed to workers or posted on a company intranet
- Regular in-person meetings
- A clear, published company policy about how to give feedback.

Value From Your Membership

FREE EDUCATION
WHEREVER
YOU ARE



Want to learn about assistance animals, commercial opportunity zones, flood disclosure, or the legal risks of smart homes? Texas REALTORS® has held free webinars for members on all these topics and many more. Go to texasrealestate.com/webinars to watch past webinars or add upcoming webinars to your calendar.

When trying to inform, explain, update, and convince, simplicity goes a long way. Focus on being lean, clear, and concise, whether you’re speaking or writing.

Ask yourself: What is the single most important thing I want to convey in this conversation or communication?

Then, tailor that email, voicemail, phone call, or presentation accordingly.

— JOSEPH MCCORMACK
AUTHOR OF *NOISE: LIVING AND LEADING WHEN NOBODY CAN FOCUS*



BUSINESS

THE RISE OF ALTERNATIVE LIVING ARRANGEMENTS

Knowing about co-housing, co-living, and community amenities can help you better serve your clients.



In AARP's 2018 Home and Community Preferences survey, nearly a third of respondents age 50 and older said they are willing to consider alternative living arrangements like home sharing, and over half would consider living in a community that provided support services to help them age in place. Even of the 51% of all adults age 18 and over who expressed skepticism about home sharing, half would consider it for the sake of companionship and 58% would if they needed help with everyday activities like household chores or transportation.

Housing models that emphasize community amenities or communal living fall into two broad categories.

Co-housing can be multigenerational or limited to a specific cohort, such as seniors. Co-housing communities generally involve privately owned

homes surrounding common spaces such as a kitchen or dining room, laundry, recreational areas, gardens, and walkways. The community is governed and maintained by the residents.

Co-living spaces with private rooms and shared amenities are most popular in urban centers where younger generations face steep housing costs. Co-living can be a more affordable option along with providing a community aspect through communal dining, work, and recreation areas.

Even if you don't work directly with co-housing or co-living developments, being well-versed in the amenities offered by the communities you serve can help you provide the best service to the multiple generations increasingly looking for a communal aspect to their housing choice.

We Want to Hear From You

DO YOU ENCOURAGE SELLERS TO REACH OUT TO THEIR SPHERE FOR POTENTIAL BUYERS?

When you're marketing a listing, do you encourage your sellers to reach out to their friends and family to see if anyone they know is interested in the home? Maybe they have a friend who has been complimentary of the home in the past. Or they know someone who loves their neighborhood and has been home shopping.

If you've used this marketing tactic or have experience with buyers coming from a seller's sphere, *Texas REALTOR*® wants to hear from you. Visit texasrealestate.com/yourstory to send us your story. You might be featured in an upcoming issue of *Texas REALTOR*® magazine and on the Texas REALTORS® website and social media channels.

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IMPROVE YOUR EMAIL SUBJECT LINES WITH THESE TOOLS



The right subject line is key to get your emails past spam filters and tempt recipients to open the message. Depending on what platform you use to send emails, you may have access to tools to help improve your email subject lines. But if your email marketing software lacks those tools or you'd like to improve emails you send through webmail or a desktop client, there are online tools you can use to improve your subject lines.

Start by trying these free options:

- Email Subject Line Grader (emailsubjectlinegrader.com)
- Send Check It (sendcheckit.com)
- CoSchedule (coschedule.com/email-subject-line-tester).

Most email subject line testing tools look for word and character counts, words associated with spam messages, sentence format, and whether it contains active or urgent words. Some tools may also display how subject lines and email previews look in different browsers, email clients, and on mobile devices.

Put family time first.



Laura Marske
REALTOR®

Your success is our focus.

Our team of dedicated Agent Relationship Managers provides updates every step of the way, giving you more time to spend with the ones you love.

Quicken Loans

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Quicken Loans, 1050 Woodward Ave., Detroit, MI 48226-1906

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SWITCHING FINANCING SOURCES MID-CONTRACT

If the buyer does not obtain financing as outlined in the *Third Party Financing Addendum*, is the buyer in default?



The *Third Party Financing Addendum* is available to buyers who would like to make the contract contingent on qualifying for and being approved for the financing they specify in the addendum. If a buyer is unable to secure the financing selected in the form, the buyer has the right to terminate the contract (if applicable requirements to terminate are met).

Except for FHA or VA loans, Paragraph 2 of the *Third Party Financing Addendum* outlines two sets of circumstances under which the buyer may terminate:

- The buyer does not obtain approval from the lender within a certain number of days.** Buyer approval is deemed obtained when the terms of the loan(s) described in Paragraph 1 are available and the lender determines that the buyer has satisfied all of the lender's requirements related to the buyer's assets, income, and credit history. If either of these items is not satisfied, the buyer does not have buyer approval and may terminate the contract. Note that the buyer must give written notice of termination to the seller within the number of days agreed to in Paragraph 2A.
- The lender determines the property does not meet the lender's underwriting requirements.** In that case, the buyer must provide a written statement from the lender stating the reasons the property does not meet underwriting requirements. This written statement and a notice of termination must be provided no later than three days before closing.

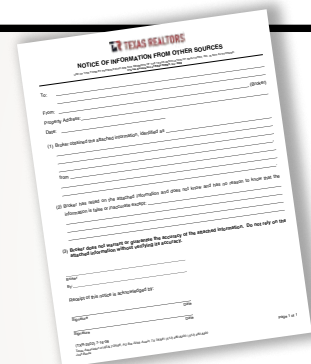
(If the buyer selected that the loan would be a VA or FHA loan, then the buyer would have to meet the requirements of Paragraph 4 in order to terminate.)

A question sometimes arises about whether a buyer is in default if the buyer is unable to secure the financing agreed to in the *Third Party Financing Addendum* and then wants to pursue some other type of financing. For example, what if the buyer cannot secure a conventional loan and wants to move to an FHA loan? Would this constitute a default under the purchase contract? The answer is no.

The purpose of the *Third Party Financing Addendum* is to make the contract contingent on securing the type of financing outlined in the addendum. Using the example above, if the buyer is unable to secure the conventional financing, the buyer *can* terminate the agreement, provided the applicable requirements of Paragraph 2 are met. However, if the buyer does not want to terminate and tries to obtain an FHA loan, the contract would no longer be contingent on securing the financing as stated in the *Third Party Financing Addendum*.

If the buyer is unable to obtain the FHA financing and cannot otherwise produce the funds to close pursuant to Paragraph 9 of the *One to Four Family Residential Contract (Resale)*, the seller—as the non-defaulting party—would have the right to exercise the remedies available in Paragraph 15 of the contract.

—TRACI JACKSON, staff attorney for Texas REALTORS®.



Your Forms NOTICE OF INFORMATION FROM OTHER SOURCES

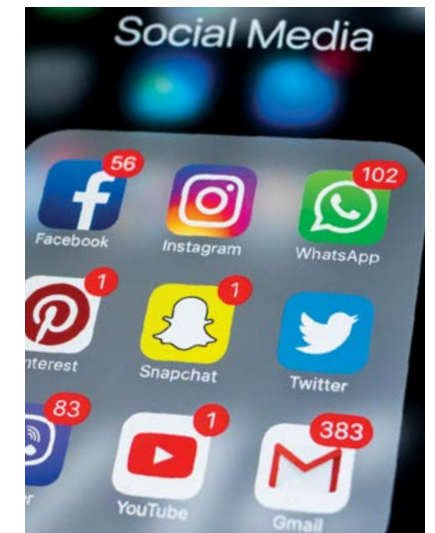
Thorough documentation can protect you later from legal action, such as DTPA complaints. Attach the *Notice of Information from Other Sources* (TXR 2502) to provide information about the transaction that comes from a third party, such as the appraiser's square-footage calculation. The form allows you to list where you received information from and share whether you have any reason to know that the information is false or inaccurate. This form also includes a disclaimer stating the broker does not guarantee the accuracy of the information and recipients of the notice should verify it.

Legal Hotline

800-873-9155

Brokers have called to ask whether they can appoint themselves to work with and advise one of the parties in an intermediary situation. The answer is no. The Real Estate License Act requires brokers acting as an intermediary to be fair and impartial. Appointing oneself, as the firm's broker, to represent one party and appointing a sponsored license holder to represent the other party in an intermediary situation is not fair and impartial. The broker may, with the written consent of the parties, appoint one sponsored license holder to work with and advise the seller and a different sponsored license holder to work with and advise the buyer.

—Ryan Bauman, associate counsel



Fact or Fiction?

If you use your social media accounts for real estate business, the Texas Real Estate Commission requires you to have a link from those accounts to the Consumer Protection Notice and the Information About Brokerage Services notice.

FACT. TREC requires you to provide a link to the *Consumer Protection Notice* and a completed *Information About Brokerage Services* notice in a readily noticeable place on the homepage of your business websites. The term "business website" means a website—including social media—that is accessible to the public, has content controlled by the license holder, and has information about the license holder's real estate business.

For social media accounts, the links may be located in the account's profile or on a separate page or website through a direct link from the social media platform or profile.

DO YOU NEED A LICENSE TO USE A DRONE—EVEN IF IT'S TO TAKE PHOTOS OF YOUR OWN LISTINGS?

If you plan to use a small drone that weighs less than 55 pounds for a commercial purpose—such as taking photos of your listings—you will need to register your drone with the Federal Aviation Administration (FAA), become an FAA-certified drone pilot, and follow the FAA's rules for commercial operators.

Texas law allows for the use of drones by licensed real estate brokers "in connection with the marketing, sale, or financing of real property, provided that no individual is identifiable in the image." But you still must follow federal rules for commercial drone use while photographing your listings.

Learn more about how to become an FAA-licensed drone operator at WWW.FAA.GOV/UAS/COMMERCIAL_OPERATORS



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REALTORS® IN TEXAS WILL HAVE TO TAKE ETHICS TRAINING



For many years, the TREC Legal II course required to renew your license also satisfied the NAR requirement for REALTOR® Code of Ethics training. Due to recent changes adopted by the NAR Board of Directors, the TREC Legal II class will no longer satisfy the NAR training requirement.

What This Means For You

All REALTORS® will have to take Code of Ethics training every three years. The current deadline by which all REALTORS® must take the training is December 31, 2021.

If you COMPLETED TREC Legal II or another NAR-approved ethics training in 2019	If you DID NOT COMPLETE TREC Legal II or another NAR-approved ethics training in 2019
You have satisfied the NAR requirement for the current cycle that ends on December 31, 2021. You will need to complete NAR Code of Ethics training every three years thereafter.	You must complete NAR Code of Ethics training by December 31, 2021. You will need to complete NAR Code of Ethics training every three years thereafter.

What Courses Currently Satisfy the NAR Requirement?

- Code of Ethics courses offered by Texas REALTORS®
- Code of Ethics courses offered through a local association
- The NAR C2EX endorsement
- NAR Official Code of Ethics Online Training.

Texas REALTORS® will offer Code of Ethics classes via broadcast free to members on May 19 and June 25. Check with your local association regarding its participation in these classes.

NAR has an online lookup to check your ethics training status. Visit nar.realtor and search the term *Code of Ethics Status*.

If you have further questions, please contact the Texas REALTORS® Professional Development Department at education@texasrealtors.com.

CHANGES TO INSPECTOR AND EDUCATION RULES

See adopted and proposed rule changes from the February Texas Real Estate Commission meeting.

The Texas Real Estate Commission met February 10. You can read the full agenda and meeting materials at trec.texas.gov. Here are highlights relevant to your business:

No New Form Language

No form changes were on the February agenda, but commission Chairman Scott Kesner—honored in February as 2019 Texas REALTOR® of the Year—advised those in attendance that the Broker-Lawyer Committee may be recommending form changes to the commission for proposal at its next meeting in May.

Adopted Rule Changes

The commission approved a handful of new rules for inspectors. Most changes are housekeeping in nature or update rules based on changes enacted by the 86th Texas Legislature that have already been adopted for real estate license holders. One adopted amendment eliminates consideration of student loan defaults when deciding whether to grant an occupational license, and another authorizes the commission to deny license renewal if a license holder is in violation of a commission order.

Proposed Rule Changes

TREC proposed amendments to \$535.92 to require 3 hours of real estate contract-specific education within the 18 hours of required CE courses.

Changes were proposed to streamline the process for required examinations in education courses. A change to \$535.72 would allow students of a broadcast course to take the required exam within the instruction time, as is done for in-person courses. Currently, the exam is given at the end. Changes proposed to \$535.75 would remove the examination requirement for elective CE courses offered by broadcast, requiring examinations only for non-elective CE courses regardless of course delivery method.



Legal Fund

A MEMBER BENEFIT THAT HELPS YOUR BUSINESS EVEN IF YOU NEVER USE IT



The Texas REALTORS® Legal Fund provides financial assistance and other legal support for members who have been sued or need to bring legal action. But even if you never need Legal Fund help, you reap enormous benefits from this Texas REALTORS® program.

How does assistance for some other REALTOR® benefit you? That's the entire point of the program. The Legal Fund provides financial and other legal assistance when litigation involves an issue that could affect *all* REALTORS® in the state. Favorable outcomes in these cases set precedent for the future.

For example, with backing from the Legal Fund, REALTORS® have successfully stood up to a patent troll targeting REALTORS® and prevailed against claims that a REALTOR® has a duty to verify the accuracy of square-footage data obtained from an appraisal district. These are just a few of the many cases supported by the Texas REALTORS® Legal Fund over the years.

If you are involved in litigation that could affect all REALTORS® in the state or the real estate industry as a whole, you may be eligible for assistance. Learn more about how to apply at texasrealestate.com/legalfund.


Are agents who work from their homes required to have branch-office licenses?

The Texas Real Estate Commission no longer requires branch-office licenses.


Section 1101.552 of The Real Estate License Act, which required a broker who maintained more than one place of business to obtain a branch office license for each additional office, was repealed during the 2019 legislative session.

There is no longer a process in place to apply for branch-office licenses. If you have a branch-office license, you will not need to renew it when it expires.





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THAT'S *MY* COMMISSION

by David Jones



Know the rules that relate to who can claim compensation from a real estate transaction and what happens when brokers disagree.

Brokers must keep their fiduciary duty in mind when they have a dispute with another broker over commissions. Put the client's interest above your own. If there is a dispute over broker compensation, the brokers should agree to disagree and close the transaction. To hold up a closing over a commission dispute would potentially violate TREC rules as well as the Code of Ethics. Some title companies will hold commissions in escrow until the dispute can be mediated, arbitrated, or otherwise resolved.

What Is Procuring Cause?

When a property is listed in an MLS, the listing broker must specify the cooperative compensation being offered to cooperating brokers. (Note: An MLS is prohibited from setting the rates of compensation.)

Cooperative compensation in an MLS listing is a blanket unilateral offer to compensate the cooperating broker. Acceptance of this unilateral offer occurs when the cooperating broker is the procuring cause of the sale. The cooperating broker will be regarded as the procuring cause of a sale if her efforts are the foundation on which the negotiations resulting in a sale are begun. There must be a successful transaction (closing of a sale or execution of a lease) for the cooperating broker to be the procuring cause.



Contractual disputes between REALTORS® associated with different firms must be submitted to arbitration rather than pursued through the courts.

The listing broker may be excused from her obligation to pay if, through no fault of her own and in the exercise of good faith and reasonable care, it was impossible or financially unfeasible to collect her compensation from the seller.

If a separate written agreement for compensation is executed between the listing and cooperating brokers, the terms of that agreement determine the cooperating broker's entitlement to compensation.

Who Was The Procuring Cause?

Disputes over whether a cooperating broker is the procuring cause of a sale in a particular transaction may be resolved through Texas REALTORS® arbitration. Article 17 of the Code of Ethics provides that contractual disputes between REALTORS® associated with different firms must be submitted to arbitration rather than pursued through the courts. If the dispute is with a non-member, between REALTORS® in the same firm, or between a broker and a sponsored agent, arbitration is voluntary.

Disputes over commissions often revolve around the meaning of procuring cause. *Procuring cause* is defined as "the uninterrupted series of causal events which results in the successful transaction."

Whether a broker is the procuring cause in any given transaction must be determined by looking at all the facts on a case-by-case basis. There is no rule of thumb or singular factor that determines procuring cause. Many factors should be considered, including:

- Who first introduced the buyer to the property, and how was the introduction made?
- Was the series of events starting with the original introduction of the buyer to the property and ending with the sale hindered or interrupted in any way?
- If there was an interruption or break in the original series of events, how was it caused and by whom?
- Did the action or inaction of the original broker cause the buyer or tenant to seek the services of a second broker?
- Did the second broker unnecessarily intervene or intrude into an existing relationship between the buyer or tenant and the original broker?

Procuring Cause vs. Agency

Under MLS rules, the listing broker is only obligated to pay the offered compensation to the procuring cause broker, not necessarily to the broker that has a buyer representation agreement.

Agency relationships do not automatically determine procuring cause. In a case where a broker has a buyer's representation agreement but the buyer uses a second broker to submit an offer, the listing broker still pays whichever broker is the procuring cause of the sale. If the second broker interfered with the exclusive representation of the first broker, there may be a violation of Article 16 of the Code of Ethics, and interference is one factor in determining procuring cause. Additionally, the buyer's broker may have a cause of action against the buyer for breach of their representation agreement.

National Association of REALTORS' Code of Ethics Article 16 says, "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."

DAVID JONES is senior associate counsel for Texas REALTORS®.

TEXAS REALTORS®
2020
WINTER MEETING
AUSTIN, TEXAS

REALTORS® attended business meetings, listened to expert speakers, celebrated accomplishments, and participated in the association's centennial kickoff at the Texas REALTORS® Winter Meeting last month in Austin.

At the opening session, Jen Golbeck [1], director of the Human-Computer Interaction Lab at the University of Maryland, delivered an introduction to artificial intelligence and explained that AI provides answers but does not often yield insights into why particular conclusions were reached. She encouraged REALTORS® to consider transparency and privacy concerns when assessing AI-related business tools.

The opening session also featured the official start of the association's 100th anniversary celebration, where Chairman

Cindi Bulla shared with members that the association emphasized professionalism and ethical conduct from its beginnings in 1920. Chairman-Elect Marvin Jolly read a proclamation from Gov. Greg Abbott congratulating Texas REALTORS® [2] and remarking: "Since 1920, Texas REALTORS® has advocated to protect the Texas real estate industry and private property rights and has played an important role throughout the Lone Star State." Attendees at the opening session wrote on handheld Texas signs personal statements of how they shape Texas as REALTORS® [3], and a 3D commemorative art piece was unveiled [4]. Members also had an opportunity to get signed copies of *Shaping Texas* [5], a coffee table book with photos and historical accounts of the first 100 years of REALTORS® in Texas.



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During the Governmental Affairs Forum, Political Involvement Committee Chairman Brandy Guthrie (left) interviewed Emily Ramshaw [6], co-founder and editor of *The 19th News*, about practical grassroots engagement.

The Governmental Affairs Forum also featured a live recording of the political podcast "Texas Take," hosted by Scott Braddock (right), editor of *Quorum Report*, and Jeremy Wallace, *Houston Chronicle* political reporter [7].

At the TREPAC Awards and Investors Breakfast, special guest speaker Alex Perriello [8] shared insight into the American Revolution that was the basis for his book, *Jacob's War*.

TREPAC Hall of Fame inductees were recognized at the TREPAC Awards and Investors Breakfast [9].

Public Policy Oversight Committee Chairman Kaki Lybbert kicked off a discussion about new property tax laws passed by the Texas Legislature [10]. Committee Vice Chairman Jef Conn moderated the panel featuring Jim Popp, property tax attorney; Marya Crigler, Travis County chief appraiser; and Korri Castillo, Texas Comptroller's Property Tax Assistance Division director.

At the Global Forum, Michael Treyger [11], deputy director of business and community development at the governor's office, spoke about why Texans—and Texas REALTORS®—can brag about the state being an ideal place for companies to locate and grow.

Other sessions included topics such as NAR's MLS Clear Cooperation Policy, economic forecasts for commercial and residential real estate in Texas, how copyright law applies to real estate listing information, eviction laws, diversity and inclusion in the industry, and many more.

SHAPING TEXAS

Scott Kesner of El Paso [12] was named 2019 Texas REALTOR® of the Year. Kesner has served the REALTOR® organization at the local, state, and national levels. He was 2015 chairman of Texas REALTORS®, served as Regional Vice President for NAR, has been named REALTOR® of the Year twice by the Greater El Paso Association of REALTORS®, and is currently chair of the Texas Real Estate Commission.

Other members and associations recognized for awards include: Tom D. Morton Association Executive of the Year: Denise Price [13] of the Amarillo Association of REALTORS®; Educator of the Year: Marion Napoleon [14] of Grand Prairie; Texas REALTORS® Good Neighbor Award: Jacque Gordon [15] of Granbury; William C. Jennings Commercial Transaction of the Year: Will Northern [16] and WNC Commercial of Fort Worth; Innovation Program of the Year: Greater McAllen Association of REALTORS® [17]; Marketing Program of the Year: Houston Association of REALTORS® [18]; Series or Short Program of the Year: Austin Board of REALTORS® [19]; Legal Program of the Year: Dianne McCoy [20] of Better Homes and Gardens Real Estate Gary Greene; Texas REALTORS® Grassroots Advocate of the Year: Melody Gillespie [21] of Montague County; Mark Lehman Governmental Affairs Achievement Award: Odessa Board of REALTORS® [22].



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SHAPING TEXAS 1920-2020



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2019 Chairman Tray Bates was recognized for his service to Texas REALTORS® and presented with a bound copy of all Texas REALTOR® magazine issues for his year leading the association [23]. NAR First Vice President Leslie Rouda Smith [24] received the first challenge coin related to the Texas REALTORS® centennial.

Hundreds of Texas REALTORS® enjoyed the TREPAC Major Investor appreciation event at the Bullock Texas State History Museum [25].

Recognized for earning their REALTOR® Association Certified Executive (RCE) designation [26 from left] were Taylor Oldroyd, Corpus Christi; Nancy Myers, Greater Denton/Wise County; David Jones, Texas; Gilbert Gonzalez, San Antonio.

At the fun and competitive Volley for TREPAC tournament, the Houston Association of REALTORS® team Million Dollar Ballers [27] took home the first place trophy.

The association's Board of Directors approved the election of the 2021 Texas REALTORS® Leadership Team: [28 from left] Secretary/Treasurer Marcus Phipps, Chairman Marvin Jolly, Immediate Past Chair Cindi Bulla, President/CEO Travis Kessler, and Chairman-Elect Russell Berry.



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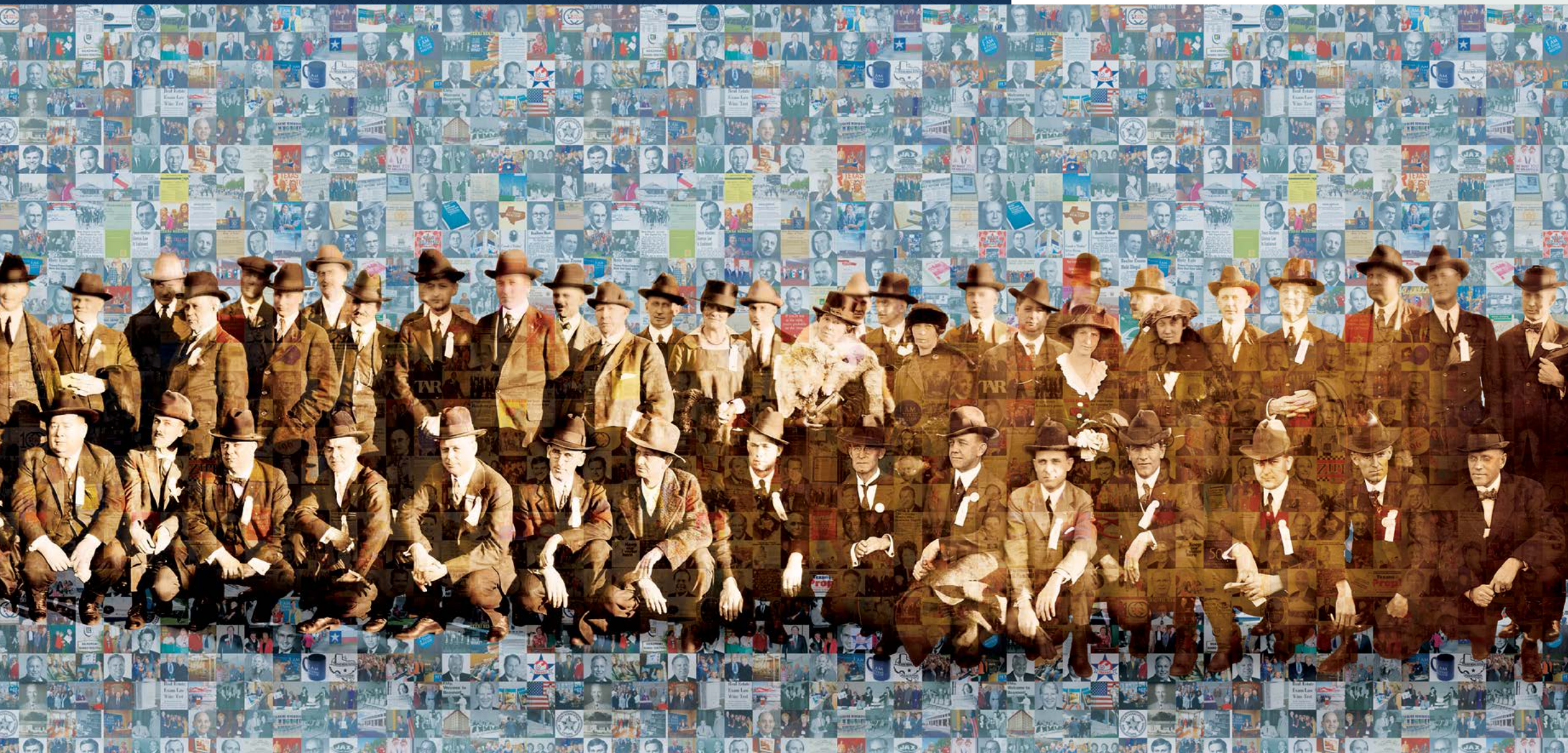


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Below: Attendees at the first association convention in San Antonio in 1920. This composite photo is made from images from the first 100 years of REALTORS® in Texas.



THE STORY OF THE FIRST CENTURY OF TEXAS REALTORS® ACTUALLY BEGINS MORE THAN 100 YEARS AGO.

In 1911, honest real estate dealers in Texas were concerned about unscrupulous operators referred to at the time as curbstoners. *The Houston Post* described them as “...men who make it a business of laying for suckers.”

The Texas State Realty Association was born at an April 1911 meeting in San Antonio out of a desire to bring professionalism to the industry. The association campaigned for the compulsory registration of real estate dealers. Activity flourished and plans were made for a statewide land exposition to promote Texas and educate the public. Interest grew, and the following year members met again for a convention in Houston. The future never looked brighter.

But when the war in Europe broke out, the organization disappeared, and with it, the hope for a licensing law.

BEGINNING ANEW IN 1920—THE TEXAS ASSOCIATION OF REAL ESTATE BOARDS

Though the association that started in 1911 had failed, Frank L. McNeny had a vision for the future of real estate in Texas that would bring about change. A licensing law and a state real estate commission were very much a part of the vision. Attaining these goals required bringing together like-minded leaders in real estate from across the state.

On October 11, 1920, representatives from Abilene, Dallas, Denison, El Paso, Fort Worth, Houston, and San Antonio met to establish the Texas Association of Real Estate Boards. They held the meeting in Dallas, where they endorsed supporting a proposed license act and voted to stage their first state convention in San Antonio.

Two months later, the association held its first convention at the Gunter Hotel in San Antonio. Organizers pulled out all the stops. For the opening banquet, four of their best hunters went out to shoot wild turkey, duck, venison, and quail. When they

Right: The first Texas Association of Real Estate Boards logo was created in 1920.

Below: The Dallas skyline in 1920.

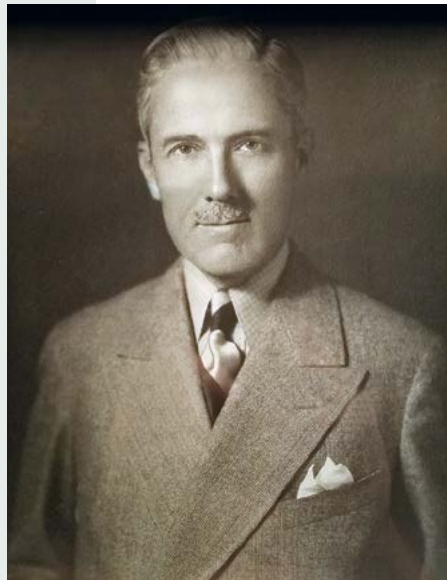


Credit: Library of Congress, Prints & Photographs Division, [LC-USZ62-136623]



100 YEARS OF REALTORS® SHAPING TEXAS

Celebrating Our History While Looking to the Future.



Frank L. McNeny, first vice president of the National Association of Real Estate Boards and former president of the Dallas Board of REALTORS®, spearheaded the first meeting in Dallas to organize the Texas Association of Real Estate Boards in 1920. Photo courtesy of the MetroTex Association of REALTORS®.

returned, 89 delegates and their spouses were treated to the wild game in dishes prepared at the hotel.

Attendees spent two days crafting the details of their licensing bill that would provide for a first-ever Texas real estate commission and how it would be funded. In addition, McNeny proposed that real estate courses soon be established in schools and colleges.

Everyone went home from that convention expecting the license law and the real estate commission to soon become a reality. Little did they know that it would be another 19 years before they would see their proposal enacted into law. The new association also had difficulty increasing membership and keeping the organization afloat financially.

After several years, though, the association added more local boards and established a separate division for those engaged in farm and ranch land deals. In 1926, Texas went from 25th in the nation in association size to fifth.

The association survived its first decade and dealt with the financial woes typical of a fledgling organization. Nobody voiced the determination of the association and its members better than Frank Scott from San Antonio. He was the winner of a speaking competition at the 1929 convention judged by none other than Congressman Sam Rayburn. “The REALTOR® is a builder and his efforts are directed toward the betterment of mankind and the nation ... The exploiter, the promoter, and the high-powered slicker salesman, has had his day and passed on.”

As was the case for individual Texans during the Great Depression, the Texas Association of Real Estate Boards struggled

THE FIRST ELECTED OFFICERS - 1920



President
Lawrence Miller Sr. of Dallas (above)

Vice Presidents
Edward T. Compere of Abilene
B. E. Norvell of Houston
H. P. Hadfield of El Paso
A. L. Jones of Denison

Secretary
J. Kenneth Mullin of San Antonio

Treasurer
Edwin H. Eshleman of Fort Worth



In 1937, the name of the association was changed to the Texas Real Estate Association.

during this time as well. Members began to feel the effects of workers getting laid off and homeownership declining. The mood was so glum that concerned conventioners at the 1930 meeting voted to reduce their annual dues from \$10 to \$7.50 per member.

One association president after another took aim at the Texas Legislature to enact a real estate licensing law—to no avail.

WHAT WOULD BECOME A FAMILIAR THEME: FIGHTING REAL ESTATE TAXES

Association members continued to debate all issues centered around real estate. As has happened many times over the years since, the association urged the Texas Legislature to exempt real estate as a possible source of revenue when state officials went looking for funding. The association also supported a resolution to provide for the extension of the \$3,000 state homestead exemption and a statutory overall property tax limitation of 1% of true market value in 1934.

In 1935, association leaders undertook their biggest project yet—organizing a 200,000-member homeowners group named the Texas Property Owners Association to influence the Legislature against raising real estate taxes. By 1937, under the association's new name of the Texas Real Estate Association, the organization hired its first executive secretary and published the first issue of *The Texas REALTOR*.

Efforts to reduce taxes did not go unnoticed by the press. In a 1937 editorial, the *San Antonio Express* noted: “Directly or indirectly, the matters which the Texas Real Estate Association will consider at its annual convention, opening today, concern every Texan.

“The REALTORS® have to do with such fundamental things as the home and the land on which it stands. Moreover, the convention will deal with a related civic issue that touches everyone, homeowner or tenant ... and that is: taxes. The

REALTORS® hope to initiate a popular movement which will spread over the State and arouse public sentiment that will compel official action.

“They would influence the next Legislature to reduce taxes, particularly on realty, which, because it cannot be hidden carries more than its share of the burden; but the entire load could and should be lightened.”

AT LAST—A REAL ESTATE LICENSE ACT

In 1938, the association's dynamic president, John E. Zeller, made yet another push for the long-sought Texas Dealer's Real Estate Licensing Act. He was forceful and persuasive in the halls of the Capitol, and in the following year, after almost 20 years of work, the bill was finally signed into law by Gov. W. Lee “Pappy” O'Daniel.

The *Austin American* heralded the new law by stating: “Phony land deals and lot sales will be less frequent in Texas after September.”

To show their appreciation for his efforts, the association honored Zeller by presenting him with the very first license at the convention that year.

THE FOUNDING OF A REAL ESTATE COMMISSION

Attendance at the 1940 association convention grew to 327 attendees, and members voted in favor of entering into a proposed agreement with the National Association of Real Estate Boards (NAREB). The agreement stated that any person seeking membership

The new license law sought to eliminate unethical “curbstone” real estate agents. *Brownsville Herald*, Sept. 22, 1939

REAL ESTATE REGULATIONS TO GUARD ALL

Vital Points of New Law Explained As Applied to Agents In This Section

The Texas real estate dealers' license law, protecting the legitimate dealer, and the public, became effective Thursday.

Brownsville real estate dealers took preliminary steps Tuesday night to organize a local real estate board to assure strict adherence of the law.

The local real estate dealers are to meet again Monday at 7:30 p. m. at the Brownsville Federal Savings and Loan Association to elect officers and formulate by-laws and regulations.

Curbstone Agents Out

The law eliminates the so-called curbstone real estate agent. The licensed dealer can no longer “split” commissions with unlicensed aides.

A membership card for the Texas Association of Real Estate Boards from 1921.



GET YOUR COPY OF SHAPING TEXAS

This article is excerpted from the coffee table book *Shaping Texas: The First 100 Years of REALTORS® in the Lone Star State*. To order your copy of the 120-page book, visit texasrealestate.com/100. Proceeds from the \$35 purchase price benefit the Texas REALTORS® Relief Fund.



John E. Zeller, 1938 President



Gov. Beauford Jester signed the bill creating a six-member Texas Real Estate Commission in 1949, as TREA members look on. Chester Seals and John Zeller are pictured on far right.

in any board would be required to have membership in their local, state, and national organizations.

But as World War II dragged on, attendance at annual meetings began to suffer. Only 150 members made it to the 1942 convention. In 1943 and 1945, the association had to forgo the meeting entirely. In fact, the entire slate of officers elected in 1942 served until 1944.

On the legislative front, members did not lose their enthusiasm for adding new amendments to their 1939 licensing law. At the 1946 convention, members proposed an amendment that would create a real estate commission and require passing a written exam. Also in 1946, Claudine A. Perkins was elected president of the Laredo board, becoming the first woman elected as an officer of a NAREB-affiliated board.

At the 1948 convention, the financial report revealed that the organization had run out of money. Past and present officers of the association came to the rescue with personal loans to keep the association afloat. The loans were soon repaid, and a resolution was passed to set aside a reserve fund for the future.

On May 12, 1949, after almost 30 years of work, the dream for a state agency was realized. Everyone was excited when Gov. Beauford Jester signed the bill to create a six-member Texas Real Estate Commission.

Unfortunately, as the decade came to a close, the Texas attorney general issued an opinion that the Texas Real Estate Commission could not require applicants to pass an examination to determine competence.



In 1956, TREA built its first headquarters at a cost of \$47,000.

PUTTING MEANING INTO LICENSING AND REGULATION

As the association grew and achieved more successes on the political front, leaders longed for a home closer to the state Capitol. They established a permanent location on 15th Street, then moved to 7th Street, and finally constructed a new building on E. 12th Street, just one block from the current headquarters at 12th Street and San Jacinto Boulevard.

By the mid 1950s, the Texas Real Estate Association finally persuaded the Legislature to address the license law and real estate commission again. The Legislature gave the commission more discretionary powers. Applicants for a license had to submit to a written exam and furnish a surety bond.

STRESSING EDUCATION AND PROFESSIONALISM

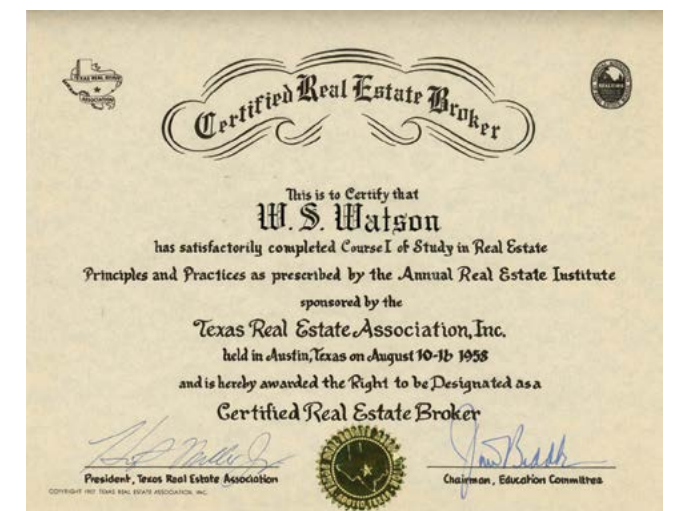
Also in the 1950s, association leaders pushed for more education for members and the public. Under the motto, “Earn More, Learn More,” the association held 21 regional clinics and seminars and made speakers available to other organizations. Another advancement in education occurred with the establishment of the Texas Real Estate Institute. It was the first of its kind in the country. With a three-year curriculum, it covered all aspects of real estate principles and practices. After the first two years, each student would receive a certificate designating that person as a certified real estate broker or certified real estate salesman. Completing the full three-year program and passing a final examination would entitle a graduate to be designated as master broker or master salesman.

A new Education Foundation assisted students who were pursuing real estate careers. The foundation would see its first student loan made to Gary D. Shafer of Richardson to study at the University of Wisconsin.

In legislative matters, the association was at the forefront on issues like dual contracts, ad valorem taxes, condo laws, and stricter requirements for the licensing law. Association leaders spent a lot of time opposing a proposed transaction tax and an occupation tax imposed on real estate brokers by the previous Legislature. Success came when the transaction tax was abandoned in the House, and a

The first annual real estate institute for brokers and salesmen was held in Austin. *American Statesman*, Aug. 25, 1957

Certified Real Estate Broker certificate awarded to W.S. Watson in 1958 for completion of a two-year program with the Texas Real Estate Institute. A third year in the program would entitle him to the designation Master Broker.



NOMINATE A TEXAS REALTOR® FOR “100 ACTS OF KINDNESS” RECOGNITION

This recognition shows the many ways REALTORS® help their communities. Any member, brokerage, or local association can submit entries. Find more information and the nomination form at texasrealestate.com/100. Deadline is June 1, 2020.



VIEW VIDEOS OF PAST CHAIRMEN OF TEXAS REALTORS® AT [TEXASREALESTATE.COM/100](https://texasrealestate.com/100)



1974 President Franklin A. Jeffers worked to establish the joint Broker-Lawyer Committee to provide standardized forms for the real estate industry.

bill removing brokers from the occupation tax was signed into law by Gov. Price Daniel on May 29, 1961.

In 1967, the association also supported a bill that was passed to give voters a say on gradual abolition of ad valorem taxes except for 10 cents per \$100 evaluation for education institutions.

ESTABLISHING A PAC AND BUILDING INFLUENCE

As members celebrated the 50th anniversary of the association in 1970, extending political influence was a focal point. That led to the establishment of the Texas Real Estate Political Action Committee (TREPAC). By 1972, TREPAC reported \$17,250 in contributions from 923 investors. Six years later, annual contributions reached \$300,000.

Another major accomplishment of the association was the creation of the Texas Real Estate Research Center. Julio S. Laguarda, president of the association in 1975 and NAR president in 1982, was instrumental in laying the groundwork with Texas A&M University to locate the research center there. Lawrence “Bud” Miller Jr., president in 1971, son of the first president of the association, supported it, saying, “It is a natural since our Association has been a consistent leader in real estate education, even nationally. We foresee the studies there as touching all areas of the industry and providing the public, especially homeowners, valuable information on such matters as low-cost construction technology, city planning, zoning and news on housing trends.” So, a bill was passed and signed into law by Gov. Preston Smith on May 18, 1971, and Laguarda was named chairman of the center’s Advisory Committee.



As the association grew, it constructed a new building in 1969 on I-35 in Austin.

REALTORS® AND LAWYERS WORKING TOGETHER

With a robust real estate market in the 1970s, lawyers had difficulty keeping up with the demands of buyers and sellers who wanted real estate contracts drawn.

Real estate brokers and salespeople tried to step in to keep transactions moving. Those efforts were a bit too “creative” for the State Bar of Texas, which claimed that real estate brokers were practicing law without a license. Discussions were held between REALTOR® leaders and leaders from the State Bar of Texas from 1972 to 1974.



1975 President Julio Laguarda was a driving force behind the creation of the Texas Real Estate Research Center at Texas A&M.



The Texas Real Estate Association officially became the Texas Association of REALTORS® on January 1, 1969. With the name change came a new logo.



In 1989, Virginia Cook became the first woman elected as president of the association.

Franklin Jeffers was serving as association president in 1974 at the same time his uncle, Leroy Jeffers, was the president of the State Bar of Texas. Together, they helped draw up a document defined the roles of REALTORS® and lawyers. It recognized REALTORS® as fiduciaries, conveyors of real property.

This collaboration also resulted in the creation of the Broker-Lawyer Committee that created the first standardized real estate forms, a giant leap forward for the industry and its professionals.

PROTECTING CONSUMERS AND THEIR HOMES

In the 1980s, the association took up new communications, such as videos and slide presentations, and got key association messages into print media through guest editorials in local newspapers. The association also tackled issues like fair housing and education. Political involvement was another focus, and in 1987, 1,000 members came to the Texas Capitol for the legislative visits—a new attendance record.

In 1985, the association rallied against forces that wanted to change the protective homestead law in the state. REALTORS® were outnumbered at the Capitol by lobbying interests that wanted to modify the law to allow homeowners to take a second mortgage.

Among their opponents (dubbed the “hock-your-home lobby” by political pundits) was a large coalition of banking and out-of-state financial interests that wanted access to Texas homeowners’ equity. This was not the first time efforts were made to change the law—earlier attempts went back as far as the 1920s. The only groups joining the REALTORS® were the Texas Consumers Association, the Texas AFL-CIO, and a senior-citizen lobby group.

For many legislators, REALTOR® opposition to the changes made the difference, and the bill eventually failed in the House.

A NEW PLACE FOR THE ASSOCIATION TO CALL HOME

One of the biggest challenges the association faced in the 1980s came not from outside forces but within the association itself. The issue at hand was the proposed relocation of the association’s office building. A proposal to buy a lot and construct a building came before the Board of Directors. Debate included strong feelings on both sides. After some parliamentary challenges, the proposal passed. The new building opened in 1989 and has served as the association headquarters ever since.

Another significant milestone occurred in the 1980s when Virginia Cook was the first woman to be elected president of the association.

THE DRIVING FORCE FOR HOME EQUITY PROTECTIONS

The Texas Homestead Law came under assault once again in the 1990s. Lenders railed against the law, rebuking it for taking away consumers’ right to choose. Texas, they cried, is the only state in the union that doesn’t allow homeowners to use their home as collateral on a second loan.

Those pushing for the ability to secure a second loan on a home in Texas took their argument to the U.S. Supreme Court, which ruled in their favor. But REALTORS® went to work against it in Washington, D.C., and Congress quickly passed an amendment restoring the home equity law in Texas. When it was brought up again in the 74th Texas Legislature, REALTORS® once again made their voices heard.

Understanding that passage of a home equity law was imminent in 1997, the association prepared a lengthy list of consumer protections that would have to be included in any home equity law. As the legislative session progressed, it became clear the only way a home equity law would be passed was if the REALTORS® took the lead. Therefore, the association took over the lenders’ home equity bill and Texas Association of REALTORS® General Counsel Ron



1998 President Charles McMillan, pictured with Gov. Rick Perry, became just the fourth Texan to serve as NAR president in 2009.



The current home of the association at 1115 San Jacinto Boulevard, built in 1989.



COME TO SAN ANTONIO—THE SITE OF THE FIRST TEXAS REALTORS® CONVENTION IN 1920—TO CELEBRATE 100 YEARS OF SHAPING TEXAS

The commemorative 3D art piece will be on display during the 2020 Texas REALTORS® Conference August 31 – September 3. If you can’t make it, be sure to check out the interactive version at texasrealestate.com/100. Or stop by the Texas REALTORS® offices in Austin near the Capitol, where the art piece will be permanently installed in the lobby.



DESIGN THE CENTENNIAL T-SHIRT

Have an idea to commemorate the 100th anniversary of Texas REALTORS® based on the theme Shaping Texas? One winning design will be printed on t-shirts and available for purchase. The winner will also receive \$500. Find more information at texasrealestate.com/100.

Walker re-wrote the legislation into a constitutional amendment to include the consumer protections REALTORS® wanted. Ultimately, the Texas Legislature agreed with the association's position and passed the legislation. Voters approved the home equity constitutional amendment in November 1997.

CHAMPIONS FOR DISCLOSURE AND A COMMERCIAL LIEN LAW

Other hallmark legislation included the passage in 1993 of a consumer protection bill relating to seller disclosure. This law, titled the Seller's Disclosure of Property Condition, was one of the first of its kind. The law was enacted to ensure buyers of real property had the best information in hand prior to committing to purchase a home.

The association also claimed a huge win for commercial practitioners in 1999 with the passage of the Broker's and Appraiser's Lien on Commercial Real Estate Act. The new law allowed for a commercial real estate broker or appraiser to secure the payment of a broker's commission earned from a commercial real estate transaction by placing a lien on the property involved.



Gov. Ann Richards signed legislation establishing written disclosure requirements in 1993, while association President Sharon Coleman (second from right) looks on.

REDUCING LEGAL RISKS FOR MEMBERS AND EMBRACING TECH TOOLS

The association formed the Legal Fund, which provides financial or other assistance to members involved in lawsuits that might set favorable precedent for all Texas REALTORS®. The next big risk-management tool created for members was the Legal Hotline. This gave Designated REALTORS® from each office the ability to speak to an attorney at the association who could answer legal questions on a variety of topics.

Toward end of the 1990s, the association began to address the importance of technology and how it affects REALTORS®. Electronic forms were beginning to make their way into the business, and the Texas Association of REALTORS® launched FastFill Web Forms, an internet-based program to fill out and save TAR and TREC forms.

By 1999, TREPAC achieved an all-time high of \$962,000 in annual contributions. TREPAC Chair "Million Dollar Bill" Watts of El Paso led the charge toward the association's \$1 million goal.

Though FastFill Web Forms didn't ultimately pan out, Texas REALTORS® in the early 2000s were using digital forms tools through various vendors. These products typically cost members hundreds of dollars. To take advantage of the buying power of over 48,000 members, the association raised dues by \$10 a year and negotiated a deal to make zipForm forms software a benefit available to every member. With online and desktop versions of the forms-management tool, 25,000 Texas REALTORS® signed up for the service in the first year.

TACKLING ISSUES AT THE LOCAL LEVEL

Recognizing that it is better to deal with issues locally than at the state legislative level, the Issues Mobilization Committee was formed in 2001. Its primary purpose was to guide and assist local boards of REALTORS® on issues like taxation, ordinances, and restrictions.

The committee was successful right away. Its efforts helped deter an ordinance on the Corpus Christi bayfront that would have severely restricted development in the area. The committee also helped local associations thwart "water pirates" who wanted to pipe water from counties in central Texas and sell it to larger municipalities elsewhere.



The association launched a new logo in 1996 to reflect the modern times.



Broadcast education classes offered by the association were approved by TREC in 2012.



2006 Chairman Dennis Patillo speaks at a property tax rally at the state Capitol.



ORDER CENTENNIAL MERCHANDISE

You can find commemorative merchandise online at texasrealestate.com/100

In another effort to better serve the members at the local level, the association added field representatives to its staff in 2008. Each field rep was assigned a region of Texas to serve.

Yet another step forward in education and professionalism was conceived in 2004—the Texas REALTORS® Leadership Program (TRLP). Leaders wanted to inspire members to get involved in their community, their local boards, and their state association. The program continues to be a huge success. By the end of 2020, over 2,000 members will have graduated, with many going on to serve in local and state association leadership positions.

In the mid-2000s, the association worked to establish the minimum service that must be provided to a real estate consumer by a license holder, protect property rights against eminent domain overreaches, and once again fight for lower property taxes.

The happiest event of the 2000s may well have been the election of beloved Texas REALTOR® Charles McMillan as president of the National Association of REALTORS®. It was a contentious race, and Texas members campaigned, wrote letters, and made phone calls to drum up support.

INCREASING MEMBERSHIP ... AND PROGRAMS AND SERVICES

By 2010, there were approximately 80,000 members. The association helped enact further consumer protections in eminent domain proceedings and staved off numerous proposals to tax real estate—including the creation of a tax on every deed recorded by county clerks. REALTORS® also helped pass a revision to the Deceptive Trade Practices Act that effectively exempts real estate brokerages from liability under the act, as long as the broker or agent hasn't committed an unscrupulous or illegal act.

As the association added members, leaders tapped into the power of the grassroots like never before. Subcommittees and member input fueled efforts related to transportation, water issues, and, of course, taxes.

The list of new and expanded programs includes a Legal Hotline with three attorneys answering live calls, the Texas REALTORS® Relief Fund to help Texans recover from disasters, an award-winning website for members and consumers, the online real estate data portal called MarketViewer, Texas-specific designations for property management, leasing, and affordable housing, TREC-approved broadcast classes that serve thousands of students, and more.

Since 1920, the media and Texas legislators often referred to the association as Texas REALTORS®. So, at the end of 2018, the Texas Association of REALTORS® became Texas REALTORS®, with a new logo and branding the association uses today.

For 100 years, members of all ages and backgrounds and from every part of Texas have come together to achieve their common goals.

In all areas—professionalism, advocacy, and resources and tools—Texas REALTORS® set high standards, worked hard, and achieved their goals. Every aspect of real estate has benefited from the efforts that began in 1920.

In short, the Lone Star State wouldn't be what it is today without REALTORS® shaping Texas.

The association continues to strengthen its grassroots advocacy, such as at REALTOR® Day at the Texas Capitol.



A new name and logo were created in 2018 to focus on the members the association represents.



FOLLOW #SHAPINGTEXAS ON SOCIAL MEDIA

Learn about the history of Texas REALTORS® and how you can celebrate the association's 100th year by following #shapingtexas on social media.



Find your escape.

Every day, we work with our fellow Texans to help them buy the land they've always envisioned. And as a cooperative, we share our profits with those same customers. Last year alone, we paid our customers more than \$57 million in dividends. So when you're ready to secure a property loan for the perfect place to retreat, try a **partnership that really pays.**

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SHAPING TEXAS 1920-2020

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DID YOU KNOW?

REALTORS® HAVE MORE FORMS TO HELP YOU

Real estate transactions involve lots of moving parts. To make sure you're getting the terms you want, prevent hiccups, and protect yourself from lawsuits, you'll want to put the details in writing. That's where contracts and other forms come in. However, not all real estate agents have access to the same forms.

REALTORS® HAVE 130+ FORMS THAT OTHER AGENTS DON'T

All agents and brokers licensed in Texas can use the 35 standardized contracts and forms available from the Texas Real Estate Commission. However, only REALTORS®—that is, those agents and brokers who join the REALTORS® association in Texas—have exclusive access to 138 additional forms. Whatever circumstances come up in your transaction, your Texas REALTOR® probably has a form to help keep things straight.

100 YEARS OF LOOKING OUT FOR YOUR BEST INTERESTS

Real estate professionals formed an association of REALTORS® in Texas a century ago to fight for higher standards in the industry. Those pioneers wanted to protect Texans from real estate scammers and con artists. One of the early goals of Texas REALTORS® was to create standardized forms Texans could use when buying, selling, or leasing property.

Over the years, REALTORS® have been the driving force to create standardized contracts and forms. REALTORS® continue to update forms and create new ones to serve the needs of their clients.



WHEN BUYING, SELLING, OR LEASING REAL ESTATE, MAKE SURE YOUR AGENT IS A REALTOR®.
Your REALTOR® has the knowledge, training, and tools to help you reach your real estate goals.

Photos & Images © Seventyfour-studio/istock.com

TAKE 5

Photo: © cunaplus - stock.adobe.com

STAY SAFE OUT THERE

It's a disturbing reality that real estate agents are sometimes targets of attackers. Here are some steps you can take to deter criminals and protect yourself.

CONSIDER YOUR SAFETY NOW

It may not seem urgent to plan for your safety when no threat is present, but there's no better time to figure out how to respond to various scenarios. Spend the time now to come up with your personal safety plan and strategies for situations that may arise. Find safety resources at nar.realtor/safety, texasrealestate.com/safety, your local association of REALTORS®, or your brokerage.

TRUST YOUR GUT

You take pride in your professionalism. However, if you feel you are in danger, you may have to override your tendency to act politely. Trust your instincts: Get away as quickly as possible from a person who makes you feel uneasy. No sale is as important as your safety.

LET THEM KNOW YOU'RE NOT ALONE

You know there's safety in numbers. If you can't avoid being alone with a customer, it's wise to tell a colleague or family member where you are, who you're with, and when to expect you back. Go one step further and make sure the customer hears you make that call. Another option: Let customers know you're expecting a colleague to meet you soon. Even if not true, planting that seed may act as a deterrent.

CAPTURE AND SHARE A PICTURE

When first meeting—ideally someplace with others around—tell a customer that your brokerage requires you to send a photo of a valid ID to the brokerage. Or explain that the brokerage safety policy requires you to send a photo of that person standing next to the license plate on his car. If the person balks, that's your cue to leave.

PRACTICE YOUR PLAN

It's great to have strategies in mind for threatening situations, but you want your responses to come to you automatically. Go through each scenario you might face and act out your response until it is second nature. Can you quickly make an emergency call on your phone? Do you know how to use the safety app you installed? Can you get in your car quickly and drive away? Your life may depend on it.



Don't miss your Texas REALTORS® 360 Meeting!

It's your chance to

- Gain insights from Texas REALTORS® leaders
- Hear about the latest industry trends
- Network with other REALTORS®

2020 Meetings

March 19-20	Regions 7 & 13	Fredericksburg
April 8-9	Region 16	El Paso
April 13-14	Regions 5 & 9	Tyler
April 22-23	Regions 2 & 6	San Angelo
April 23-24	Regions 8 & 15	Austin
April 27-28	Regions 3, 4, & 12	Grand Prairie
April 30-May 1	Region 11	Corpus Christi
June 3-4	Region 1	Amarillo
June 23-24	Regions 10 & 14	Lake Jackson

Meeting schedules vary. Some regions will hold an evening event on the first date listed. Meetings will be held on the second date listed.

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DEADLINE AHEAD!!!

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PERSONAL PROPERTY TAXES.**

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