

TEXAS REALTOR®

Succeed in Texas Real Estate

April 2021 \$3.50

YOU ARE THE KEY

to Making Fair Housing
a Reality for All *p. 22*



The data your
clients want
p. 16

Why a ranch's
sales price
might change
p. 14

A new way to
look at lead
generation
p. 20



KINDNESS IS A JOB REQUIREMENT.

Finding a house requires facts and numbers. But helping someone find a home and supporting them through the biggest transaction of their life - that takes kindness. We don't mess around when it comes to championing our clients, their families and our community. If you have a big heart, you've found the right place.



[joinremax.com](https://www.joinremax.com)

Client's Loan Denied By The Bank?

We Can Help.

We Close Most Loans Turned Down By Banks!

We are a Texas based Mortgage Company with access to many Lenders and hundreds of loan programs. Let us help your clients find the right loan program and close on-time.

Multiple Offers? Sellers Prefer Conventional Over FHA Loans? 3% Down Conventional Loans Available!!

Have Clients Call (800) 674-7720 Or Apply At: NewHomesMortgage.net

Below are some of the most popular loan programs.

| | | | | |
|--|--|--|---|---|
| <p>Conventional, FHA, VA, USDA Loans Low Interest Rates! A Recent FHA Loan At 2.75% Fixed For 30 Years 3.2 % APR.</p> | <p>100 % No Money Down FHA, VA & USDA Loans</p> | <p>100 % No Money Down Conventional Loans</p> | <p>3 % Down Conventional Loans =====</p> <p>3.5 % Down FHA Loans</p> | <p>Conventional Loans from 620 FICO & UP. =====</p> <p>FHA Loans from 550 FICO & Up</p> |
| <p>BANK STATEMENTS Loan Program Qualify with Bank Statement Deposits Self Employed, No Tax Returns</p> | <p>SELF EMPLOYED Independent Contractor 1099 Loan Program No Tax Returns</p> | <p>SELF EMPLOYED Only 1 Year Tax Return Loan program</p> | <p>SELF EMPLOYED 1 Year Profit & Loss Statement Only Loan Program No Tax Returns.</p> | <p>WVOE Written Verification of Employment Loans Qualify with amount Stated in VOE Form by Employer. No Tax Returns.</p> |
| <p>No Income Stated Loan Programs For Rental Or Business Purpose Properties. Buy, Refinance Or Cash-out</p> | <p>ITIN Loans We have Spanish Speaking Loan Officers on staff.</p> | <p>DACA Recipients Conventional Or FHA Loans Low Interest Rates Self Employed Or W2 Employee</p> | <p>Condominiums Warrantable or Non-Warrantable Condo Loans</p> | <p>Reverse Mortgages =====</p> <p>Construction Loans</p> |

Client Buying a New Home?

Long Term Low Interest Rate Locks Available for New Home Buyers!

Residential * Multi-Family/Mixed Use * Commercial * Farm & Ranch
LOANS TO BUY * REFINANCE * OR CASH-OUT - Anywhere in Texas!

Have Clients Apply To Be Pre-Qualified Or Pre-Approved FAST!

Questions? Call (800) 674-7720

Apply At: NewHomesMortgage.net



Open House Mortgage Corporation
DBA New Homes Mortgage

The One-Stop-Shop for Mortgage Loan Programs!™

100% Conventional Loans Made Up Of 95% First Lien And A 5% Second Lien. 100 % FHA Loans Made Up Of 96.5% FHA Loan And A 3.5 % Second Lien. Interest Rates Are Subject To Change. All Loans Are Subject To Lender Underwriting Approval.

TEXAS REALTOR®

April 2021-Volume 74-Number 3

MARVIN JOLLY Chairman of the Board
RUSSELL BERRY Chairman-Elect
MARCUS PHIPPS Secretary/Treasurer
TRAVIS KESSLER CEO
ANGELA BRUTSCHÉ VP of Comm. & Mktg.
MARTY KRAMER Editor-in-Chief
WARD LOWE Assoc. Dir. of Communications
JOE OLIVIERI Assistant Editor
JOEL MATHEWS Art Director
JOSHUA BANKS Graphic Design Manager
CHRIS NELSON Graphic Designer

CHANGE OF ADDRESS OR EMAIL
Members should always send postal address or email changes to their local association.

CONTACT THE EDITORS
editor@texasrealtors.com
512-480-8200
P.O. Box 2246
Austin, TX 78768-2246

ADVERTISING SALES
Mohanna Sales Representatives
214-291-3648
texasrealtorsinfo@mohanna.com

Texas REALTOR® (ISSN 1068-1248) is published monthly except combined issues in January/February and September/October by Texas REALTORS®.

POSTMASTER

Send address changes to:
Texas REALTOR® magazine
Attention: Membership
P.O. Box 2246
Austin, TX 78768-2246

Periodicals Postage Paid at Austin, TX, and at additional mailing office. Annual dues of members of the association include \$5 for a one-year subscription to Texas REALTOR®, Annual subscription rate to others: \$25. Single copy rate to others: \$3.50. Office of publication: 1115 San Jacinto Blvd., #200, Austin, TX 78701-1906; mailing address: P.O. Box 2246, Austin, TX 78768-2246; phone: 512-480-8200; fax: 512-370-2390.

All articles and paid advertising represent the opinions of the authors and advertisers, and do not necessarily represent the opinions of the editors of Texas REALTOR® or the association and should not be construed as a recommendation for any course of action regarding financial, legal, or accounting matters by the association or Texas REALTOR® and its authors.

Contributions are not deductible for federal income tax purposes. Contributions to the Texas REALTORS® Political Action Committee (TREPAC) and the Texas Association of REALTORS® Federal Political Action Committee (TAR FedPAC)—which makes contributions to the REALTORS® Political Action Committee (RPAC)—are voluntary and may be used for political purposes. The amount indicated is merely a guideline, and you may contribute more or less than the suggested amount. You may refuse to contribute without reprisal, and the National Association of REALTORS®, Texas REALTORS®, and its local associations will not favor or disadvantage anyone because of the amount contributed. Until the RPAC annual goal is met, 70% of an individual's contribution goes to TREPAC and may be used to support state and local candidates; the remaining 30% is sent to TAR FedPAC to support federal candidates and is charged against your limits under 52 U.S.C. 30116. (Exception: 100% of an individual's contribution goes to TREPAC if the individual is an employee of an affiliate member of Texas REALTORS®.) After the RPAC annual goal is met, 100% of an individual's contribution goes to TREPAC and may be used to support state and local candidates. You may contact the Texas REALTORS® political committee administrator at 800-873-9155 to obtain information about your contributions.

Federal law prohibits TREPAC and FedPAC from soliciting contributions from persons not included in the following groups: Members of the association, executive and administrative personnel of the association, and the families of both groups. Contributions received in relation to this publication from a person outside of these groups will be returned.

©2021
Texas REALTORS®
All rights reserved.



Texas REALTORS® ADVOCACY During COVID-19

Even while sheltering in place, REALTORS® have been advocating to protect consumers, professionals, and the real estate industry.



ENSURE REAL ESTATE IS AN ESSENTIAL SERVICE

statewide to protect real estate transactions



PROVIDE GUIDANCE for serving clients safely and responsibly



PROVIDE RECOMMENDATIONS for conducting in-person real estate license exams



SHARE INSIGHT into impacts on real estate industry and how REALTORS® have adapted to serve clients safely



REAL ESTATE PROFESSIONALS ARE ELIGIBLE FOR FEDERAL RELIEF, including small business loans and unemployment insurance



ADVISE STATE LEADERS on reopening government offices for real estate consumers



PROTECT REAL ESTATE LICENSE HOLDERS seeking renewal and applicants



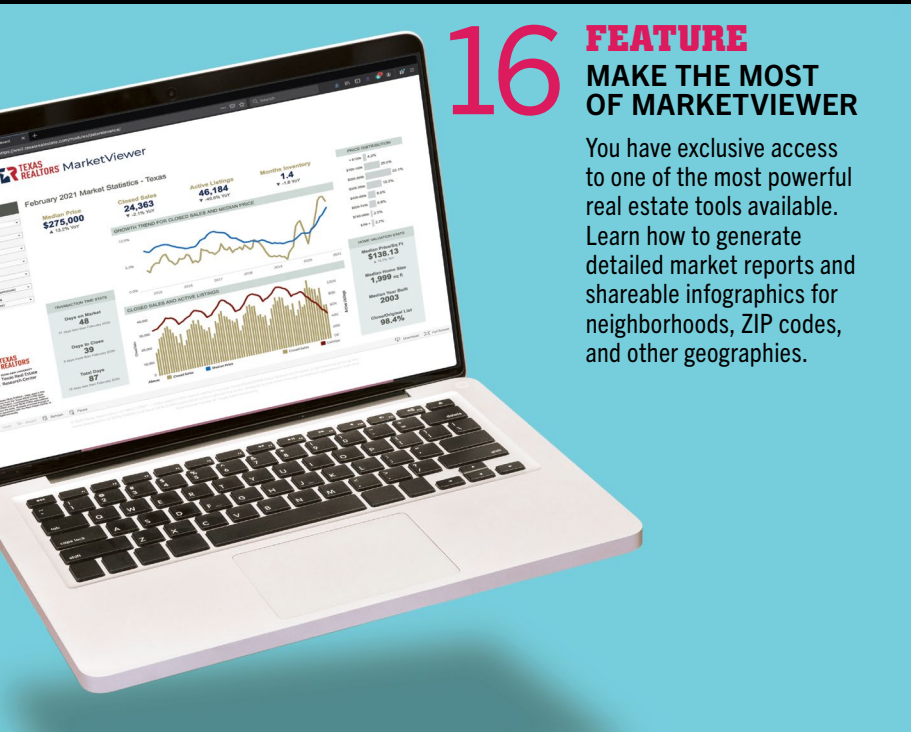
EXPAND NOTARY SERVICES for real estate documents



See Texas REALTORS® resources, updates, FAQ, and other content related to COVID-19 at texasrealestate.com/coronavirus

#TREPACTogether

CONTENTS



16 FEATURE MAKE THE MOST OF MARKETVIEWER

You have exclusive access to one of the most powerful real estate tools available. Learn how to generate detailed market reports and shareable infographics for neighborhoods, ZIP codes, and other geographies.

22 COVER STORY

YOU ARE THE KEY TO MAKING FAIR HOUSING A REALITY FOR ALL

Fair housing doesn't stop being a priority at the end of Fair Housing Month in April—offering equal opportunities should be a daily part of your real estate business. Hear from fair housing experts, take a quiz, and discover where you can learn more.



- INSIGHTS**
- 4 Chairman's column: Politics is our business
REALTOR® Day at the Texas Capitol ...virtually
 - 5 Don't overlook your local election May 1
John Nichols: 1945-2021

- BUSINESS**
- 6 Working with senior clients
 - 7 Tips to eliminate unpleasant smells
 - 8 Texas property tax rates among the highest in U.S.
How to stop micromanaging agents and assistants

- LEGAL & ETHICS**
- 10 What can you do if the other broker isn't pulling his weight?
 - 11 Alternatives to arbitration for settling commission disputes
Fact or fiction? What must a list of recently sold homes include?
Your forms: *Information About On-Site Sewer Facility*

- 12 Must open house signs follow advertising rules?
- 12 Do you know how to properly use the term REALTOR®?
From the Legal Hotline: Which county goes in the listing agreement?

- SHARE THIS**
- 27 What's that remodel worth?

- TAKE 5**
- 28 Unique ways to generate leads

20 FEATURE

LEAD GENERATION THROUGH A NEW LENS by Debbie Remington

Network engagement is essential to the success of your business, especially for new agents and the brokers who mentor them.



14 FEATURE PRICES MAY VARY FOR THAT FARM OR RANCH

Paragraph 3D of the *Farm and Ranch Contract* allows for an adjustment of the sales price based on what happens with the survey. See how this paragraph works and view an example of how it can play out.



COVER: © Prostock-studio - stock.adobe.com

INSIGHTS



Chairman

“ If real estate is your career, politics is your business.

Politics matter. I'm not referring to the issues we see on cable news or hear on talk radio. I'm talking about Texas real estate issues.

Each legislative year, thousands of Texas REALTORS® board buses from

around the state—some even fly in—to convene in Austin for REALTOR® Day at the Texas Capitol. In previous years, REALTORS® literally circled the Statehouse waiting their turn to go in for meetings with their state representatives and senators. The goal is to make sure Texas property owners, buyers, sellers, and REALTORS® are protected and supported as new laws are written.

Our intent is the same as many other business groups and professional organizations that have opinions on legislation; however, the Texas REALTORS® presence is much, much bigger and more prominent, involving more than 3,000 people showing up at the Capitol in recent years.

This year was no different. And yet, this year was very different!

With limitations placed on large group gatherings and challenges with Capitol access, other business groups and organizations are hosting a single webinar or skipping legislative meetings altogether this year.

Texas REALTORS® meetings did not stop!

We worked with the offices of every single one of the 181 state

representatives and senators—just like we do in any other session—though the meetings this year were virtual. Detailed planning and hard work by your Texas REALTORS® staff, your local association staff, and volunteer leaders at the state and local levels resulted in a well-orchestrated strategy to make your voice heard at the Capitol.

New challenges bring new solutions. The innovation developed this year will serve us well in the future as we are able to do more work in less time, involve more people with less travel, and make our case with elected officials even in challenging times.

The work of a REALTOR® never ends, and the work of Texas REALTORS® on your behalf doesn't stop, either.

Texas is better when Texas REALTORS® and property owners are safe and successful.

The work changes. But the work never ends.

Politics is our business.



Marvin Jolly

TEXAS REALTORS® DID SOMETHING UNPRECEDENTED



In March and April, your association adapted the in-person REALTOR® Day at the Texas Capitol to a virtual environment. Texas REALTORS® worked with the offices of all 181 Texas senators and representatives to schedule virtual meetings with their REALTOR® constituents.

These meetings were important opportunities for REALTORS® to discuss several of the association's legislative priorities for the 87th Texas Legislature:

- Increasing broadband access
- Reforming civil liability
- Removing discriminatory covenants in real estate deeds
- Bringing balance to homeowners associations
- Keeping real estate moving as an economic driver.

REALTORS® also commended legislators for working to ensure Texans have reliable and affordable utility services.

REALTOR® Day at the Texas Capitol is a grassroots

event organized every legislative session—it's the cornerstone of Texas REALTORS® advocacy. Member participation ensures your profession is protected.

Ready to serve?

Each state senator and state representative has a designated REALTOR® Legislative Contact Team composed of REALTORS® from the legislator's home district who are constituents just like you. In fact, many were appointed to these positions because they have a relationship with their designated legislator. If you're interested in serving on a Legislative Contact Team, contact Political Affairs Specialist Joanna Ramirez at jramirez@texasrealtors.com.

Stay in the loop

The best way to stay up to date on how legislation is progressing is to subscribe to the Legislative Liaison newsletter. Sign up at texasrealestate.com/liaison.



VOTE LOCAL ON MAY 1

You know Election Day is the second Tuesday in November ... but did you know what happens on a Saturday in May could have a greater impact on your daily life?

May 1 is local election day in Texas, and your community may have city or school board races or local propositions on your ballot.

Low turnout, big difference

Elections are especially important at the local level, as these are the people who make decisions that directly affect you, like which local projects receive funding and how high are the tax rates that determine your property tax bills.

But local elections historically have very low turnout compared to November elections, so every vote really does count—and it's not uncommon to see these important races decided by just a handful of votes.

If you don't want to spend your Saturday at a polling place, take advantage of early voting from Monday, April 19 to Tuesday, April 27.

Contact your county's elections office to locate your polling places.

REALTORS® as voters

Historically, REALTORS® in Texas don't sit out these elections. The numbers show that REALTORS® vote at a much higher rate than the average voter, and since REALTORS® are such a large portion of the registered voters in Texas, REALTOR® turnout has been the difference in dozens of local races over the years.

Your local association vets candidates through a member-driven candidate interview process, so look for the candidates who have earned TREPAC support for their positions on real estate-related issues.

Through the years, REALTORS® have supported hundreds of local candidates through TREPAC.

"We've seen local elections where the REALTOR® turnout can significantly exceed the turnout rate of the average voter—as much as 10 times higher in some races," says Jeff Varnell, chairman of the Texas REALTORS® Political Involvement Committee. "When REALTORS® get behind a candidate, it makes a huge difference."

"This is how we, as REALTORS®, can help build and shape our community, so I urge my colleagues around the state to make their voice heard."



JOHN NICHOLS 1945-2021

John Nichols, 1997 chairman of Texas REALTORS®, passed away at his home in Magnolia, Texas, February 28.

During his tenure as chairman of Texas REALTORS®, Nichols was instrumental in the association's activity during the 75th Texas Legislature. That session included passage of a key statewide home equity law that continues to provide strong protections for Texas homeowners today. The association also helped defeat bills that would have taxed real estate commissions and commercial leases.

As chairman of the Houston Association of REALTORS® in 1991, Nichols was influential in expanding and improving MLS services. He volunteered in countless roles at the local, state, and national levels and received numerous industry awards, including Texas REALTOR® of the Year in 2001 and the NAR 2017 Federal Political Coordinator Meritorious Service Award.

"John was so knowledgeable about our industry not only as an association leader but also from his everyday practice of real estate," said Texas REALTORS® CEO Travis Kessler. "He combined his deep understanding of our business with keen insights and a kindness and integrity that were unparalleled. Those qualities made him an outstanding leader for all REALTORS® and a mentor and friend to many."

BUSINESS

WORKING WITH SENIOR CLIENTS



Seniors Real Estate Specialist Designation Course

The SRES designation course helps real estate professionals develop the business-building skills and resources for specialization in the 50-and-older real estate market by expanding knowledge of how life stages impact real estate choices. This course seeks to instill knowledge, understanding, and empathy for 50 and older real estate clients and customers. To find the next available course, visit texasrealestate.com/findacourse and choose *Seniors Real Estate Specialist Designation Course* from the *Course* dropdown menu.

You can better serve your older homebuyers and sellers by adapting your services to their needs and preferences.

Zelda Cain and Reba Saxon, who teach the Seniors Real Estate Specialist (SRES) designation course, recommend these strategies when working with senior clients:

Know Who Makes Decisions and Who Stays Informed

Your client may involve additional decision makers, such as adult children. Ask your client to name, in writing, who should be involved and kept informed, Cain says. Make sure the list stays current; the decision makers may change during the transaction.

Your client and these decision makers may communicate differently—perhaps your client likes phone calls and the adult children prefer texting. Be sure to accommodate preferences to keep everyone in the loop, Saxon adds.

“Don’t just send documents via email, and don’t send them only to family members,” Cain says.

Know What They’re Looking For

Some seniors want to downsize, while others may want a larger house to share with family members.

Saxon says buyer clients are looking for accessibility and the ability to age in place. That can mean single story houses, bathrooms and doorways that can accommodate a walker or wheelchair, and places to install ramps.

First floor bedrooms, bathtubs, and wheelchair-accessible showers are desirable home features, Cain says. Proximity to goods and services, such as doctors’ offices and grocery stores, is also a consideration.

Learn What Clients Expect from You

Every client is different, but many seniors prefer a high-

touch experience.

“If you say you are going to do something, they expect you do it,” Cain says. “If you say you’re going to be at a certain place at a certain time, be there five minutes beforehand.”

Cain recommends following up two to three times per week to update senior clients on the status of the transaction. Offer to go over inspection reports and other documents with them. Make sure your client understands each step in the process.

Bring copies of important paperwork. “Senior buyers are getting to the point where they will do electronic signatures, but they really like paper,” she says.

Do Your Homework

Some older clients have unique circumstances. They may be interested in researching reverse mortgages or qualifying for over-65 tax exemptions. They may want to purchase a home using a trust. Be prepared to refer clients to estate lawyers or CPAs.

“Seniors are not going to be as agile at locating people. So finding referrals for trustworthy professionals can be an extremely important part of the services a REALTOR® can provide,” Saxon says.

Be Patient

Senior buyers may make slower decisions because they are worried about making the wrong choice, Saxon says. It may take a while to get the house ready to sell; your clients may need to part with some possessions.

Sometimes senior clients may just want to talk and want someone to listen to them, Cain says.

“There’s a lot more wrapped up into selling the house than just simply changing residences,” Saxon adds. “They could be changing their level of independence. There could be a lot of emotion involved.”

DOLLARS AND SCENTS



Unpleasant smells can drive away prospects and cost your clients money in the form of fewer, lower, or no offers. But home smells are a sensitive topic. No one wants to feel like their home is unwelcoming. You can help your clients by addressing the issue and offering solutions.

Approach the issue tactfully. Remind your clients that your job is to help them sell their home and that part of your job is identifying any potential barriers to the sale. Describe the smell; are they aware of the issue? Let them know that buyers may be put off by strong or persistent odors, but reassure your clients that most smells can be eliminated. Some are a quick and easy fix, while others may be more challenging or expensive.

Once they are on board to solve the problem, the first step is to identify the source. Removing a smelly item—like an old dog bed—may be all it takes.

A stale or musty odor that is hard to identify might benefit from a thor-

ough deep cleaning, including carpets and walls. Air ducts may also harbor smells. Open the windows and let fresh air circulate. Deodorizing refrigerators and garbage disposals with baking soda may absorb smells. Other simple fixes include asking clients if they can empty trash more often and avoiding strong smells for cooking.

Stronger smells, such as cigarette smoke or pet urine, can seep into carpets and walls. Clients may have to replace carpets. Clients who plan to repaint could choose products with odor-blocking properties.

The biggest challenge you face may be how to approach the topic. One option is to include information on a checklist of ways to prepare a home for sale. The checklist can provide an easier start to conversations about smells, clutter, and other potential problems. With your help, your clients can make their home appealing to buyers' eyes and noses.

ISRAEL SUSTER, Attorney

- Disputes between Managers & Owners.
- Disputes and Litigation Regarding Sale of Homes and Commercial Properties, including Fraud and DTPA Claims. Litigation stemming from foreclosure sales.
- Representation of Owners and Managers in Disputes and Litigation involving Residential and Commercial Properties.
- Tenant Claims, Suits, Evictions and Appeals.
- Tenant Collections.
- Code Enforcement/Zoning Issues.
- Defense of Licensing Complaints.

Representation in North Texas and throughout the State

Named in Texas Super Lawyers



972-380-0130
www.susterlaw.com

The Suster Law Group, PLLC
Principal office in Plano, Texas

High End Loans for High End Homes

Single Broker Jumbo Loan

goamplify.com/jumbo

512.874.7171

AMPLIFY MORTGAGE

1. Loan subject to credit approval. Additional terms, conditions, and restrictions may apply. Insured by NCUA. Membership required. NMLS# 530487. EQUAL HOUSING LENDER

Property tax rates are higher in Texas than 43 other states,

according to a 2021 analysis by WalletHub. The only states to top the 1.80% effective property tax rate in the Lone Star State are Wisconsin (1.85%), Vermont (1.9%), Connecticut (2.14%), New Hampshire (2.18%), Illinois (2.27%), and New Jersey (2.49%).

Researchers used U.S. Census Bureau data to divide the median real estate tax payment by the median home price.



WHY AND HOW TO STOP MICROMANAGING YOUR AGENTS AND ASSISTANTS

If you sponsor agents, lead a team, or have an employee or assistant, you're a manager. Unless you want unhappy and unproductive people working for you, it's incumbent on you to avoid micromanaging them.



What is Micromanaging?

Someone who is micromanaging supervises people with excessive control and unnecessary attention to small details. Rather than giving high-level instructions and allowing an agent or assistant to complete the task as he or she sees fit, a micromanager will monitor and assess every step of the task.

Examples of micromanagement include:

- Avoids delegation
- Obsessed with control
- Overly concerned with minor details
- Discourages independent decision-making.

Why You Should Avoid Micromanaging

How do you feel when someone is looking over your shoulder, commenting on everything you do? That's what being micromanaged feels like. It takes decision-making away from your agents or employees and dismisses their judgment and expertise. Eventually, they will be afraid to make a decision or act without prior approval—you lose any added value that person would bring to your brokerage or team.

How to Avoid Micromanaging

Here are ways to curb your micromanager instincts.

- **Invest in hiring and training.** You're more likely to micromanage someone who's not qualified for a role. However, if you take the time to find the right people and properly train them for their roles, you'll feel more confident with their skills.
- **Set clear expectations.** If your agents or employees don't know what you want from them, they're unlikely to meet your expectations—and you'll feel the need to intervene.
- **Delegate.** Assign tasks that play to agents' or employees' strengths. These should not be step-by-step assignments, but rather an overview of the goal and available resources to help them reach it. This step will empower them and help them grow in their roles.
- **Accept new ideas.** There is more than one way to complete a task. Let your agents and employees experiment with their ideas—they may end up improving a process or saving you money.
- **Don't expect perfection.** With different ideas and creativity comes missteps. Your brokerage won't thrive unless it evolves, so tolerate a few mistakes as your business grows.

BROKERS:

You're still responsible for your agents.

Delegating and letting agents learn on their own does not mean that brokers should not supervise their agents. That supervision is required by law.

A refreshingly simple way to manage your properties



Residential



Commercial



Affordable



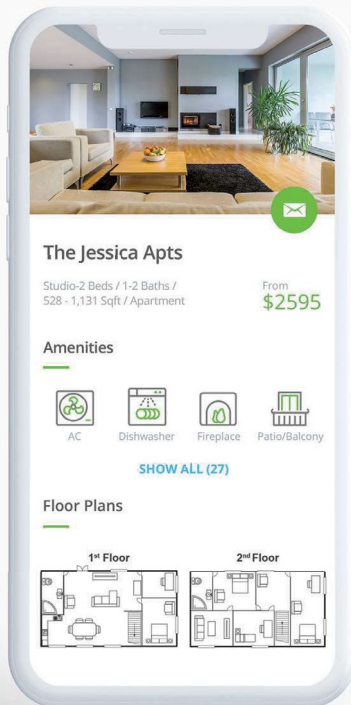
Self Storage



Condo/HOA



Manufactured



Discover what you can do with **intuitive & powerful property management software**

Breeze
Starting at
\$1 per unit
per month*

Breeze PREMIER
Starting at
\$2 per unit
per month*

| | | |
|-------------------------------------|---|---|
| Easy setup | ✓ | ✓ |
| Property accounting | ✓ | ✓ |
| Vacancy & prospect tracking | ✓ | ✓ |
| ILS posting | ✓ | ✓ |
| Online applications | ✓ | ✓ |
| Online payments | ✓ | ✓ |
| Online maintenance | ✓ | ✓ |
| Email & text communications | ✓ | ✓ |
| Walk-in payments with PayNearMe | ✓ | ✓ |
| Vendor payments | ✓ | ✓ |
| Owner payments & reports | ✓ | ✓ |
| Live chat support | ✓ | ✓ |
| Renters insurance [†] | ✓ | ✓ |
| Resident screening [†] | ✓ | ✓ |
| Corporate websites [†] | ✓ | ✓ |
| Property websites [†] | | ✓ |
| Online lease execution [†] | | ✓ |
| Customer relationship management | | ✓ |
| Job cost tracking | | ✓ |
| Rent deferment | | ✓ |
| Rent control | | ✓ |
| Invoice approval & processing | | ✓ |
| Corporate accounting | | ✓ |
| Customizable financial statements | | ✓ |
| Menu-level security | | ✓ |

*Minimums apply †Additional fees apply

“Yardi Breeze is easy to use. Tenant tracking, maintenance requests and online support ... I love everything about it!”

Danielle Drozdek
RB Homes, Inc.

Get a free, personalized demo to see why thousands of companies choose Yardi Breeze

LEGAL & ETHICS

WHAT'S MY RECOURSE IF THE OTHER BROKER ISN'T PULLING HIS WEIGHT?

QUESTION: I represent the buyer and I'm doing a lot of duties that the seller's broker usually handles. What are the minimum services required of the seller's broker? What can I do if the seller's broker isn't meeting those requirements?

Section 1101.557 of the Real Estate License Act contains provisions that impose requirements on all agents regarding client communications and negotiations. At a minimum, agents must:

- Inform their clients if they receive material information related to the transaction
- Answer their client's questions
- Present any offer to or from their client.

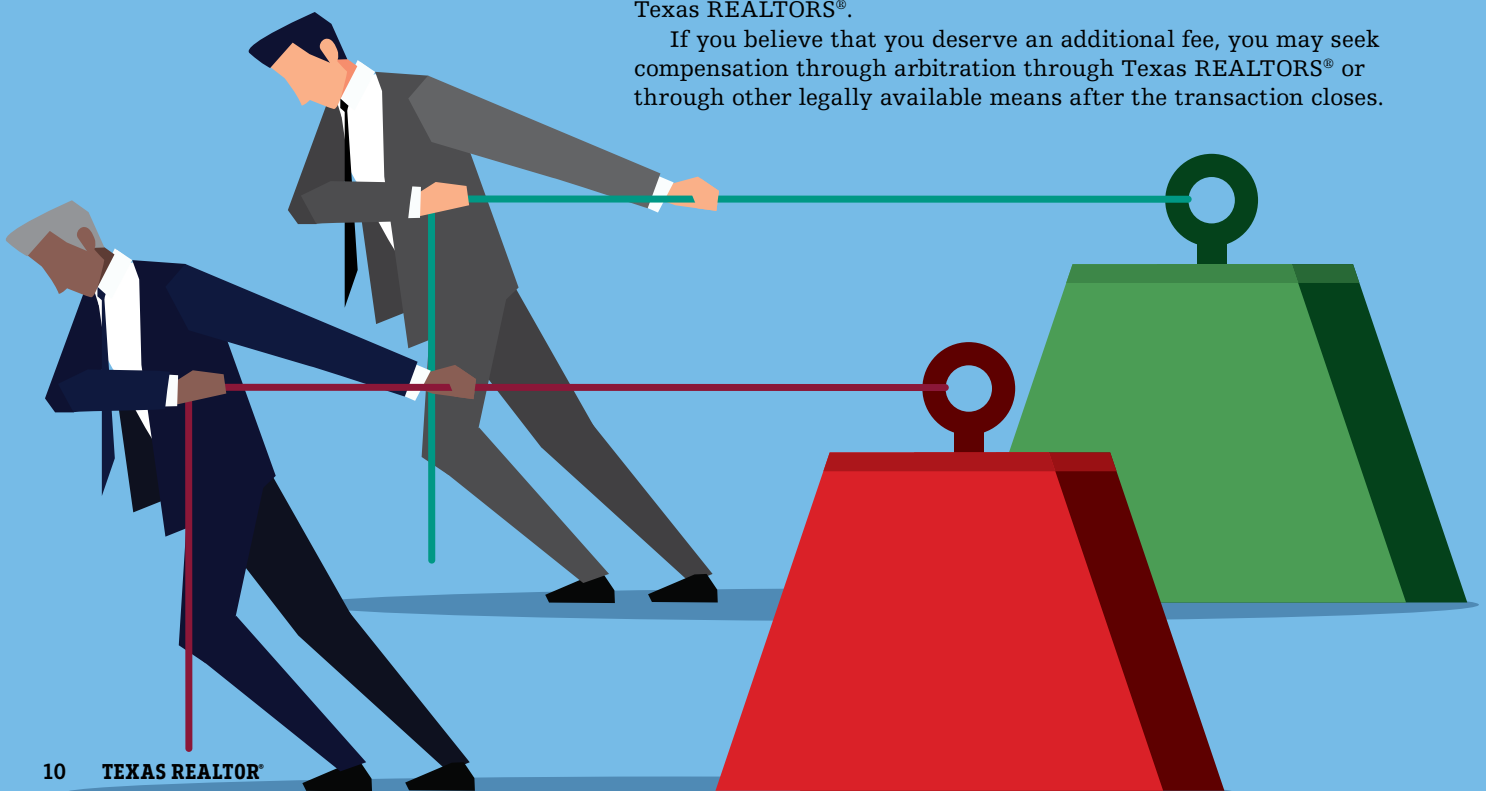
These duties exist regardless of the agreed-upon compensation payable to the broker. Agents cannot avoid these requirements by removing themselves from negotiations. The minimum-services provisions also prohibit a seller's agent from instructing a buyer's agent to negotiate directly with the represented seller. Likewise, a buyer's agent is prohibited from instructing a seller's agent to negotiate directly with the represented buyer.

There are certain circumstances in which an agent may deliver an offer to a represented party without violating the Real Estate License Act, but the agent must have the other broker's consent to the delivery and send the other broker a copy of the offer. At no time may the agent cross the boundary into negotiations with the represented party.

If the seller's broker isn't fulfilling the minimum duties required, there's not much you can do in the short term. You have a fiduciary duty to look after your client's best interests; however, you may not interfere with the other broker's agency relationship or do anything to prevent the transaction from closing. Continue to make every effort to contact the seller's broker to discuss your concerns and keep a written record of your communications with the seller's broker.

If you believe the seller's broker violated the Real Estate License Act, any TREC rules, or the REALTOR® Code of Ethics, you may take steps to file a complaint with the Texas Real Estate Commission or Texas REALTORS®.

If you believe that you deserve an additional fee, you may seek compensation through arbitration through Texas REALTORS® or through other legally available means after the transaction closes.



COMMISSION DISPUTE? Consider Other Options Before Requesting Arbitration



While you can request arbitration to settle a commission dispute with another REALTOR®, there are other avenues you may want to explore first. Most arbitration cases result in one of the parties being awarded 100% of the commission in question. However, when those involved make an effort to resolve the dispute informally, the parties have an opportunity to agree to other arrangements to share the commission. Often, an open and constructive discussion solves the issue without further action.

Before you file an arbitration request, you will be offered informal dispute-resolution options, such as the Texas REALTORS® Ombudsman Program or mediation services. These alternatives are often quicker, less costly, and can help mend damaged relationships.

Learn more about the arbitration process at texasrealestate.com/arbitration and the Texas REALTORS® Ombudsman Program at texasrealestate.com/ombudsman.

Fact or Fiction?

Agents who include a list of recently sold homes in advertising must make it clear whether they had any role in the sale of those homes.

FACT. Failure to accurately label and disclose which home sales an agent was actually involved in may create a misleading impression, which is illegal under Texas law. Per TREC, an advertisement must clearly note which homes the agent was involved in the sale of or indicate the agent was not involved in any of the sales. An ad is misleading if the average person could reasonably infer agent involvement in a sale where there is none.

The NAR Code of Ethics goes a bit further and states that only REALTORS® who participated in the transaction may claim to have “sold” the property.

Keep in mind that brokers are responsible for ensuring that their sponsored agents’ advertising complies with TREC’s advertising rules.

MUST OPEN HOUSE SIGNS FOLLOW ADVERTISING RULES?

Directional signs are not considered to be an advertisement under TREC Rule §535.155(b)(1) and therefore do not need to comply with advertising requirements. Directional signs can include the words *open house* and a directional arrow, as well as the broker’s name or logo.

Directional signs become advertisements—and must follow all requirements for advertising—if they include a property address or phone number.



Your Forms



Property owners can use the *Information About On-Site Sewer Facility (TXR 1407)* to document the existence of and provide information about their treatment and distribution systems. The form includes spaces for the approximate location of the drain field or distribution system, installer, and approximate age, as well as maintenance contract details if applicable. Owners can approximate when any tanks were last pumped, note defects and malfunctions, and confirm the availability of manufacturer or warranty information. Sections to describe the planning materials to be attached and estimated facility wastewater usage rates

are included as well. The form is not a substitute for any inspections or warranties. The permit to operate an on-site sewer facility may need to be transferred to the buyer. *Information About On-Site Sewer Facility* can be used with residential, commercial, and farm and ranch properties. Additionally, this form should be completed and attached to the *Seller’s Disclosure Notice (TXR 1406)* in instances where the property owner selects *yes* in Section 1 when disclosing the existence of a septic or other on-site sewer facility on a residential property. This is one of more than 130 forms exclusively available to Texas REALTORS®.

ON YOUR MARK

When you use the term *REALTOR*® to describe yourself or your business, you are telling others that you are more than a real estate license holder—you also are a member of an association that sets higher standards and works on behalf of communities and property owners everywhere. The National Association of REALTORS® has many usage rules to protect this valuable mark. Your proper use helps maintain the value you receive from this member benefit. After taking this quiz, you can get more information about the proper ways to use *REALTOR*® at nar.realtor/membership-marks-manual.

- 1. True or False?** *REALTOR*® is a synonym for real estate agent.
- 2.** Which of the following are improper uses of the term *REALTOR*®?
 - A. Commercial REALTOR®
 - B. Your Lakefront REALTOR®
 - C. bestrealtor.com
 - D. hometownrealtor@email.com
- 3. True or False?** The terms *REALTOR*® and *REALTORS*® may be used in connection with, but not as part of, a business name.
- 4.** Which of the following is an acceptable use of *REALTOR*® in connection with a business name?
 - A. Showbiz REALTORS®, Inc.
 - B. Showbiz Inc., REALTORS®
- 5. True or False?** When asked what you do, the response “I am a REALTOR” is an acceptable use of the term.
- 6. True or False?** The term *REALTOR*® should not be used in a list of business services or occupations.
- 7. True or False?** The term *REALTOR*® does not need to be separated from a member’s name or real estate business name with punctuation in email addresses, website names, or social-media usernames.
- 8.** Which of these is the correct pronunciation of *REALTOR*®?
 - A. rill-tuhr
 - B. real-tore
 - C. real-i-tore
 - D. real-i-tuhr



Legal Hotline 800-873-9155

We have had callers who ask what they should insert into the blank in the Texas REALTORS® listing agreements and buyer/tenant representation agreements regarding the county for payment of the compensation under the agreement. Should it be the county where the brokerage is located, the county where the title company is located, or the county where the property is located?

This item appears in Paragraph 5F of all the listing agreements (TXR 1101, 1102, 1201, 1301, 1302, 1303), Paragraph 11I of the *Residential Buyer/Tenant Representation Agreement* (TXR 1501), and Paragraph 11D of the *Commercial Buyer/Tenant Representation Agreement* (TXR 1502).

Though it is the broker’s decision which county to place in the blank on the applicable agreement (since the broker is a principal to the agreement), inserting the county where the brokerage is located is the choice most consistent with what happens in practice if a brokerage seeks disbursement of funds from a title company. The brokerage is ultimately where the funds will be received upon disbursement.

—Traci Jackson, staff attorney



ANSWERS: 1. False. *REALTOR*® is a term that denotes a member of the National Association of REALTORS®. 2. All four are improper uses. Descriptive terms in combination with the term *REALTOR*® are not allowed, as they imply that *REALTOR*® means *real estate professional* rather than denoting membership in NAR. 3. True. When used in connection with a business name, the terms *REALTOR*® and *REALTORS*® must be set off from the business name by a symbol or punctuation, such as a comma or dash. 4. b. Certificates of incorporation and DBAs should not include the term *REALTOR*®. 5. False. The term *REALTOR*® does not describe a vocation or profession. It indicates that you are a member of NAR. A correct usage would be, “I am a real estate agent and a REALTOR®.” 6. True. For example, a description such as *Builder/REALTOR®/Architect* is not an acceptable use, as it may mislead the public into thinking that *REALTOR*® is an occupation rather than membership in NAR. 7. True. 8. b.

SPECIALIZED EDUCATION TO WORK WITH
HOMEBUYERS

ACCESS TO EXCLUSIVE MEMBER BENEFITS
PROVIDE *EXTRAORDINARY* SERVICE
INTERNATIONAL REFERRAL NETWORK

ADVOCATE

FOR YOUR BUYER-CLIENTS
INCREASED EARNING *POWER*
ACCREDITED BUYER'S REPRESENTATIVE

Earn your ABR® Designation.
Get started at [REBAC.net](https://www.rebac.net).



HOW THE SALES PRICE FOR A FARM OR RANCH CAN CHANGE BASED ON THE SURVEY

Paragraph 3D in the *Farm and Ranch Contract* (TXR 1701) allows for an adjustment of the sales price when certain criteria are met. The parties can indicate in this paragraph whether the sales price will be adjusted based on the required property survey, detailed in Paragraph 6C.

Will There Be an Adjustment?

“The Sales Price ____ will ____ will not be adjusted based on the survey required by Paragraph 6C.”

If the parties check the box next to *will not*, there is no adjustment, and Paragraph 6C does not affect the sales price. However, if the parties check the box next to *will*, then there may be an adjustment based on the survey.

What is the Basis?

“If the Sales Price is adjusted, the Sales Price will be calculated on the basis of \$ ____ per acre.”

That blank should be filled in using the existing sales price, in Paragraph 3C, divided by the number of acres noted in the property listing. This number shows what the buyer is agreeing to pay per acre.

What if the Sales Price Changes Significantly?

If the sales price is adjusted by more than 10%, either party may terminate the contract. That termination must be in writing and within the specified number of days after the terminating party receives the survey.

NOTE: To terminate, a buyer should use *Notice of Buyer's Termination of Contract* (TXR 1902), and a seller should use *Notice of Seller's Termination of Contract* (TXR 1950). In either case, the terminating party should reference Paragraph 3D.

Where is the Adjustment Made?

If the price adjustment is 10% or less or the parties choose not to terminate, Paragraph 3D provides options as to where the adjustment will be applied: the cash paid at closing by the buyer, the buyer's financing, or proportionately between the two. ★

EXAMPLE:

A buyer and seller agree on a sales price of \$500,000 for a 100-acre parcel, and they agree that the price will be subject to adjustment by the survey. The buyer is putting down \$100,000 (Paragraph 3A) and financing the remaining \$400,000 (Paragraph 3B).

The basis is \$5,000 per acre (\$500,000 divided by 100 acres).

The survey comes back and shows that the parcel of land is actually 112 acres. This means that the sales price increases by \$60,000 (\$5,000 per acre multiplied by 12 acres).

That additional \$60,000 adds 12% to the sales price. Because the sales price increased by more than 10%, either party could terminate within the time period specified in the paragraph. However, for purposes of this example, both parties want to continue with the transaction.

If the box next to “proportionately to 3A and 3B” is checked off in the contract: The \$100,000 in Paragraph 3A is 20% of the sales price, and the \$400,000 in 3B is 80% of the sales price. Therefore, \$12,000 (20% of \$60,000) is added to Paragraph 3A, and \$48,000 (80% of \$60,000) is added to Paragraph 3B. If the parties had instead checked the box for 3A or the box for 3B, the full \$60,000 adjustment would have been added to the cash portion (3A) or the financed portion (3B) of the purchase price.

Photo & Image: © Carrie, © marlo okjan - stock.adobe.com





NORMAN SPENCER



REAL ESTATE E&O

Comprehensive
Errors & Omissions
Coverage for
Real Estate Professionals

readvisors.com
800.362.9952

ccc@readvisors.com



BFS HOME WARRANTY

"Our Trucks, Our Techs, Your Peace of Mind"



- ✓ Includes Repair and Replacement
- ✓ Local Service Centers
- ✓ Company Employed Technicians
- ✓ Plans Starting at \$300
- ✓ **No Deductible Option**

Dallas & Surrounding
Areas:

Darren Hiller
(214)566-1188

Austin / San Antonio &
Surrounding Areas:

Laquita King
(512) 948-8564

Houston &
Surrounding Areas:

(800) 237-9910

Give your clients the benefits of Seller's Coverage today!

BFS Home Warranty • www.BFSHomewarranty.com • 1-800-237-9910



HOUSING DISCRIMINATION? NOT IN OUR HOUSE.

 TEXAS REALTORS

If recent events have taught us anything, it's this: we have more work to do. Racism is real, tragically so. Discrimination, in all its forms, still casts a long shadow in this country, and too many are being denied the opportunities that all Americans deserve. Our commitment to the diverse communities we serve starts with a Code of Ethics. Our code sets a higher standard for fairness in housing than any federal law, it's backed by a culture of member accountability, and it extends to our work on Capitol Hill, where we continue to advocate for meaningful change.

At Texas REALTORS® we believe that fairness is worth fighting for, and we won't stop until the fight is won. Because that's who we are.

If you experience or witness discrimination in real estate, we urge you to report it.

Visit hud.gov/fairhousing to file a complaint with the Department of Housing and Urban Development.

THAT'S
WHO WE

REALTOR

Make the Most of MarketViewer

Learn How to Use This Powerful Real Estate Data Tool to Get Insights on Your Market and Share Information With Others.

Your prospects and clients crave data. They want to know prices per square foot, how quickly homes are selling, how many properties are on the market, and other statistics to help them make decisions about buying and selling real estate.

As a member of Texas REALTORS®, you get exclusive access to one of the most accurate,

powerful real estate data tools available: MarketViewer. Using data from every MLS in the state, the Texas Real Estate Research Center computes comprehensive analytics covering thousands of geographic areas in Texas. Here are a few examples of the many ways you can use MarketViewer to get data for your real estate market.

Access MarketViewer at texasrealestate.com/marketviewer

Mouse over or tap on a chart in MarketViewer to view additional information, such as the historical trend for that statistic.

To download MarketViewer charts as an image you can print or share, look for the download option at the bottom-right corner of the page. You can download a PDF, image file (.png), or a PowerPoint slide.

Download



Oakwell

Báo cáo về

Giá trung bình \$362,000

↓ 7%

Số nhà đang rao bán

↓ 45%

6 trong tháng

Số ngày trên thị trường

Số ngày trên thị trường

Số ngày giao dịch

Tổng cộng

45 ngày trước tháng

Về dữ kiện được sử dụng trong báo cáo này...
Dữ kiện được sử dụng trong báo cáo này dựa trên những dữ kiện mà chúng tôi nhận được từ các nguồn dữ liệu khác nhau. Chúng tôi không thể đảm bảo rằng tất cả các số liệu này là chính xác. Các số liệu này chỉ được cung cấp thông qua một thỏa thuận nghiêm ngặt giữa các bên liên quan.

TEXAS REALTORS

Monthly Sales Data: Lubbock ZIP Code 79424

From the MarketViewer home screen, choose the following from the *Market Selector* choices on the left side of the page:

Local Association

Lubbock Association of REALTORS®

Market Type

ZIP Code

Market Name

79424

Frequency

Monthly

Date

February 2021

Property Type

All (SF, Condo, Townhouse)

Construction Type

All (Existing & New)

February 2021 Market Statistics - 79424

Median Price
\$238,000
▲ 5.8% YoY

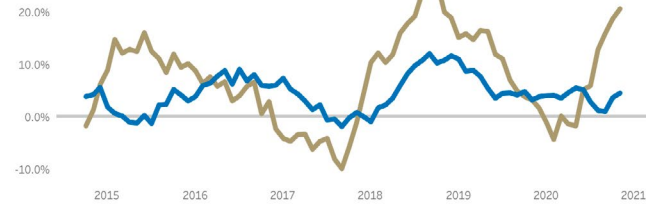
Closed Sales
78
▲ 9.9% YoY

Active Listings
89
▼ -58.8% YoY

Months Inventory
0.7
▼ -1.3 YoY



GROWTH TREND FOR CLOSED SALES AND MEDIAN PRICE



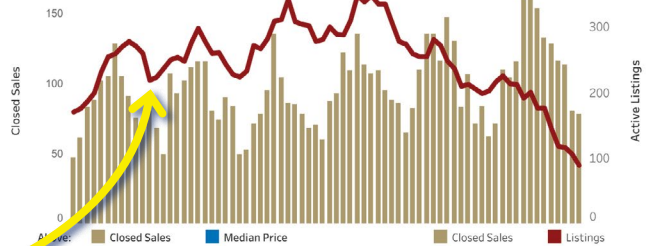
TRANSACTION TIME STATS

Days on Market
37
12 days less than February 2020

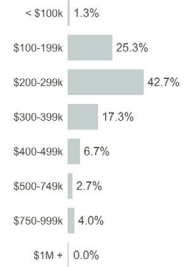
Days to Close
38
6 days more than February 2020

Total Days
75
6 days less than February 2020

CLOSED SALES AND ACTIVE LISTINGS



PRICE DISTRIBUTION



HOME VALUATION STATS

Median Price/Sq Ft
\$117.75
▲ 7.5% YoY

Median Home Size
2,117 sq ft

Median Year Built
2011

Close/Original List
98.8%

New in MarketViewer: Active Listings Trend Line Shows Inventory Levels Over Time

Farms

nhà cửa

Tháng hai 2021

Phân phối giá cả



ng bình

000

2%

ng hai 2020

an trên thị trường

5.5%

hai 2021

Đã giao dịch xong



50%

2 trong tháng hai 2021

h thị trường

h thị trường 75

o dịch xong 27

102

ng hai 2020



Số lượng nhà còn trên thị trường

2.6

Số sánh 3.2 trong tháng hai 2020

SABOR
SAN ANTONIO
BOARD OF REALTORS®

Spanish, Vietnamese, or English Infographic of Monthly Sales Data to Share on Social Media: Oakwell Farms

Neighborhood in San Antonio

From the MarketViewer home screen, click the *Report Menu* red button in the upper-left corner. Select *Infographic Generator*. Make the following selections:

Board

San Antonio Board of REALTORS®

Market Type

Neighborhood

Market

Oakwell Farms

Frequency

Monthly

Reporting Period

February 2021

Language

English, Spanish, or Vietnamese

File Type

PDF, jpg, png, or tiff

Download

MARKETVIEWER AT A GLANCE

Where does the data come from?

Every MLS in Texas

What makes the data more accurate than other sources?

- Advanced analytics to detect and correct MLS input errors
- Elimination of duplicate listings entered into more than one MLS
- Elimination of duplicate listings entered multiple times in the same MLS
- Property data based on geolocation rather than typed-in addresses

What geographical areas are available?

State, city, MSA, county, ZIP code, school district, and many neighborhoods

Who can use MarketViewer?

- Members of Texas REALTORS®
- Local associations of REALTORS® in Texas

What data is available?

Median sales price, median price per square foot, median home size, total closed sales, closing price/listing price, total active listings, days on market, price distribution, pending sales, days to close, home size, and more. Data can be segmented for condos and townhomes as well.

When is data updated?

The 15th of each month for the prior month. For example, April data is available May 15.

What information is available other than residential sales?

Apartment rents and vacancy rates, new construction activity, and mortgage rates

Market Snapshot:

Taylor County

From the MarketViewer home screen, click the *Report Menu* red button in the upper-left corner. Select *Market Snapshot*. Make the following selections:

Association Name

Abilene Association of REALTORS®

Market Type

County

Market Name

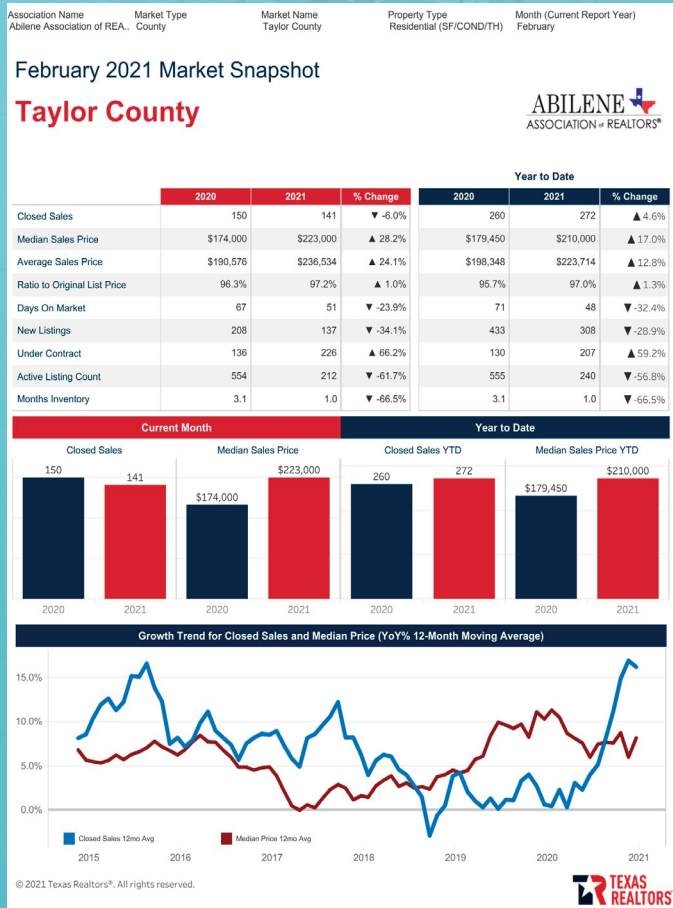
Taylor County

Property Type

Residential (SF/Condo/TH)

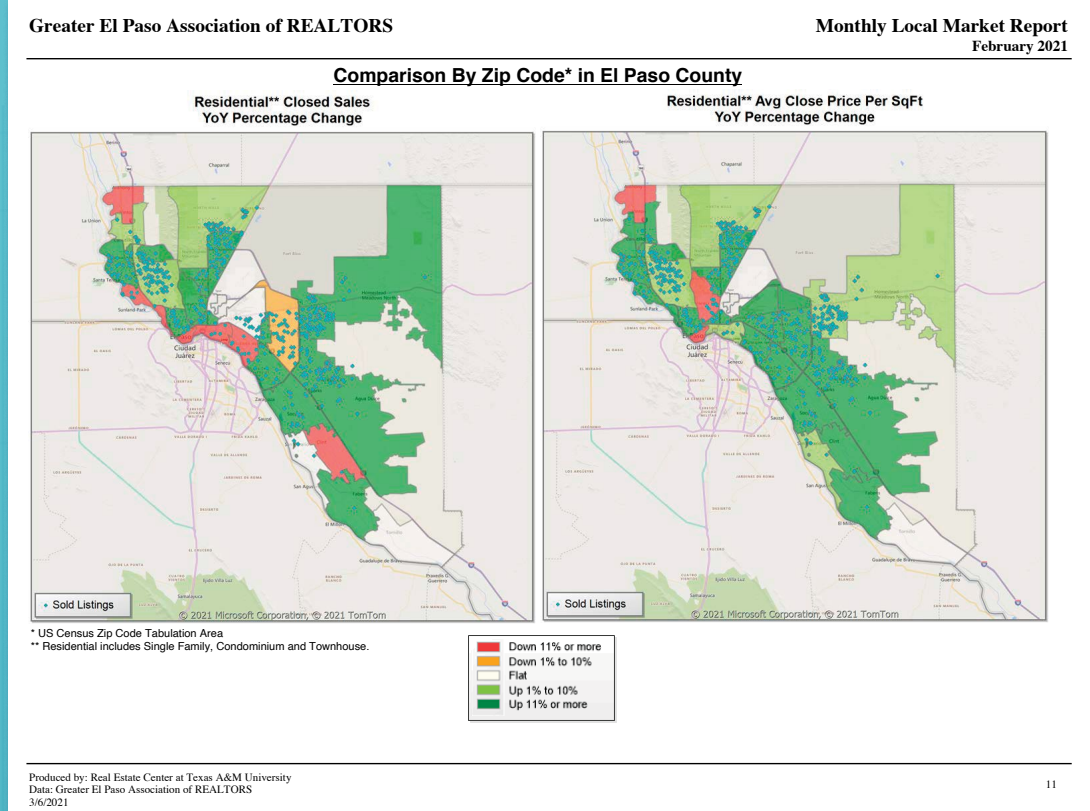
Month

February



Detailed Market Report: El Paso

From the MarketViewer Dashboard, click the *Report Menu* red button in the upper-left corner. Select *Detailed Market Reports*. Select *Greater El Paso Association of REALTORS®* from the *Local Association* menu. Choose the current report, the ZIP code report, or a past report from the archives.



Annual Condo Sales Data: East End Historic District of Galveston

From the MarketViewer home screen, choose the following from the *Market Selector* choices on the left side of the page:

Local Association

Galveston Association of REALTORS®

Market Type

Neighborhood

Market Name

East End Historic District

Frequency

Annual

Date:

December 2020

Property Type

Condo

Construction Type

All (Existing & New)

2020 Market Statistics - East End Historic District

Median Price
\$291,500
▲ 19.0% YoY

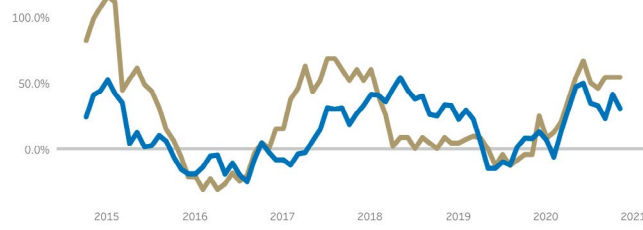
Closed Sales
24
▲ 60.0% YoY

Active Listings
7
▼ -30.0% YoY

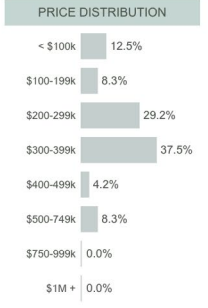
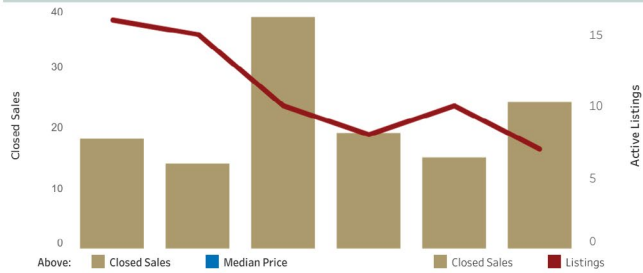
Months Inventory
2.5
▼ -3.9 YoY



GROWTH TREND FOR CLOSED SALES AND MEDIAN PRICE



CLOSED SALES AND ACTIVE LISTINGS



TRANSACTION TIME STATS

Days on Market
81
69 days less than 2019

Days to Close
23
4 days less than 2019

Total Days
104
73 days less than 2019

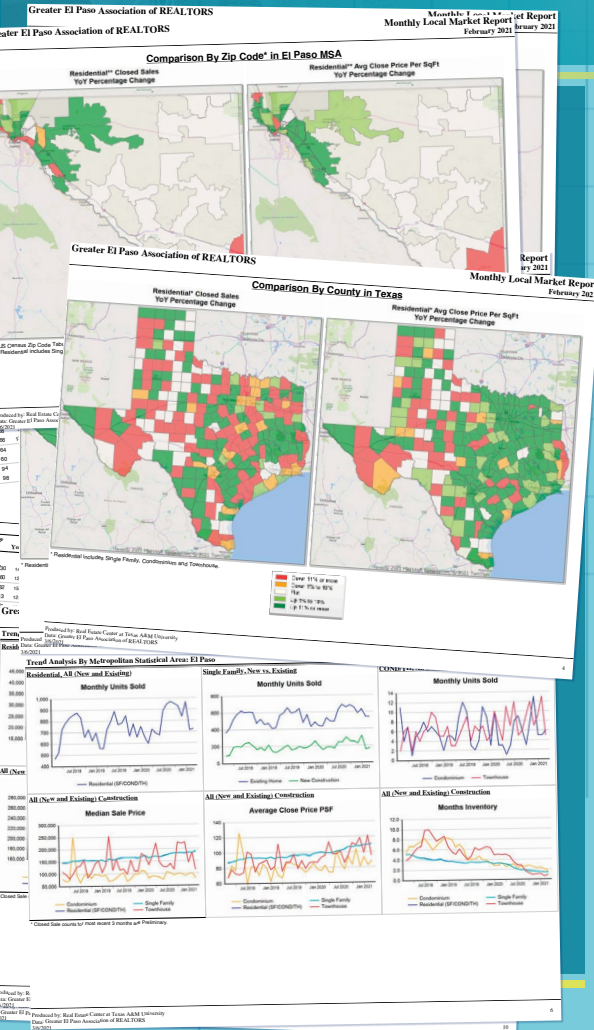
HOME VALUATION STATS

Median Price/Sq Ft
\$312.50
▲ 18.5% YoY

Median Home Size
1,029 sq ft

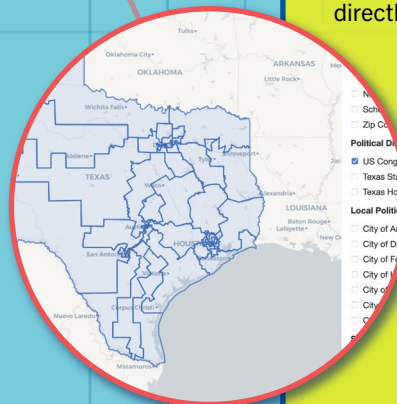
Median Year Built
2006

Close/Original List
93.3%



MARKETVIEWER SUPPORTS ADVOCACY EFFORTS

Local associations of REALTORS® and members of Texas REALTORS® can use MarketViewer to support advocacy efforts when speaking with elected officials. Most data can be segmented by political districts, including city council districts, Texas House and Texas Senate districts, and U.S. congressional districts. Not only can these statistics help frame discussions about real estate activities related to governmental and political issues, but elected officials appreciate when REALTORS® provide data that applies directly to their constituency.



LEAD GENERATION THROUGH A NEW LENS

Get more business with network engagement.

by Debbie Remington



This article is an edited excerpt from *The Real Estate Mentor*, which is available on Amazon.



Mention lead generation—especially to a new agent—and it may produce an eye roll. It brings to mind door knocking and cold calling and other activities many agents dislike.

But without lead generation, agents will fail. It's no secret that there is a high dropout rate in this business and that many agents don't earn the income they had envisioned, especially in the early years in the profession.

What *should* we be telling new agents about lead generation? How about that their number one job in real estate is to attract business and to remain top of mind with the people in their world? What's needed is full-on network engagement.

Network engagement is what we do to generate business and referrals. It's a call to action that revolves around implementing systems that consistently create interactions with the people in your world. The primary goal is to keep top of mind with all of the people in your existing network to grow that network. Network engagement is the bridge between lead generation and your sphere of influence. It is designed to build a thriving client base that runs on referrals and repeat business.

Network engagement is about knowing and understanding your network in a way that nobody else does. It's about treating people not the way that you would like to be treated but treating them the way *they* would like to be treated.

The question isn't what are we telling new agents but what *aren't* we telling them? What have we left out that draws a much clearer picture of what it takes to build a thriving real estate business? As a broker, I have a responsibility to make sure that my agents know not only what is expected of them as agents and professionals but what may be required of them to be successful in this business.

A successful and purposeful network engagement plan may include the following activities:

- Handwritten notes
- Social media marketing

- Video texts
- Video emails
- Pop-bys
- Phone calls

The list goes on and on. Many agents quickly become overwhelmed with so many lead generation options, and just as many are hampered by trying to implement activities that simply aren't a good fit for them. Recommending that new agents select three to five of the dozens of great network engagement activities and track those activities consistently can produce great results. The *what* isn't nearly as important as the *do* in the form of systematic, sustained engagement. It must be all-encompassing, all-consuming, and it must be our focus as real estate agents.

Can agents become successful in the short term by purchasing leads? Certainly. Many have. Can agents grow their business by making cold calls day after day? Certainly. But by focusing efforts and activities towards people who already know you, like you, and trust you, the likelihood of repeat business and referrals grows exponentially.

Without question, focusing on your network and engaging in a systematic, sustained way can elevate sales numbers. More importantly, it can elevate relationships. Pandemic or no pandemic, real estate is first and foremost a relational business. Many of us have found new and innovative ways to stay top of mind with our network while social distancing. But network engagement has never been more important. Perhaps it's time for a new real estate term that better describes what we do and how we do it. ★

DEBBIE REMINGTON is broker-owner of Remington Team Realty, LLC., and is the inventor of the mobile app Real Estate Mentor (myrementorapp.com).



FINALLY

say yes to success.

Spend more time closing leads than chasing them.

Power your entire real estate business with our all-in-one, myWeichert® powered by kvCORE platform.

- Custom, branded website creates an online destination for your personal brand.
- AI driven, marketing automation & mobile CRM help turn prospects into customers.
- Easy-to-use lead gen tools to generate your own leads.
- Saves time and helps you be more productive.



Close more leads. Open the door to a more rewarding career. Give your local Weichert office a call today or visit jobs.Weichert.com

Weichert

Each Weichert® franchised office is independently owned and operated.

©2020 Weichert Real Estate Affiliates, Inc. Weichert is a federally registered trademark owned by Weichert Co. All other trademarks are the property of their respective owners.

YOU ARE THE KEY TO FAIR HOUSING

Fair housing doesn't stop being a priority at the end of Fair Housing Month in April—offering equal opportunities should be a daily part of your real estate business. *Texas REALTOR*® magazine asked three fair housing experts what individuals and the real estate industry can do today to create a more equal tomorrow.



Interviews by Joe Olivieri



Bryan Greene is the vice president of policy advocacy at NAR.



Sandra Tamez is the executive director of the Fair Housing Council of Greater San Antonio.



Marion Napoleon, a broker/instructor with Unlimited Realty Solutions, teaches fair housing courses and has more than 20 years of experience in the real estate industry.

What are some key issues in fair housing today?

Greene: I would say the wealth differential caused by yesterday's fair housing issues. I think the greatest challenge we have is that a century of discrimination in housing has left African Americans and other minorities with less wealth and more debt burden, as they also have less income, on average. So even if you set aside ongoing discrimination—which persists in the housing market—all things being equal, minority applicants have a more difficult time qualifying for the purchase of housing.

Tamez: There has been a focus on racial equity and how to improve access to credit for people of color. Some of the ways the industry is doing this are by looking at alternative credit data or improving credit scoring models so they can take into account a range of credible factors that determine a borrower's capacity to repay; by looking at ways to address bias in algorithms and artificial intelligence technologies that are used as part of financing; and by looking at ways to use special-purpose credit programs to increase lending to people of color who would be otherwise unable to qualify for mortgage loans.

Napoleon: Many minorities are still trying to reconstruct their lives, credit, and living conditions from the previous housing debacle. In today's market, lack of available housing, down payment resources, and affordable housing is keeping many low-income people and minorities from homeownership.

What would you say to people who think fair housing issues are not a problem in their area or who say they have not encountered fair housing situations?

Greene: Often, you don't know discrimination is occurring unless you see how different people are treated at different times and compare their experiences. For example, a Black consumer may think they were shown all the units available until they learn that an equally qualified white consumer was shown twice as many homes and encouraged more in the process. Also, many agents themselves may not be aware that they are treating people differently, or they may minimize what they are doing when they encourage some and discourage others. If an agent tells a white consumer, "You don't want to live in that neighborhood" or "Here are the places where you want to look," that's a good indicator that they are steering, possibly based on race. And I think there are many people who do not recognize that.

Tamez: When people think about fair housing and housing discrimination, they mostly think in terms of race discrimination, but there are actually seven protected classes under the federal Fair Housing Act. It's also important to remember that as we progress, so do the definitions. As recently as February 11, HUD now interprets sex discrimination to include discrimination based on sexual orientation and gender identity. The majority of complaints filed with HUD or a state enforcement agency like Texas Workforce Commission Civil Rights Division or even private organizations like ours are now based on allegations of disability discrimination. That is not to say that race discrimination is not happening. It's just that most incidents of housing discrimination go unreported.

Napoleon: Many people are unaware of the impact of their

words or actions on others. We call this unconscious or implicit bias, and we all struggle with these blind spots. In real estate classes, I ask at the beginning of class: “Are you prejudiced?” The looks are priceless. However, then I rephrase the question to, “Do you prejudice others?” Everyone mutually agrees that we all pre-judge. This behavior may seem harmless, but it is painful to the person on the receiving end of your pre-judgement. Just remember, we are selling houses, not opinions.

What is the most important thing real estate professionals can do to promote fair housing?

Greene: Educate themselves on how their communities came to be racially segregated and why they remain so. Everything flows from there. If they actually investigate how their communities came to be segregated, they would begin to understand the forces at work and how those forces can perpetuate segregation today.

Tamez: It’s important that they recognize and admit that everyone has unconscious bias, including themselves. Then, once they recognize it, work and commit to actively doing things to evaluate their own actions, and make sure that they’re giving all consumers the same level of information and assistance in the home-buying process regardless of the person’s race, color, national origin, religion, sex, disability, or familial status.

Napoleon: If you cite, understand, and advertise the One America Principle in your everyday activity, it will assist you in conducting an inclusive real estate practice. It embodies all that fair housing stands for.

The One America Principle is a ground-breaking professional education initiative designed to provide America's real estate professionals with training and tools to expand their business as well as homeownership opportunities for more Americans. The principle is taught as part of the At Home With Diversity certification, which trains participants in, and helps them become sensitive to, a wide range of cultural issues inviting a wider volume of business from a greater variety of cultures.

What actions make the biggest difference?

Greene: It’s critically important to adopt standard practices for dealing with clients and adhere to those practices with everyone. Individual agents may not be able to affect the larger systemic issues, but they can at least make sure that they do no harm in their individual transactions.

Tamez: It’s important for real estate professionals to improve upon the fair housing training that they already do. I think it’s important for brokerages to conduct their own secret shopper testing in order to properly evaluate their own agents, so they can uncover and address discriminatory behavior.

Napoleon: As REALTORS®, we should train annually and take the emotions and opinion out of the real estate transaction. Make certain to stick to the data, facts, Code of Ethics, and your brokerage’s process, procedures, and in-house practices.

Where do we go from here collectively?

Greene: First, we need to acknowledge how we got here, in every community. If we understand that discrimination got us here, we

will recognize that we have to work against it to make progress. We have to commit ourselves to “do no harm.” But even that doesn’t actually prevent the situation from getting worse when we’re talking about communities, because we’ve had a hundred years of discriminatory practices. Relative wealth advantage begets more wealth, and it will be challenging for those who have historically been denied wealth to catch up. If you have these kinds of differences in saving rates, inheritance rates, returns on investment, and even income—even if we treat everyone the same—they’re going into these transactions with dramatic wealth differentials. We must address it. It’s going to take innovation and political will. We have to make sure the fair housing laws are enforced, but we also have to look at other solutions to close the wealth gap.

Tamez: It’s important that real estate professionals work collaboratively with fair housing organizations and fair housing advocates to make their voices heard. It’s all about doing things together to not only support or promote fair housing but also defend fair housing when challenged.

Napoleon: As REALTORS®, the only way we can go forward is to understand, it is not about us. We’ve got to keep the client’s

continued on next page

FAIR HOUSING RESOURCES

Texas Affordable Housing Specialist: This Texas REALTORS® certification equips you to help first-time and underserved homebuyers as well as increase sustainable homeownership. texasrealestate.com/tahs

At Home With Diversity: This NAR certification prepares you to work effectively with today’s diverse pool of homebuyers by addressing the topics of diversity, fair housing, and business planning development. nar.realtor/ahwd

Fairhaven: This fair housing simulation from NAR helps you identify, prevent, and address discriminatory practices. The training provides customized feedback that you can apply to business interactions. fairhaven.realtor

Texas Department of Housing and Community Affairs: The TDHCA Fair Housing staff provides fair housing training on reasonable accommodation, limited English proficiency, and more. fheoi@tdhca.state.tx.us

Texas Workforce Commission: The commission offers free fair housing training upon request. crdtraining@twc.state.tx.us

Texas REALTORS® Housing Opportunity Foundation: This charity promotes and encourages workforce housing and homeownership opportunities in Texas. texasrealestate.com/housingopportunity

Bias Override: This video workshop helps you avoid implicit bias in your daily business interactions. nar.realtor/biasoverride

Let’s Talk about Race: This video from the 2020 Texas REALTORS® Conference shows how to have uncomfortable conversations for personal and professional growth.

interest above our own agenda. If we practice and build our business around the Equal Professional Service Model, we are less likely to consciously or unconsciously discriminate.

NAR created the Equal Professional Service Model to help real estate agents adopt practices that enable them to anticipate and to address housing search issues fairly and equitably. It involves using systematic procedures to help ensure that agents and real estate firms are providing consistent service to all their customers. The keys to the model are offering objective information, providing a variety of choices, and letting the customers set the limits of their housing search.

Source: NAR

What do most people not understand about fair housing?

Greene: I think there's a large swath of the American public that believes we have racial separation in our communities out of choice. Or they believe it's purely economic, but they don't necessarily investigate why there is that economic differential. They believe it just has to do with earning potential, and they don't appreciate how housing policy over the past century created those differences. I think people also don't appreciate that the harm from discrimination is recent and systemic. So when the president of the NAR apologized last year for the role of REALTORS® in past discrimination, we heard from many people who believed he was talking about bad apples of the past, when in fact he was talking about the official policies of the NAR. Back then, discrimination was widespread and government-endorsed. The Supreme Court ruled in 1926 in *Corrigan vs. Buckley* that racially restrictive covenants were fine. Racially restrictive covenants didn't become outlawed until 1948. In the intervening time, our association made it our policy to encourage racially restrictive covenants.

Tamez: Most people think that the Fair Housing Act only made it unlawful to discriminate in housing transactions. They don't understand that the Fair Housing Act also made it the policy of the U.S. government to promote residential integration. This is a very important civil rights law that, through its passage, made a statement of our country's desire and intent to dismantle segregation and create more diverse and inclusive communities. The Fair Housing Act can be used as an important tool to not only combat housing discrimination but also to compel local jurisdictions, like cities that get HUD funding, to create more diverse, inclusive, and affordable communities in which everyone can succeed.

Napoleon: The category of protected classes continues to grow, and our Code of Ethics is constantly being updated to address the issues both past and present. ★

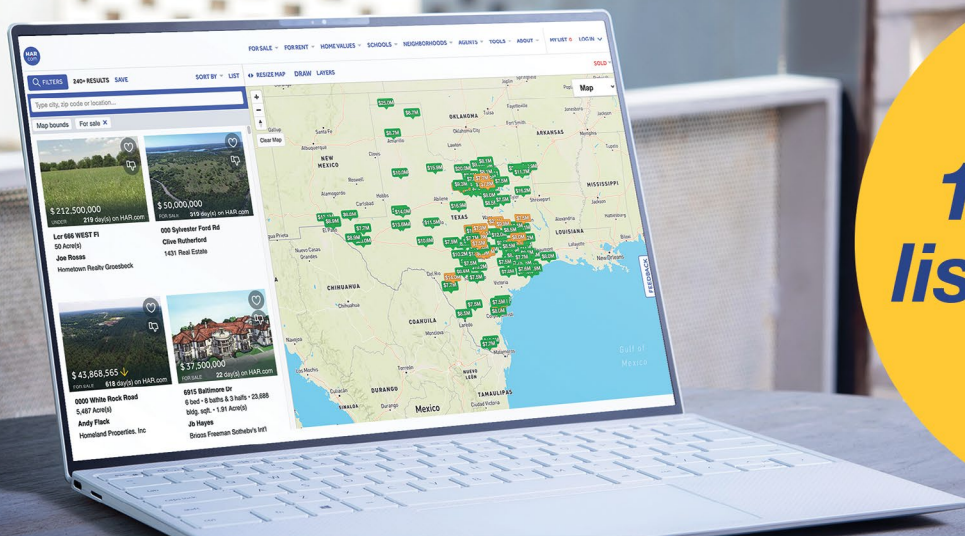
FAIR HOUSING QUIZ

1. **What are the protected classes under the Fair Housing Act?**
 - a. Race, color, religion, sex, disability, familial status, national origin
 - b. Age, race, religion, sex, disability, familial status, national origin
 - c. Religion, sex, disability, occupation, citizenship, familial status, national origin
 - d. Race, color, religion, sexual orientation, disability, familial status, national origin
2. **True or false? It is a violation of federal fair housing law to evict a tenant for using illegal drugs.**
3. **Which of the following people are protected by federal fair housing law based on the details provided?**
 - a. A college student with no bank account
 - b. A federal employee
 - c. An 82-year-old woman born in Switzerland
4. **True or false? Sexual harassment can be a form of discrimination covered by federal fair housing laws.**
5. **True or false? The highest percentage of housing discrimination complaints are related to disability.**
6. **True or false? Descriptions such as "walk-in closet" and "walking distance bus stop" violate federal fair housing laws.**
7. **True or false? Local laws can include additional protected classes.**
8. **The Code of Ethics provides protections for which of the following classes not listed in the Fair Housing Act?**
 - a. Age and political ideology
 - b. Sexual orientation and gender identity
 - c. Employment status and political affiliation
9. **True or false? Fair housing laws protect only minorities within each of the protected classes.**

ANSWERS

1. a.
2. False. Current, illegal drug use of a controlled substance is not part of a protected class. However, recovering from drug addiction or substance abuse is a disability.
3. c. Though age is not a protected class, sex (woman) and national origin (Switzerland) are.
4. True. Examples include pervasive, unwelcome sexual conduct and quid-pro-quo demands.
5. True. According to a 2020 report by the National Fair Housing Alliance, 59% of all housing discrimination complaints related to disability. The second most common category was race at 16%.
6. False.
7. True. Some localities include protections for students, veterans, and other classes.
8. b. Article 10 of the Code of Ethics says: "REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity."
9. False. Fair housing laws apply to everyone based on the protected classes.

Do you want to be where 8,000,000 people can find you and your listings?



*Nearly
1 BILLION
listing views
in 2020*



3,000,000 FREE leads generated in 2020



**Claim Your Profile
on HAR.com**

www.har.com/agentmax



**All listings are
FREE, including
rentals**

Your Listing. Your Lead.




Homes And Rentals



Partnership that pays

As a local cooperative, we share our profits with the Texans we serve. Since 2006, we've returned almost \$2 billion in combined cash and allocated equities to our members through our cooperative returns program. So, when you're ready to secure lending for your agricultural operation, try a partnership that really pays. **Together we're better.**

 NMLS493828 | 877.944.5500 | capitalfarmcredit.com

WHAT'S THAT REMODEL WORTH?

It's exciting to update a kitchen, remodel a bathroom, add a master suite, convert a garage to a workout room, or add skylights. However, homeowners are sometimes surprised to learn how remodeling projects affect a home's price when it comes time to sell.



DON'T ASSUME A DOLLAR-FOR-DOLLAR RETURN

Some projects add more value to a home than others—a new front door often tops the list—but a host of factors can influence how much any specific remodel pays off. Variables include the quality and appeal of the finished project as well as how it compares with similar features of other homes in the neighborhood. In many cases, a home's sales price will increase but not by as much as the actual cost of the project.



REMODELS MAY IMPROVE MARKETABILITY

Some improvements don't raise the eventual sales price of a home but may still make the home more attractive to buyers. A remodel may even be the difference between not receiving any offers and getting multiple offers on a property a short time after it goes on the market.



THE APPRAISED VALUE MATTERS, TOO

When a homebuyer applies for a loan, the lender usually requires an independent appraisal to determine if the value of the home is in line with the purchase price. That can be when the seller ultimately finds out the return on the project. For example, a pool that costs \$85,000 to install could add only \$30,000 to the appraised value of a home compared to a similar home nearby without a pool.



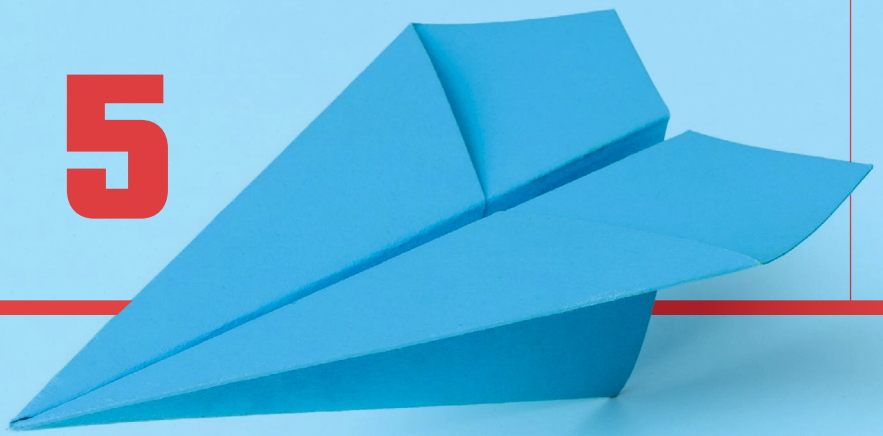
CONSIDER THE PERSONAL VALUE YOU GET

If you plan to live in your house for some time before you sell, don't overlook the enjoyment or utility you will get from a remodeling job. Regardless of the eventual sales price, that may be reason enough to embark upon the project.

Your REALTOR® can help you understand how remodeling projects can affect marketability and sales prices of homes and can offer guidance on all your options when considering buying or selling a home.



TAKE 5



Images © Worawut - stock.adobe.com

5 UNIQUE WAYS TO GENERATE LEADS

If your marketing focuses only on traditional, outbound efforts—direct mail, cold calls, email blasts—you’re missing huge opportunities. Inbound marketing activities attract potential clients to your business rather than you targeting them. Here are five inbound marketing ideas to get you started.

SHARE YOUR KNOWLEDGE

Create and share interactive quizzes or simple explanations to help consumers understand various aspects of real estate. Possible topics could be basic contract terms like the termination option, finance concepts like mortgage pre-approval, and leasing terms like security deposits.

ANSWER QUESTIONS

Use online forums, such as Quora and Reddit, to answer consumers’ questions about real estate. Since consumers are starting the conversation, they’re more likely to engage with you. Also, you can pick and choose the questions that match your expertise or market niche.

LAUNCH A SIDE GIG

Landscape, handyman, concierge, and similar services allow you to interact with people at their homes—a natural place to talk about real estate.

BE VULNERABLE

Many agents post photos of happy clients. You can also share online stories of your disappointments, failures, and fiascoes. It’s counterintuitive, but showing your faults makes you stand out—you’re a real person, not some idealized marketing creation. Be sure to include what you learned and any details about how you turned a negative situation around.

RESTRICT YOUR CONTENT

Limiting what’s available for “free” on your website shows the value of the content that you don’t make available to all visitors. Require a person to provide an email address or other contact information to see your videos, blog posts, and other information. Some people will input fake data, but many who are genuinely interested will provide real contact information.



The piece you need to stay informed.



Get the whole picture.

Rocket ProSM Insight gives you the ability to know exactly where your clients stand in the mortgage process with 24/7 loan-level visibility. You get to see it all and stay informed so your clients can continue to close on time.

ROCKET

Pro · Insight

RocketPro.com/RealEstate

Quicken Loans, LLC; NMLS #3030; www.NMLSConsumerAccess.org. Equal Housing Lender. Licensed in 50 states. AL License No. MC 20979, Control No. 100152352. AR, TX: 1050 Woodward Ave., Detroit, MI 48226-1906, (888) 474-0404; AZ: 1 N. Central Ave., Ste. 2000, Phoenix, AZ 85004, Mortgage Banker License #BK-0902939; CA: Licensed by Dept. of Business Oversight, under the CA Residential Mortgage Lending Act and Finance Lenders Law; CO: Regulated by the Division of Real Estate; GA: Residential Mortgage Licensee #11704; IL: Residential Mortgage Licensee #4127 – Dept. of Financial and Professional Regulation; KS: Licensed Mortgage Company MC.0025309; MA: Mortgage Lender License #ML 3030; ME: Supervised Lender License; MN: Not an offer for a rate lock agreement; MS: Licensed by the MS Dept. of Banking and Consumer Finance; NH: Licensed by the NH Banking Dept., #6743MB; NV: License #626; NJ: New Jersey – Quicken Loans, LLC, 1050 Woodward Ave., Detroit, MI 48226, (888) 474-0404, Licensed by the N.J. Department of Banking and Insurance; NY: Licensed Mortgage Banker – NYS Banking Dept.; OH: MB 850076; OR: License #ML-1387; PA: Licensed by the Dept. of Banking – License #21430; RI: Licensed Lender; WA: Consumer Loan Company License CL-3030. Conditions may apply.

©2000 – 2021 Quicken Loans, LLC. All rights reserved. Lending services provided by Quicken Loans, LLC, a subsidiary of Rocket Companies, Inc. (NYSE: RKT) "Quicken Loans" is a registered service mark of Intuit Inc., used under license.

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



Open your camera and scan this code to sign up today.

PROPERTY TAX “WORRIES”?



DEADLINE AHEAD!!!

**YOU ONLY HAVE A LIMITED TIME TO
REDUCE YOUR REAL AND
PERSONAL PROPERTY TAXES.**

**THE LAST DATE TO FILE
A PROTEST OF VALUE – MAY 15***

Texas Property Tax Consultants, Inc., is a professional property tax consulting firm with the simple goal of reducing your tax payments. Through our careful planning, evaluation, and presentation of appeals, we have saved property owners thousands of dollars. Every analysis is backed by years of successful, aggressive property tax appeals. TAX REFUNDS may also be available, so call today.

**THERE IS NO CHARGE FOR
OUR SERVICES UNLESS
WE ARE ABLE
TO REDUCE YOUR TAXES!**



CALL ME TODAY!

JOHN G. HIRSCHY, MAI, SRA, CCIM

TEXAS PROPERTY TAX CONSULTANTS, INC.

P.O. BOX 2009 • COPPELL, TEXAS 75019-8009

972-304-0909 Ext. 0

Info@PropertyTaxDFW.com

www.PropertyTaxDFW.com

*With exceptions. Texas Property Tax Consultants, Inc. is a wholly owned subsidiary of John G. Hirschy & Associates, Inc. John G. Hirschy, MAI, SRA, CCIM, is highly educated in valuation work, and is acting as a Property Tax Consultant, not an Appraiser, in lowering property taxes. House and building photos are stock images.