

# TEXAS REALTOR®

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2021 TEXAS REALTORS CHAIRMAN  
MARVIN JOLLY

## Chairman **MARVIN JOLLY** Takes Center Stage

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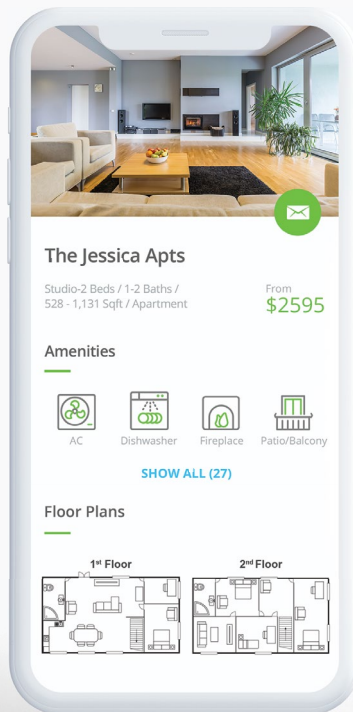
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# Texas REALTORS® ADVOCACY During COVID-19

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



#TREPACTogether

See Texas REALTORS® resources, updates, FAQ, and other content related to COVID-19 at [texasrealestate.com/coronavirus](https://texasrealestate.com/coronavirus)

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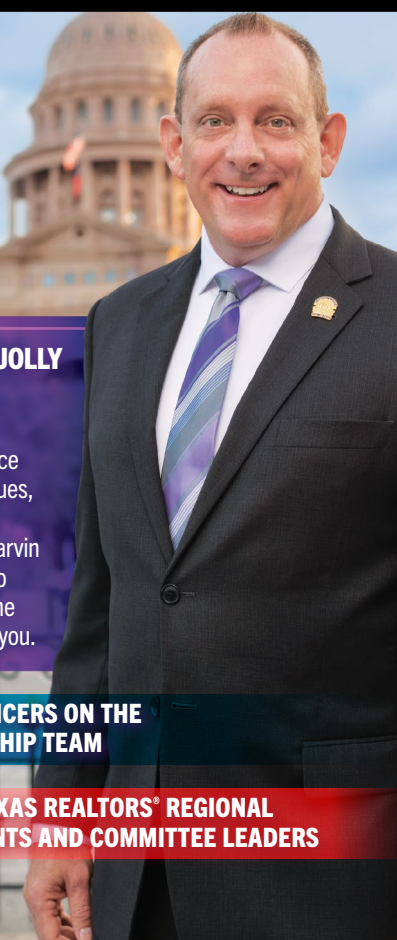
Getting started in commercial real estate can be daunting, and female agents may face additional hurdles in this predominantly male specialty. These Texas REALTORS® share how they got their start.



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**ON THE COVER:** Marvin Jolly outside the Paramount Theatre in Austin, where a socially distanced 2021 Chairman's Installation took place.



## DIVERSITY AND INCLUSION AT THE GREATER EL PASO ASSOCIATION OF REALTORS®

The Greater El Paso Association of REALTORS® formed an Equal Opportunity Committee in 2005. The committee is charged with creating education awareness programs, communicating changes in the fair housing laws, and assisting in the implementation of fair housing procedures.

### When was your diversity group formed and how is it structured?

Our Equal Opportunity Committee was formed about 15 years ago. Our incoming committee chair recruits members to serve on the committee in addition to seeking volunteers who are interested in serving.

### What was the catalyst that started it?

We recognized that a more intentional focus on fair housing was needed.

### How is your group tackling diversity, equity, and inclusion?

The committee's work guides many of our programs and activities. We made fair housing a central part of our recent virtual education day by hosting "Window to the Law: Fair Housing Update." The committee chair actively encour-

ages our membership to take advantage of the fair housing materials and videos available through NAR's Right Tools, Right Now program, and shares these resources through our weekly newsletter and Facebook page.

Our committee and staff also seek guidance from Texas REALTORS® and NAR. Fred Underwood, NAR's Director of Engagement, Diversity and Inclusion, has provided great perspective over the years. We also prioritize education by participating in NAR's At Home With Diversity program and diversity courses hosted by Texas REALTORS®. The committee also plans an event in April to commemorate Fair Housing Month.

### What advice would you share with others who want to make positive contributions to further diversity in real estate?

Meet monthly and include as many committee members as possible. We may think our communities are not affected by the same issues as the rest of the nation, but truth be told, we are one nation. By forming committees and working together, we can accomplish our goals of addressing difficult issues in the news, in events and education, and in real estate and politics. We must be united in the cause.

## YOUR DAY AT THE TEXAS CAPITOL IS GOING VIRTUAL IN MARCH

REALTOR® Day at the Texas Capitol is a cornerstone event in the association's advocacy efforts.

Texas REALTORS® is adapting this year's event by hosting virtual meetings with members of the 87th Texas Legislature throughout March.

The 2021 legislative session looks different than years past, and the need for REALTORS® to advocate for Texas real estate is greater than ever.

Visit [texasrealestate.com/realtorday](https://texasrealestate.com/realtorday) for the latest information about how you can attend.

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## NEW NAME: TEXAS REAL ESTATE RESEARCH CENTER



At the beginning of 2021, the Real Estate Center reverted to its original, state legislature-given name: the Texas Real Estate Research Center.

The Texas A&M University-based center had been using the unofficial name (Real Estate Center) since 1986 to help with marketing. Over time, the move spawned many imitators and caused confusion, said Center Executive Director Gary Maler.

"We are reassuming and reasserting our claim to our official name," he said. "Texas Real Estate Research Center defines us properly as an applied research organization focused on Texas and the needs of our business leaders and citizens."

## MARKETVIEWER INFOGRAPHICS NOW AVAILABLE IN SPANISH AND VIETNAMESE



The custom infographics you can generate with MarketViewer—the powerful data tool exclusively for Texas REALTORS® members—are now available in Spanish and Vietnamese, the languages most commonly used in Texas after English.

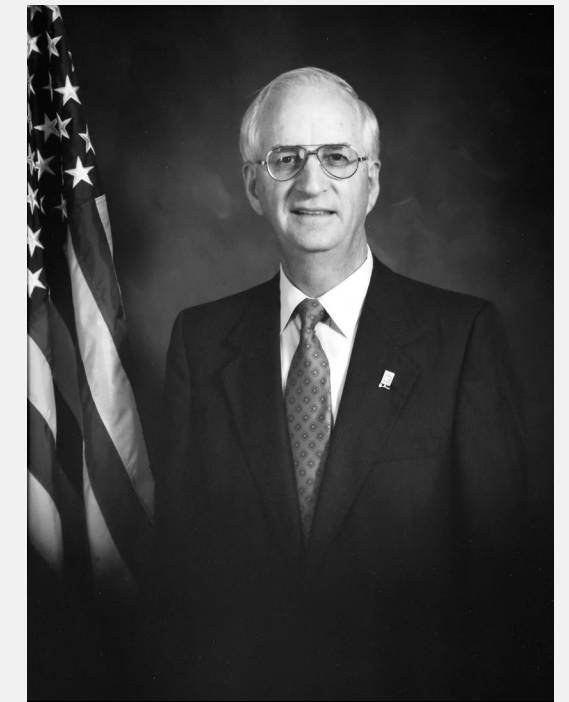
MarketViewer gives you the ability to create infographics based on the latest statistics for your city, ZIP code, or even many neighborhoods.

To generate shareable infographics in English, Spanish, or Vietnamese, follow these steps:

- From the MarketViewer dashboard, click the *Report Menu* red button in the upper-left corner
- Select *Infographic Generator*
- Choose your local board of REALTORS®, your market type, market area, frequency, reporting period, language, and the type of file you'd like to download
- Click the download button.

Your infographic will be ready to share on social media, via email, and in your marketing materials.

To access the MarketViewer dashboard, visit [texasrealestate.com/marketviewer](https://texasrealestate.com/marketviewer).



## GEORGE TUCKER 1928-2020

George Tucker, Texas REALTORS® chairman in 1988, passed away on December 19.

During his career, he served as San Antonio Board of REALTORS® president in 1982 and NAR regional vice president for Region 10.

Tucker began working in real estate after retiring from the U.S. Air Force, where he earned the rank of chief master sergeant. The Universal City resident was active in various civic and charitable organizations.

"George Tucker was an exemplary leader at all three levels of the REALTOR® organization," says Texas REALTORS® CEO Travis Kessler. "During his leadership positions with Texas REALTORS®, he played a key role in formulating a legislative agenda that dealt with standardized forms and reinforcing homestead law provisions, as well as relocating our headquarters in Austin to 12th Street and San Jacinto Boulevard. Leaders like George Tucker had the vision to address issues that created a business environment that we still benefit from today."

## TEXAS LOGS HIGHEST-EVER HOMEOWNERSHIP RATE

September data showed the homeownership rate in Texas hit 70%—an all-time high for the Lone Star State.

Strong third-quarter sales fueled by historically low mortgage rates pushed the state rate above the national rate for the first time since 2012.

New home sales were up 8.2% from the second quarter of 2020. Total housing sales increased 6.3% in September. The state's average days on market dropped to an all-time low of 54 days.

This pace is unsustainable, noted the Texas Real Estate Research Center, given the depleted housing inventory in Texas. Total months of inventory dropped to an all-time low of 2.2 months, with homes under \$300,000 going below 1.6 months. Overall inventory remained low in the major metro areas, with Austin having only one month of inventory. Dallas and Fort Worth counted 1.8 and 1.6 months, respectively. San Antonio had 2.2 months, while Houston had 2.5 months.

"Constrained inventory contributed to the near-double-digit growth in the median home price, as the composition of sales shifted toward higher-priced houses," according to the center's *Texas Housing Insight* for September. The state's median home price rose 9.9% over September 2019.

Lot development slowed in the third quarter, but single-family building permits and construction values trended upward, according to *Texas Housing Insight*.

*Texas Housing Insight* warned that Texas homeownership could suffer in 2021 as COVID-19 foreclosure protection policies expire due to the state's higher proportion of Federal Housing Administration and Veterans Administration loans.

## GET MORE FROM ATTENDING CONFERENCES



Whether virtually or in-person, attending professional conferences is a big commitment. You may earn CE hours from a qualifying session, but other than those opportunities, how do you justify spending the time and money to attend? Consider these actions so you leave every conference with more than a tote bag:

### Set Measurable Networking Goals

Networking can be a vague concept—quantify it. Set a goal of making three to five professional contacts during the conference.

For an in-person event, that could be following up with an industry peer within 24 hours of a face-to-face conversation. In a virtual environment, that could be scheduling a call or video chat after a great conversation in a session's breakout room.

If you didn't connect during the conference itself, write down the names of prospective contacts and reach out through LinkedIn. Mention you attended the same session or conference when introducing yourself.

### Help Others

If you are a more established professional, you can help less experienced agents make connections at conferences. Set a goal of introducing a newer agent to three useful contacts. Stick around to foster the connection by talking up the agent's skills or finding common cause between everyone.

### Seek Out Shovel-Ready Ideas

Conferences often include new and exciting sessions ... that have nothing to do with your business. Be sure to sign up for sessions that are applicable to your field. You are more likely to learn tips and tricks you can implement when you get back to work. Discovering useful strategies at a conference helps justify your participation.

### Become a Presenter

Share your knowledge by teaching a session. Presenting at a conference showcases your expertise and draws new contacts to you. You can also network with fellow presenters. Conference organizers book months in advance, so try to get on the schedule for next year.

### Maintain Those Connections

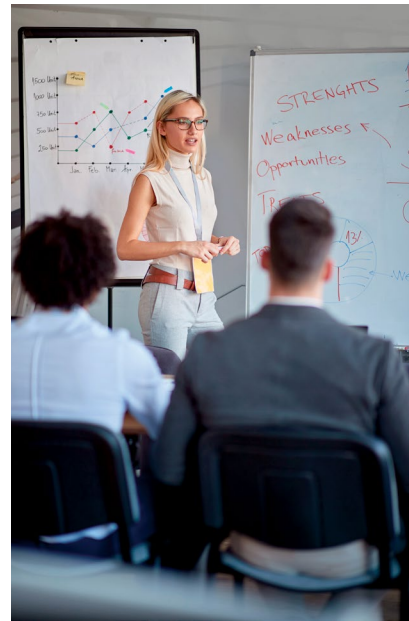
Conferences are a convenient time to strengthen many existing connections. Find opportunities to touch base with former colleagues, contacts from past conferences, and other industry professionals. The time you invest in these relationships may lead to new opportunities down the road.

People move **11** times on average during their lifetimes.

Here are some other interesting moving stats provided by U-Haul:

- Nearly **45%** of all moves occur between Memorial Day and Labor Day.
- **1/3** of people in their 20s move in a given year.
- **2/3** of movers move locally.
- **3/4** of movers are do-it-yourselfers.

## HOW TO GET YOUR START IN COACHING



In 1996, Bernice Ross, a Texas REALTORS® instructor and real estate coach, was a psychology professor and running the training program for a real estate brokerage with thousands of agents. A chance suggestion that she check out a coaching program led to her enrolling in its training program, completing 2,500 hours of coaching experience, and becoming a Master Certified Coach with the International Coaching Federation.

Experienced real estate professionals may come to the idea of coaching through different paths—mentoring, brokerage training programs, subject matter consulting, etc.—and the following steps are good places to start for anyone considering a foray into real estate coaching.

### Become an Instructor

Completing the requirements to teach real estate courses through a REALTOR® association or real estate school adds to your accomplishments and gives you firsthand experience with the communication skills needed

to successfully transfer your knowledge. Teaching also increases your name recognition if students decide to pursue coaching in the future.

### Obtain a Coaching Certificate

Coaching is its own specialized field, and just as real estate professionals use the training and proof a designation provides to attract clients, obtaining a coaching certificate can burnish your credentials and better equip you for the role.

### Develop a Unique Curriculum

Finding your niche and developing a unique curriculum enhances your value proposition to clients and separates you from other coaches. A niche can also play into how you market yourself. For example, if you're an expert in social advertising, that should be where you find your clients, and if you specialize in the motivational aspect of the business, speaking engagements may be the best venue to showcase your skills and reach prospective clients.

## THREE TIPS FOR DELIVERING BAD NEWS TO CLIENTS



How do you tell your buyer clients that their dream home's *Seller's Disclosure Notice* includes major plumbing issues the sellers refuse to fix? What do you say to your seller clients when the home appraisal comes in \$25,000 below the buyer's offer price?

Katrina Barnes has 20 years of experience working with buyers, sellers, investors, and renters. The Bellaire-based broker with Century 21 Exclusive teaches courses for the Seller Representative Specialist and Accredited Buyer's Representative designations. She says agents and brokers should remember these three things when delivering bad news:

**Bring solutions.** Before you deliver the news, brainstorm ways to address the problem. That way, when you share what happened, you offer some possible paths forward. Your preparedness will help lessen the blow of the bad news, and your client will appreciate it.

**Don't beat around the bush.** Be direct, upfront, and open about everything. Tell the client exactly what happened and how it affects them. Present the facts and be professional and ethical.

**Have empathy.** Buying or selling a home is not only one of the largest financial transactions people make but also often an emotional one. Your client may get angry or upset after hearing the bad news. Listen and be respectful when discussing the issue at hand.

## BECOME WELL AWARE



The Lone Star State is home to more than a million water wells, according to the Texas Groundwater Protection Committee. If your clients have questions about a well on their property, a well on a property they're interested in, or drinking water in general, share these state and federal reports and databases:

**The Submitted Drillers Reports Database** has more than 270,000 reports dating back to 2001. It is maintained by the Texas Water Development Board (TWDB) and Texas Department of Licensing and Regulation. The database is searchable by map, tracking number, county, use, and owner name. [www.twdb.texas.gov/groundwater/data/drillersdb.asp](http://www.twdb.texas.gov/groundwater/data/drillersdb.asp)

**The TWDB Groundwater Data Viewer** is an interactive map that can access roughly 139,000 water well reports and has information on some wells as far back as 1820. [www3.twdb.texas.gov/apps/WaterDataInteractive/GroundWaterDataViewer](http://www3.twdb.texas.gov/apps/WaterDataInteractive/GroundWaterDataViewer)


**The Texas Commission on Environmental Quality (TCEQ) Water Well Report Viewer** is also a map-based viewer that can search over 1 million well reports dating back to 1960. [tceq.texas.gov/gis/waterwellview.html](http://tceq.texas.gov/gis/waterwellview.html)

**The TCEQ Source Water Assessment & Protection Viewer** includes well and surface water information for public water systems. The map interface will show search results. [tceq.texas.gov/gis/swaview](http://tceq.texas.gov/gis/swaview)


**The TCEQ Texas Drinking Water Watch** allows searches of public water systems by water system name, activity status, principal county served, water system type, and primary source water type. <https://dww2.tceq.texas.gov/DWW/>

Other sources of information are the local groundwater conservation district (accessible from [texasgroundwater.org](http://texasgroundwater.org)) and The United States Geological Survey National Water Information System ([waterdata.usgs.gov/nwis](http://waterdata.usgs.gov/nwis)).

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### ARE AGENT-OWNED PROPERTY TRANSACTIONS COVERED BY E&O INSURANCE? by Lisa Scoble



In today's real estate marketplace, more agents and brokers are selling properties they own or are involved with. This makes it more important than ever to know how your errors and omissions insurance would cover an agent-owned property claim.

A common assumption is that real estate E&O policies automatically cover agent-owned property transactions. However, real estate E&O policies are written to protect against claims from third parties—not to cover an insured's self-dealing.

Why is that? Agent-owned property transactions carry a much higher risk than third-party transactions. They are potentially volatile, difficult to defend, and typically pay out on average five times more than those involving third-party transactions. In addition, agent-owned property disputes are more likely to pay settlements or judgments than non-agent-owned property disputes.

Most standard insurance carriers now provide limited coverage for agent-owned property transactions if certain requirements are met. Coverage is often limited to residential transactions.

Some typical requirements include:

- The use of standard real estate contracts.
- Providing a completed *Seller's Disclosure Notice* signed by the seller and acknowledged by the buyer prior to the closing.

- Purchase or recommendation of a home inspection. If the home inspection is not performed, a written waiver should be signed by the buyer and included in your transaction file.
- Purchase of a home warranty.

While your policy may provide such limited coverage, this coverage applies only to you in your capacity as an agent or broker; it is *not* designed to defend you as a seller. One practice that can mitigate this risk is to have someone else in the office handle the entire transaction. These transactions can be easier to defend.

Many brokers who are aware of the risk involved in these transactions require a non-owner agent in the firm to handle agent-owned property transactions.

While residential agent-owned property transactions may be covered when you meet certain requirements, be sure to review your policy to see if and how agent-owned non-residential transactions may be covered, including raw land and commercial properties.

Agent-owned property that is *managed* by the agent/owner may also have some limitations to trigger coverage. Be aware of your policy's stance on agents managing property they own.

Agents will sometimes guarantee the sale of a home within a certain

number of days and will buy the home themselves if they cannot find another buyer. E&O policies may cover these types of agent-purchased properties, but they may have requirements pertaining to the length of time the property is listed for resale.

The NAR Code of Ethics and TREC rules require the disclosure of certain circumstances associated with the ownership of a property as it relates to the agents involved. It is imperative that all REALTORS® remember to disclose all special circumstances in writing to all parties at the outset of every transaction. These disclosures include situations involving agent-owned real estate or familial and business relationships between the agent and any party to the transaction.

Selling investment properties can be a lucrative business for real estate agents. Just be aware of the differences in coverage provided by E&O policies when it comes to this type of transaction. Real estate-specific policies with standard carriers tend to provide the broadest coverage for these activities.

**LISA SCOBLE** is vice president of program business for Pearl Insurance, which is a Texas REALTORS® E&O risk management partner.



### NAR WEBINARS TO EXPLAIN CHANGES TO CODE OF ETHICS

In November, the National Association of REALTORS® Board of Directors approved changes to Article 10 of the Code of Ethics to prohibit discriminatory speech and conduct outside of members' real estate practices. The changes prohibit REALTORS® from using harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity in any context.

NAR is hosting live virtual training to provide guidance on the changes and an opportunity to ask questions.

- Tuesday, March 9 at 11 a.m. Central
- Tuesday, April 6 at 11 a.m. Central

Register for the training at [nar.realtor](http://nar.realtor) by searching for *breaking down changes*.

### Your Forms

The *Registration Agreement Between Brokers* (TXR 2402) can be used to share or split a fee or commission when the property is not listed in an MLS and thus would not be subject to an unconditional offer to pay a commission. The form names the listing/principal and cooperating brokers, as well as the property in question. The two parties agree to a cooperating broker fee for sales, leases, renewals, or subsequent sales to a tenant. The form includes instructions about when to pay the cooperating broker fee, and how much to pay. The listing/principal broker is not obligated to pay the cooperating broker until the fee is earned, meaning when the prospect (or a related party) has entered into a binding agreement to buy or lease all or part of the property at any price. This form can be used in residential, commercial, and farm transactions. This is one of more than 130 forms exclusively available to Texas REALTORS®.

### Contract Closeup

### IF THE LISTING TERMINATES, YOU MAY BE PROTECTED

If your listing agreement with a client terminates, Paragraph 5E, Protection Period, of the *Residential Real Estate Listing Agreement - Exclusive Right to Sell* (TXR 1101) outlines under what conditions you would still receive compensation for the sale of that property.

- Section 1 of the paragraph sets the length of the protection period.
- Section 2 describes the written notice you must give to the seller to ensure that certain buyers would trigger the requirement that the seller compensate you if those buyers were to purchase the property during that period.
- Section 3 covers when the protection period would not apply, namely if the seller agrees to sell the property, the property is exclusively listed with another broker who is a REALTOR® at the time the sale is negotiated, and seller is required to pay that broker a fee for the sale.



Ethics Complaints

CAN WE WORK THIS OUT?

Many ethics complaints filed against REALTORS® in Texas get resolved without going through the formal hearing process. Instead, complainants can take advantage of the Texas REALTORS® Ombudsman Program, an option that relies on an impartial member of the Texas REALTORS® Professional Standards Committee to help the parties resolve the complaint through constructive communication. The ombudsman does not determine whether an ethics violation occurred or who should prevail in a commission dispute. Instead, the ombudsman identifies and attempts to resolve misunderstandings and disagreements *without* a formal charge of unethical conduct or a request to arbitrate a commission dispute.

Ombudsmen can help resolve issues related to transactional, technical, and procedural issues; a lack of communication; potential violations of Code of Ethics; and monetary disputes.

The Texas REALTORS® Ombudsman Program is voluntary and confidential. Approximately 50% of cases submitted to the program are successfully resolved, usually in a much shorter time frame than the typical six months required for a formal ethics complaint.

Learn more about the Ombudsman Program by contacting the Texas REALTORS® Professional Standards Department or by visiting the Legal & Ethics section of [texasrealestate.com](http://texasrealestate.com).



WHAT HAPPENS TO PERSONAL PROPERTY TENANTS LEAVE BEHIND WHEN VACATING A RENTAL PROPERTY?

In the *Residential Lease* (TXR 2001), tenants agree to leave the rental property in a clean condition free of all trash, debris, and any personal property.

If tenants leave behind personal property, the *Residential Lease* gives landlords a few options for what to do with it. The landlord may dispose of personal property in the trash or a landfill, give the personal property to a charitable organization, or store and sell the personal property by following procedures in §54.045(b)-(e) of the Property Code.

Tenants must reimburse all reasonable costs incurred by the landlord for packing, removing, storing, and selling the personal property they left behind. The *Residential Lease* authorizes the landlord to deduct reasonable charges from the tenants' security deposit.



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ISRAEL SUSTER, Attorney

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# MARVIN JOLLY IS READY FOR 2021

The leadership skills and life lessons this year's Texas REALTORS® chairman brings to the job will serve the association well. **by Joe Olivieri**

Marvin Jolly doesn't want to talk to you.

No, your 2021 Texas REALTORS® chairman prefers to talk *with* you, which means he will listen, ask lots of questions, and only after he hears the responses will he give his own.

Jolly wants to facilitate dialogue. He wants to help people think clearly, because clarity is power.

He wants REALTORS® to be unified in mission and purpose. He has been inspired by the unity and dedication to service that REALTORS® have shown during the coronavirus pandemic.

He wants to face a legislative session unlike any other with a devotion to advocacy that is as important as ever.

When it is safe to do so, Jolly wants

to get back to all the handshakes and handing over house keys and meetings in the same room—the face-to-face moments that make real estate so special.

Texas REALTORS® Chairman Marvin Jolly wants to work together, and he wants your help. But first, OK—maybe he will talk just a little.

## Greetings from Palestine, Texas

If you want to know what kind of chairman Jolly will be, the answer starts in Palestine. “A lot of the values that I learned and shaped me are the small-town values of East Texas. That’s who I am,” Jolly says.

It’s there, in the Piney Woods, that Jolly’s parents, both public school

educators, decided to build their home themselves. They could have afforded a builder, but they built it partly to teach a strong work ethic to Jolly and his brother, Darin. Jolly learned woodworking from his father and grandfather. Jolly was helpful and encouraged others.

He joined the National FFA Organization, formerly Future Farmers of America. He learned many of the skills you might expect—raising animals for the county fair and working with his hands—and two you might not. “We had competitions across Texas for public speaking and parliamentary procedure,” he says. “Sounds thrilling, I know, especially when you’re 16 years old. But I really got into it. Those two things have contributed to my current path. I’m a much better speaker, and I learned about all of those concepts for leading meetings.”

If parliamentary procedure sounds impractical or academic, Jolly points out that knowing those skills helps him facilitate meetings so Texas REALTORS® can get things done.

## Investing in the Future

Jolly moved to the Dallas-Fort Worth area in 1992. He got into real estate in his mid-20s by buying and fixing up rental houses and duplexes in south Fort Worth. He became a third-generation real estate investor in his family.

Jolly partnered with an established business owner whose funding opened a lot of doors. At one point, the partnership owned roughly a dozen properties. Jolly wasn't licensed yet—he was working on staff at a local church.

He moved to Collin County in 2001 and started selling real estate shortly after receiving his real estate license.

The first property Jolly ever listed was an old two-bedroom, one-bathroom house. The location was good, but the

*My opinion takes a distant backseat to the things our members think are important. So in order to be a good chairman, you have to be a good listener.*



A lot of the values that I learned and shaped me are the small-town values of East Texas. That's who I am.



Photos, page 14 & 15: @sanjpatel



*ABOVE, Marvin Jolly and his family get ready to enjoy Christmas dinner. CENTER, the Jollys and a few friends are building a remote cabin. The cabin will serve as a vacation house, but Jolly hopes it will be a place future generations will enjoy. RIGHT, Jolly measures before cutting a piece of wood during construction. He counts woodworking and cabinetry among his hobbies.*



## BUILDING FOR THIS GENERATION AND THE NEXT

Before the coronavirus pandemic, Jolly enjoyed travel, fitness, golf, and mountain biking in his free time. He and his wife, Jamee, are involved in various civic and charitable organizations as well.

Marvin has been doing a lot of woodworking in the last few months. Nothing fancy—cabinets and sawhorses, mostly—but he enjoys it. It was one of his COVID-19 projects, something productive to do while the weeks blurred together.

He's a grandfather now—"a hobby" in its own right—so it's fitting he's into "old man stuff," he jokes. He's getting back into carpentry and remodeling. It's a chance to slow down and be mindful of the present moment. It reminds him of his teenage years and the old fixer-uppers from when he started out in real estate.

2020 was going to be the year that he and Jamee were going to build a little cabin out in the woods. They bought a remote property in January. Short-staffed because of COVID-19, their builder couldn't commit to building a turnkey house. So they agreed that the builder would do the more involved steps, and the Jollys and a few close friends and family members would do the rest. The cabin should be done by late spring, he estimates.

Jolly's children—Jeff (26), Jacob (24), and Julia (21), as well as their spouses—have been involved with construction. "It is a legacy property," he says. "It is something that our children and grandchildren and then their children will eventually enjoy. It's not elaborate, but we're excited about it."

house hadn't been updated in at least 30 years, and the plumbing and wiring were closer to 80 years old. "The inspection report was pretty scary," he says.

Even with the challenges the property presented, Jolly was thankful for and proud of that listing. "It was like I won the lottery when I got the opportunity to be the listing agent. I treated that seller just like he had a million-dollar property, and it was a \$65,000 home."

### Discovering a Passion for Advocacy

Jolly wasn't heavily invested in TREPAC during his early years as a REALTOR®. He didn't quite understand it, but he made a few small investments.

All that changed during REALTOR® Day at the Texas Capitol in 2003, Jolly's second experience with REALTOR® Day. "I thought we were taking a nice trip to Austin to see the Capitol and some of our legislators," he says. But when he and a small group from his local board of REALTORS® visited their state representative, his eyes were opened. When the group shared its concerns, the state rep knew nothing about them. This was all new information to her. "Had our group of five not met with her, she would have never gotten the message," he says. "I saw how important it was for Texas REALTORS® and TREPAC to have those relationships."

That realization put Jolly on a path that led to him serving as TREPAC chairman for the Collin County

Association of REALTORS® in 2004.

Jolly met his wife, Jamee, at a TREPAC orientation in 2003. After her staff time in the REALTOR® family, Jamee went on to lead other nonprofit groups. "Jamee understands the REALTOR® organization and the political and advocacy work that we do. I couldn't do what I'm doing with Texas REALTORS® were it not for her support."

### A Seat at the Table

The early 2000s were a busy time. Jolly was growing his real estate team and also had his first opportunity to manage a brokerage of 300 agents. The Collin County Association of REALTORS® honored him as REALTOR® of the Year in 2005. He was and remains involved in various civic and charitable groups. He was getting increasingly involved in REALTOR® association committees and task forces.

"I discovered early on that if you want to have a voice, you've got to be at the table, and being at the table meant serving on committees and boards of directors," he says.

He jokes that he slept through a lot of boring meetings as a new volunteer. Attending was time consuming. He was young; his fellow committee members were his parents' and grandparents' ages.

"There were times when I questioned why I was doing this," he says. "When I saw we could make a difference, I was interested. When I saw that my voice mattered, I was interested."

Jolly recommends serving on a committee to anyone who wants to have an influence on real estate at the local, state, or national level.

### Setting the Vision of Helping Clients

Jolly enjoys being an advisor, teaching the mechanics of real estate transactions. Over time, he gravitated toward big-picture strategic thinking. "Whether it's an agent or a seller or buyer, I ask them what their long-term life vision is, then we back it up to where we are now. Then it's helping them navigate from Point A to Point B to achieve what they want in life.

"We help people go through major decisions in their lives and deliver great service in that process. It's really a calling. It's something that's heart-based. It's not a transaction—it's people based," he says.

As Jolly grew as a leader in his own organization, he was also rising through the ranks elsewhere. He chaired the Collin County Association of REALTORS® Issues Mobilization Local Task Force in 2005 and the association's Government Affairs Committee in 2006. After graduating from the Texas REALTORS® Leadership Program in 2008, he served on the program's advisory committee the following year. He was president of the Collin County Association of REALTORS® in 2014 and a regional vice president of Texas REALTORS® in 2016-2018. He also currently serves on the NAR board of directors and RPAC Trustees Federal Disbursements Committee.

"When I started thinking about the possibility of serving in leadership of Texas REALTORS®, I thought it was going to be such an amazing opportunity to have a voice to promote concerns and the important topics to me personally," he says. "What I've come to discover is that my opinion takes a distant backseat to the things our members think are important. So in order to be a good chairman, you have to be a good listener."

### The Year Ahead

The 2021 legislative session convened January 12. Jolly and the other Texas REALTORS® officers serve on the Legislative Management Team, which closely follows activity at the Capitol.

As part of the association's advocacy efforts, Texas REALTORS® reviews every bill for potential impact on the real estate industry, REALTORS®, or real estate consumers. For example, the state's finances have been directly impacted by the pandemic, and the Texas Legislature may seek ways to generate revenue, such as a sales tax on real estate services.

In addition, lawmakers are expected to discuss issues including homeowners associations, broadband access, and property taxes, which are among the association's legislative priorities. See the association's 2021 legislative priorities at [texasrealestate.com/issues](https://www.texasrealestate.com/issues). The Texas Legislature will also address redistricting based on results of the U.S. census.

Besides the legislative session and specific topics that the association addresses, Jolly is focused on listening and building connections among REALTORS®, real estate organizations, and with consumers.

"My goal in 2021 is to make sure that we are together, at the very least virtually," he says. "We are together in mindset, together in focus, and together in mission and vision ... to make sure we are unified in tackling the issues that are important in our profession and for property owners. So, in order to be together on those issues and items, it requires proactively reaching out and getting opinions."

Jolly's attitude is well-suited to a year that, at least initially, will continue to be shaped by the coronavirus pandemic. "I believe life is not about what happens, but how you respond to what happens. I'm thankful to say Texas REALTORS® responded very positively to COVID-19. It strengthened us, not only as a state organization, staff, and Leadership Team, but also our Board of Directors and our committee leadership. Getting member engagement in that environment is very challenging. Everyone has done a magnificent job of continuing the course to deliver services to our members."

But that's just his opinion. Now he wants to hear what you have to say. ✪

**JOE OLIVIERI** is assistant editor for Texas REALTOR®.

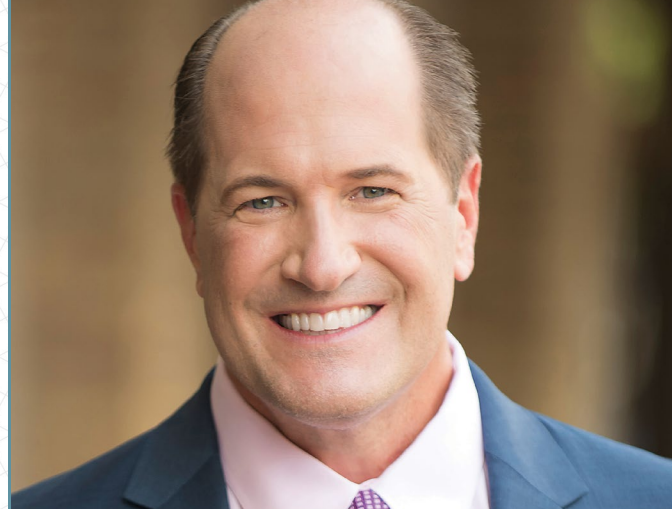


## CHAIRMAN-ELECT RUSSELL BERRY TRLP

Dallas | 817-689-2888 | rbdallas@aol.com

Berry is team leader of the N-House Team with Coldwell Banker Realty-Dallas, Park Cities office. He has served as a Texas REALTORS® regional vice president, Public Policy Oversight Committee chairman, and Budget & Finance Committee member. He was also the 2016 president of the MetroTex Association of REALTORS®. He wishes more REALTORS® knew about all the ways the association helps members succeed.

- Many people know about our association's advocacy, but there is much more: member benefits, professional development, the Legal Hotline, our forms, networking, YPN, our Diversity Committee, and a host of other resources.
- My favorite quote is: "We don't meet people by accident. They are meant to cross our path for a reason."—Kathryn Perez
- Get involved, because Texas REALTORS® is 100% volunteer-driven. If you cannot volunteer, we would love to hear from you. Pick up the phone, send us an email or text, or reach out to a regional vice president.
- Each transaction has a learning experience attached.
- I love to explore new places, new cultures, and new food. I have visited over 40 countries and lived and worked outside the U.S.
- My work style is completely laid back. I try to get the most important things accomplished first thing in the morning.
- I won \$45,000 on *Wheel of Fortune* and \$10,000 in prizes on *The Price Is Right*.
- Do your best to make every transaction a win-win. Being a Texas REALTOR® is an awesome responsibility. Love what you do!
- The Leadership Team is trying to get in front of as many members as possible, so we can better serve you. We want you to be involved. This is *your* association.



## SECRETARY/TREASURER MARCUS PHIPPS CRS, GRI, TRLP

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Phipps is the broker/owner of Harlingen Homes, a residential sales and property management firm. He serves on the NAR Board of Directors and RPAC Participation Council. He was formerly Texas REALTORS® regional vice president and president of the Harlingen Association of REALTORS®. He says members who aren't currently involved with the association are missing out on contributing their experience and expertise to their profession.

- It is more important than ever that REALTORS® talk about the things that unite us as well as the things that make us different. We're working with our Diversity Committee to bring an end to discrimination and division.
- I've felt the most successful when I have helped others achieve and exceed their goals. I work every day to impact one of my agents in a positive way.
- My favorite quote is: "As for me and my house, we will serve the Lord."—Joshua 24:15
- Association leaders are working with our staff and lobby teams to implement our legislative goals.
- I love to sing and I play keyboard. I volunteer with the worship team at our church. Our family enjoys camping in our RV.
- I have to be busy! I work with a lot of investors buying, selling, or leasing homes.
- I have played lead roles in several musicals, including *Fiddler on the Roof* and *The Music Man*.
- When we use our passions to serve our profession, we make a huge impact!
- I wish more consumers knew that REALTORS® are much more than just transactional agents. We fight for lower property taxes, private property rights, and for the good of home/property ownership. We also volunteer in our communities to give back to the communities that support us.

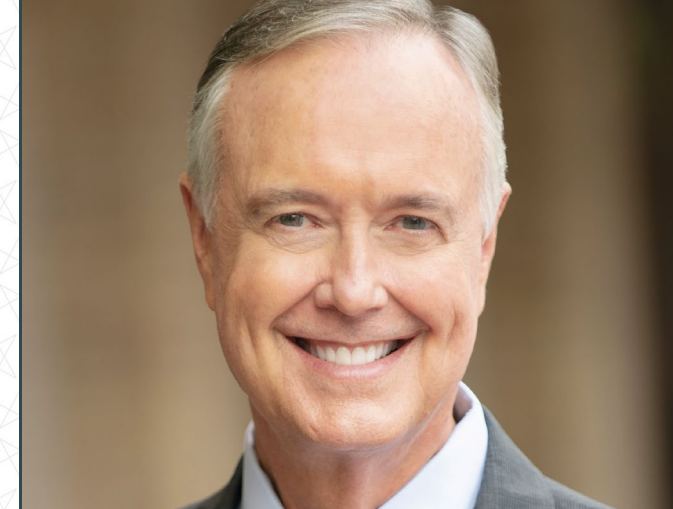


## IMMEDIATE PAST CHAIRMAN CINDI BULLA GRI, TRLP

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Bulla is the broker/owner of Realty Central. She served as 2020 chairman of Texas REALTORS® and 2012 chairman of the Amarillo Association of REALTORS®. She was a Texas REALTORS® regional vice president from 2012-2017 and was appointed to a Texas Real Estate Commission task force dedicated to reviewing education requirements. She wants members to know that the association listens and hears you.

- Much of the difference between when I started with the association and today is my own awareness of how many of the tools, benefits, and advocacy efforts I once took for granted are directly provided by my association.
- My latest favorite quote is by Alexander den Heijer: "Champions don't show up to get everything they want; They show up to give everything they have."
- I love golf and theater, but mostly I love whatever my five grandchildren want me to love!
- My work style is being a friendly, approachable multi-tasker.
- The best piece of advice I've ever received is every variation of the golden rule. As a young entrepreneur, I had to be reminded too often because my ambition would get the best of me. I now fill my heart with gratitude and often consciously ask myself, "What if the roles were reversed?"
- Anyone interested in becoming a REALTOR® association leader should start local and recruit a mentor. As much as we try to simplify the process, it's still a journey, and a mentor is important. Even if the process was as simple as we would like, the ultimate goal is not to win, but to serve and serve well.
- As a team of more than 135,000 members, I'm extraordinarily proud of how we rose to the challenges together in 2020. Individually, I'm most proud that so many of our members, many I have not met personally, felt comfortable accepting my offer to call me. The fact they trusted me to listen is my greatest accomplishment as a leader.



## PRESIDENT/CEO TRAVIS KESSLER RCE, CAE

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Kessler is the president/CEO of Texas REALTORS®. He has chaired the Strategic Planning Committees of NAR and Texas REALTORS®. He has received the William R. Magel Award, the highest NAR honor for an association executive. He was previously CEO of the Greater Fort Worth Association of REALTORS® and the San Antonio Board of REALTORS®. The best advice he has received is to always be prepared and be a good listener.

- I began my CEO role with Texas REALTORS® in 2010 with approximately 80,000 members. Now we have approximately 135,000 Texas REALTORS®. This increase has afforded us many opportunities to expand the level and array of services to members. As a member-driven organization, REALTOR® advocacy efforts and initiatives have made a tremendous difference in our strength and influence legislatively and politically. This same level of member engagement across all service areas has made us a stronger and more effective organization.
- Targeted delivery of member services is critical to the future of Texas REALTORS®. Being a relevant organization in the eyes of the REALTOR® is the benchmark for our continued success.
- My favorite quote is: "A team is not a group of people that work together. A team is a group of people that trust each other."—Simon Sinek
- My work style is collaborative because I like to involve and maximize the strength and contributions of others. There is so much talent in this organization. It is very fulfilling to watch people solve problems together and in a creative way.
- I am most proud of two accomplishments in 2020: We were able to virtually celebrate the 100-year anniversary of Texas REALTORS® through highlighting the historical significance and relevance of this organization; and real estate was deemed an essential business activity by the governor, which enabled Texas REALTORS® to virtually deliver many resources and programs for members to continue to do their business.


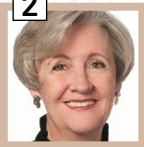



































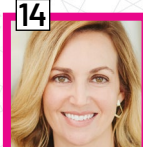















Photos: @anjaypatel

# GET TO KNOW YOUR 2021 TEXAS REALTORS® LEADERSHIP TEAM

# 2021 REGIONAL VICE PRESIDENTS

The regional vice presidents are your representatives for policy decisions at the association. Their role is to gather feedback from their regions and provide it to the Texas REALTORS® Executive Board so it can make informed decisions about association policies. If you ever want to provide feedback or have questions about how these policy

decisions are made, contact your regional vice president. Regional vice presidents are also available for board or office presentations and can share the latest information about the industry and your association, including how Texas REALTORS® advocates on your behalf or the value of membership.

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 <p><b>BEN RODRIGUEZ</b> ABR, GRI, SRES, TAHS, TRLP Beaumont 409-861-2600 ext.700 sold@setxhomefinder.com</p>	 <p><b>GAIL ROBINSON</b> Lake Jackson 979-297-1226 grobinsong@cbunited.com</p>	 <p><b>NICK CANTU</b> GRI Edinburg 956-280-0405 nick@foxrealestatepros.com</p>	 <p><b>WILLIAM JORDAN</b> Kaufman 214-202-0538 bjordan@sellingkaufmancounty.com</p>	 <p><b>SID THOM</b> ABR, CIPS, TAHS, TRLP Dallas 214-453-1850 sid@sidthom.com</p>	 <p><b>CATHY MITCHELL</b> AHWD, GRI, PMN Garland 972-240-4416 cathymitchell@kw.com</p>	 <p><b>LINDA CALLICUTT</b> ABR, CRB, CRS, TRLP Dallas 214-453-1850 linda.callicut@cbdfw.com</p>	 <p><b>TERRY TREMAINE</b> C2EX, MRP, ABR, SFS, TRLP MetroTex 817-994-4424 terry@terrytremaine.com</p>	 <p><b>BETTE WASHINGTON</b> CRS, GRI, MRP, SFR, SRES, SRS, TAHS, TRLP, TRLS, TRPM Dallas 469-877-7227 bette@bettewashington.realtor</p>	 <p>* This map is for illustration purposes only and may not be an exact representation of a region's area.</p>					
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## 2021 COMMITTEE CHAIRS

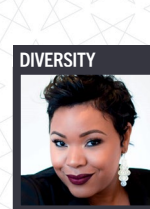
Learn more about what these committees do at [texasrealstate.com/committees](https://texasrealstate.com/committees), and look for the volunteer signup in May.



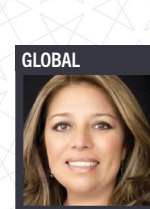
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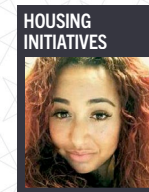
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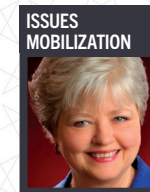
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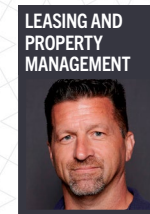
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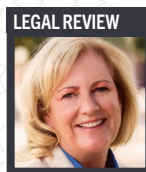
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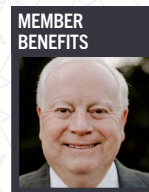
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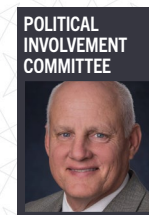
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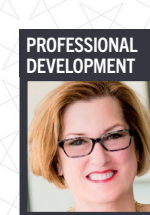
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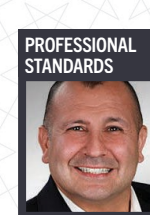
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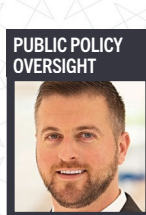
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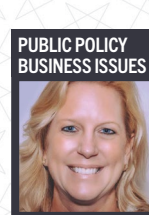
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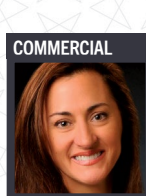
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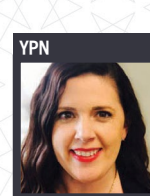
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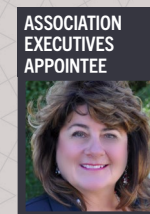
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## 2021 EXECUTIVE BOARD APPOINTEES

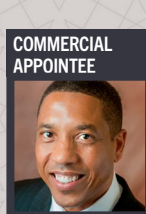
These appointees join the Leadership Team and regional vice presidents to constitute the 2021 Executive Board.

The Executive Board manages all the association's affairs except the following, which require approval of the Texas REALTORS® Board of Directors:

- Amending the association's bylaws
- Electing officers
- Approving expenditures more than 10% of the annual budget
- Approving the strategic plan
- Approving increases in membership dues
- Defining regional boundaries.



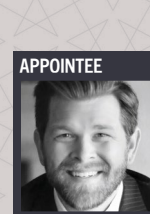
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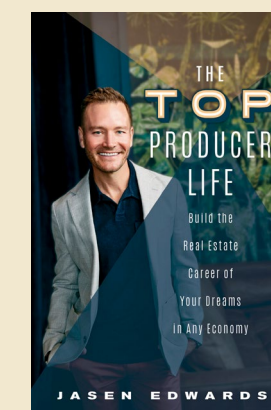
# Referral Secrets of Top Producers

Make the most of your relationships with friends, family, former clients, and others.

by **Jasen Edwards**



Image © Getty - stock.adobe.com



This article is an edited excerpt from *The Top Producer Life*, which was published in January and is available at [topproducer.life](https://topproducer.life).

Referrals are often misunderstood. Most people think when they receive a referral, the sender of that referral is trying to help them. While there may be some truth to that, the primary reason people send referrals is to make themselves look good. The act of sending a referral is an unconscious attempt to improve social standing.

If someone sends you a referral and you do a great job, the sender's social status with the client you helped is enhanced. Conversely, if the transaction doesn't go well, that status is diminished. This is why it's so important to cultivate your relationships in a way that makes people feel it's safe to refer you. Fear of loss is a much greater motivator than opportunity to gain. If there's any reason to doubt your performance, people would rather not risk their reputation. The fascinating part of all of this is that it mostly goes unsaid. So, to generate more referrals you deserve, here are referral secrets of top producers.

**RULE 1: You have to ask**  
"Who do you know who is thinking of selling or buying a home in the near future?" That question or your variant is possibly

the most important question in your entire career, and you cannot shy away from it. People love to help other people, but they can't read your mind. If you never ask for referrals, you'll end up giving the impression that you don't need any more business. But I've never met an agent for whom that was true, so open up and give people the chance to help you.

### **RULE 2: Demonstrate the actions of an agent**

You told people when you got your license, and now they'll forever remember to refer you, right? Not so fast. Whatever you spent years doing just before you became licensed is how they think of you, especially in the beginning of your real estate career. If you were a teacher before you got into real estate, in their mind, you're still a teacher. The single most impactful action you can take to change the way they see you is to demonstrate you're doing the activities an agent does—and not just listings and closings. Think property tours, classes, open houses, and industry events.

Show people you are actively involved in your new industry and tell stories about your experiences growing your business. Slowly but surely people will start to take you seriously. But in the beginning of your career, or anytime you've been inconsistent, they won't see you as a serious agent.

### **RULE 3: Teach people when to send you referrals**

Handing people your card and asking them to pass it to someone thinking of moving won't cut it. Instead, consider asking them to save your cards for people who experience a life-changing event. For example: "Here's my card. Please save it for someone who is going through a big change. Give it to someone who tells you they just got a promotion or that they are having a baby." Or you could tell people to mention you when they hear people are getting married, divorced, had a death in the family, sent the last kid off to college, or complain about all the yard work or their commute. You get the point.

Change (good and bad) drives the need for your services. Over time, you can teach people to recognize these triggering events so they are more likely to connect you.

### **RULE 4: Tell people what you do, not what you are**

The last time someone asked what you do, did you tell them you're a real estate agent?

Adjusting the way you answer could elicit some funny responses, and you'll be simultaneously teaching them how to refer you. Imagine someone asking what you do, and instead you say, "I work with people who are getting divorced." Very likely the person who asked will respond with, "Oh, you're an attorney?" To which you can respond, "Oh, no. I'm a real estate agent, and I help divorcing couples sell their home without strangling each other."

The key is to respond in a way that is unique to your personality and a tad more memorable than telling them you're an agent.

### **RULE 5: Frequent and consistent contact is essential**

In marketing, the rule of seven states that people need to see your message an average of seven times before they take action. Most people who suffer from a lack of referrals do so not because of the exact number of messages they send, but because their messages are irregular and don't register with the recipient.

You'll find lots of opinions about what you should send people, how often you should call, and what you should say. Pick whatever combination of marketing and pattern of delivery you want, but whatever you choose, it must be consistent and frequent, because in the subconscious mind, consistency equals trust.

Agents who send messages when they can fit it in their schedule or when they have extra money often don't even realize they are broadcasting they are either broke or can't handle their own business. All of this registers in the subconscious mind, and if people don't trust you, you'll never be referred. This is why communication of any kind that is poorly designed but consistent wins every time over the stunningly beautiful but inconsistent email newsletter.

### **RULE 6: Don't stop**

This rule is a bit repetitive with the rule above, and that's intentional because it's so important. You can't stop until you retire or sell your practice. You can't stop asking. You can't stop teach-

ing people how to refer you. You can't stop showing them you are an active agent. Apple consistently advertises the iPhone, and if you notice, they also haven't stopped. The most successful and recognized consumer device in the history of the world is still being consistently advertised. If Apple can't stop, neither can you.

### **RULE 7: Remember they are taking a chance on you**

Every time someone sends you a referral, they are putting their reputation on the line. This is especially true the first time. So if you want them to continue to send you referrals, you must always keep this top of mind. It's not too difficult to get people to take a chance on you once, but if you don't act in a way that enhances their reputation, you may not get another. The key word is *enhance*.

It's not enough to do a good job for the client. That's kind of like saying you should do a good job as a parent. A good job is the baseline. To encourage more referrals from the same source, you have to find ways to serve the client so well, the reputation of the person making the referral is actually improved because of your performance.

One of the best ways to do this is to speak highly of the referral source to the referred client. In addition to doing a great job for the buyer or seller, sneak in a few compliments about your referral source. You can be sure that, eventually, your new client is going to tell your referral source all the nice things you've been saying. Psychologically, this is infinitely more impactful than just giving the compliment to the source in person.

### **RULE 8: Reward the referral, not the closing**

Whether we're talking about children, pets, or clients, it helps to reward the behavior you want to continue. It's a common practice for agents to send a thank you gift to referral sources after closing. But when people refer you, they have no control over whether a deal closes. People can control making the connection and that's it. Sometimes it works out, sometimes not. If you want to send a gift after closing, fine. Just make sure you also thank the person in some tangible way immediately after they send the referral.

### **RULE 9: Communicate more than you are inclined to**

It would be a huge mistake (and a missed opportunity to strengthen the relationship) to accept a referral, then fail to let the source know what's going on. Clearly, it's important to keep the details of your client's business private, so think of it this way: Every few weeks you can send the referral source a message letting them know the work is progressing and you're on it. Even if things have stalled out, it's important to say so. If the referral source ever wonders what's happening, you've waited too long and have probably broken trust.

A quick email or text once a week is enough to prevent anyone from ever wondering what is going on. The consistency also reinforces trust.

### **RULE 10: Don't be afraid to decline a referral**

You don't have to work every referral sent to you. But you definitely should communicate with the referral source when and why you decline business. Remember, the goal is to make the source look great, and if you can't, don't want to, or aren't truly qualified to work the referral, it's OK to let the person know. This is your chance to show appreciation while reinforcing the message that you'll only take on business if doing so will enhance their reputation. The end result is more clarity for them on the type of business you enjoy working.

Most people work business they shouldn't because they fear turning it down will prevent the source from referring anyone else.

In reality, the exact opposite is true. When you work business you don't want just because you feel like you have to, everyone is going to feel it. It may go unsaid, but under those conditions, it's nearly impossible to do your best work for the client, let alone put in the extra effort to make your referral source look good.

### **RULE 11: Share good reviews with your referral source**

One way to get future business from those who are researching you online is to ask for five-star reviews on Google and Facebook. Another way to leverage good reviews is to call attention to them with the source of the referral. A handwritten note with

the review printed or an email with a screenshot is a great way to reinforce that you've made the person who sent the referral look fantastic.

### **RULE 12: Reciprocate**

Does your referral source also own a business? Are they a partner at a firm? Ask what kinds of referrals they would like and stay super-alert for opportunities to send business their way. Of course, you're sticking your neck out as well, so be mindful of their performance. Does their performance with your referral enhance your reputation? This process works both ways.

While paid advertising has its place in a modern real estate practice, most agents would love nothing more than to generate the majority of their new clients from referral sources. These are the principles that will make it a reality for you. ★

**JASEN EDWARDS** is a performance coach who has taught thousands of REALTORS® the art of salesmanship, helped them reach top producer status, and achieve their unique vision for a successful career in real estate. His clients do what most think is impossible; they charge above-average commissions, enjoy regular time off, and experience the freedom they dreamed of when they first got licensed.

”  
People love to help other people, but they can't read your mind. If you never ask for referrals, you'll end up giving the impression that you don't need any more business.



## **GIFTS FOR REFERRALS? KNOW THE RULES**

You may give an unlicensed person a non-cash gift worth \$50 or less in exchange for a referral and not violate The Real Estate License Act (TRELA) or Texas Real Estate Commission rules. According to TRELA, if a referral is made with the expectation of receiving valuable consideration, the person making the referral must be licensed under the act. Under Section 535.20 of TREC rules, gifts of merchandise having a value of \$50 or less do not count as valuable consideration. A bank gift card that can be converted to cash or credit or any amount of cash or credit toward rent owed are not allowed to be used as gifts to an unlicensed person in exchange for a referral, according to TREC.

# THAT NEVER STOPPED ME

## WOMEN IN COMMERCIAL REAL ESTATE SHARE THEIR PATHS TO SUCCESS.

by Joe Olivieri

Commercial real estate is not for the faint of heart. Whether you're selling an undeveloped parcel or a downtown skyscraper, these deals feature long timelines, millions of dollars, and many moving parts.

The barriers to entry for aspiring commercial sales agents can be daunting. Female agents and brokers report facing additional challenges in this predominantly male specialty. These challenges sometimes take the form of offensive comments and discrimination. Women in commercial real estate also often feel the pressure to prove themselves more capable than their male colleagues.

A 2017 NAR membership survey indicated that 4% of female respondents practiced commercial real estate exclusively, compared with 15% of male respondents. Among dual specialists, 26% of female respondents practiced residential and commercial, compared with 41% of male respondents.

Texas REALTOR® magazine asked three commercial experts to share their experi-

ences as women in commercial real estate. They credit education—formal classes, mentors, and skill development—as instrumental in building thriving careers.

Commercial real estate deals have so much variety and creativity that there is no one ideal path to success, they say. Jump at interesting opportunities. Make strong connections and make the most of each transaction. In all things, act with integrity and authenticity.



### Build Your Network

For Daphne Zollinger, real estate is about relationships. She was selling homes and apartment buildings when she connected with the owners of a 13-acre commercial property along I-35 in Denton. Those first commercial clients were early mentors, walking her through the purchase, infrastructure build out, subdivision, and sale.

That deal helped Zollinger land her next project. “Another developer said, ‘I like what you did over there, but if you want my listing, you have to go get your CCIM designation,’” she says.

She signed up for courses that afternoon. “I went back to him and said, ‘Hey, I’m in the queue. I’m starting my courses, and I want your listing.’” She sold that 14-acre commercial site to a large multi-family developer.

Zollinger has built her Denton-based brokerage, Daphne Real Estate, through referrals and repeat customers—a classic residential strategy that Zollinger adapted for her commercial real estate practice. She offers a high-touch approach she calls hometown service: getting to know clients as people while helping them achieve their investment and development goals.

“I know a lot of commercial brokers do a lot of cold calling. I don’t. I take care of my clients and I ask them to send over the people they know. And they do,” she says. “I don’t treat the transaction as a single transaction. I treat it as the first. If I treat this person well, they’re going to continue to do business with me.”



**I AM ALWAYS SURPRISED HOW MANY PEOPLE ARE WILLING TO HELP AND SHARE THEIR KNOWLEDGE**

Daphne Zollinger

Zollinger maintains the relationships she builds. She says she is “a little bit old school”—she believes in business-to-business networking, client parties, and making introductions. Yes, the deals can be very interesting, she says, but the people are the best part of commercial real estate for her.

She has faced challenges in her career. Before she got her license, a male sales agent told her commercial real estate is not a business for a single mom. That only motivated her even more.

“As a woman, I feel I have to work harder, and I have to make sure my skillset is sharpened,” she says. “I’m sure many people feel like the underdog. I’ve been doing this for 17 years now. Especially a female working in what’s historically been a male-dominated world, I have to make sure I outwork my competitors. I bring things to the table that they might not bring.”

Daphne Real Estate sells residential properties in addition to its commercial investments and sales.

“I think the biggest challenge is that many commercial brokers think if you sell any house you aren’t qualified to be a commercial broker. I disagree with that. I’m not going to turn away my residential business because I do commercial,” she says.



### GET STARTED IN COMMERCIAL WITH THE TEXAS ACCREDITED COMMERCIAL SPECIALIST DESIGNATION

If you want to start a career in commercial real estate, sign up for courses in the new Texas Accredited Commercial Specialist program. Texas REALTORS® developed the TACS program as a steppingstone to more advanced commercial education. TACS can help new agents, residential agents who want to switch to commercial, and less experienced commercial agents who want to sharpen their skills before seeking a higher designation.

To earn the certification, applicants must complete three 30-hour commercial courses; work as an agent with a broker-mentor and complete two original commercial real estate transactions; produce two professional references; and join a commercial information exchange.

The coursework includes the fundamentals of commercial real estate, development topics such as leasing and management, and marketing and negotiation training. The curriculum is eligible for CE and sales apprentice education (SAE) requirements. More experienced commercial agents can also earn the TACS. REALTORS® with a CCIM or SIOR designation may earn the certification with payment of the application fee. Those with five years of commercial experience, can apply for the certification after successfully passing the three TACS end-of-course exams. For more information, visit [texasrealestate.com/tacs](https://texasrealestate.com/tacs).

Zollinger believes strongly in continuing education and encourages female agents to get their designations. She has earned her Accredited Land Consultant, Certified Commercial Investment Member, Certified International Property Specialist, and Certified Probate Real Estate Specialist designations.

“I don’t get them just to get the letters. It’s for the knowledge and the networks. I recently got my Senior Real Estate Specialist designation. I have clients in that age group, and it’s good to have that knowledge.”

She also tries to stay humble and curious. She is never afraid to ask questions, even basic ones. “I am always surprised how many people are willing to help and share their knowledge,” she says. “Whether it is an ego or pride thing, many people don’t want to ask. I say ask.”

### Create New Opportunities

It’s common to focus on economic development’s public side, such as government incentives for new projects. Amber Gilbert is interested in the collaboration between the public and private sector to consider how buying and selling well-planned real estate lead to job growth and value appreciation.

Gilbert is director of business development at Brooks, a political subdivision of the state of Texas created to redevelop the former Brooks Air Force Base in San Antonio. The 1,308-acre mixed-use community is owned and managed by the Brooks Development Authority, which is governed by an 11-member board of directors appointed by the mayor and San Antonio City Council.

“In economic development, I get the opportunity to bring great jobs to my city through real estate,” she says. “In public-private partnerships, we can fill a community need while developing a financially rewarding project for the prospect.”

“I love most the ability to use my skills to help others reach their financial goals or bring jobs or be part of helping the community. We get the opportunity to help others realize their vision through real estate.”

Gilbert got into commercial real estate as a landlord. She rented a room in her house to a friend, and that rent eventually paid her mortgage.

“During the real estate process, I thought I could provide better service to customers as an agent, and the benefit of a tenant paying my mortgage perked my interest in getting my license,” she says. She juggled three jobs—advertising, a retail sales job, and real estate on the weekends—before switching to real estate full time.

“I think as a female you can take the opportunity to market your unique differences to stand out,” she says. “The industry is competitive, so we need to find what gives us an edge. My advertising background showed me that authenticity is the best marketing.”



**IN ECONOMIC DEVELOPMENT, I GET THE OPPORTUNITY TO BRING GREAT JOBS TO MY CITY THROUGH REAL ESTATE**

Amber Gilbert

Gilbert faced many of the same setbacks new agents face. People wasted her time and resources without an intention to purchase property. She dealt with some dishonest people. “Starting in commercial, I was young and I looked even younger, so people were hesitant to want to invest significant funds with me,” she says.

A big moment came in her late 20s, when a client invested most of his retirement in a deal she put together. “I could acknowledge how much trust is required to be successful in the business,” she says.

She grew her commercial real estate firm, First Texan Realty, and was honored by the CCIM Institute and the North

San Antonio Chamber of Commerce. Her time in retail and advertising highly influenced her customer-first approach to real estate.

“Above all things, do what is right!” she says. “I don’t value being the broker who sells the most transactions per month or year. I am guided by the business and the client first. I’m reminded there will be plenty of deals, and integrity matters. It has to be a win-win, and I believe this mindset has attracted solid relationships.”

There is no one path to success, according to Gilbert. “There is so much opportunity in commercial real estate for a career path or to invest your personal funds to help your family and friends to have a better financial future.

“I highly recommend investing in education along with getting work experience. In my case, I was willing to work several jobs to get the experience. There seem to be easier paths than mine—like internships and other programs. Take advantage of these opportunities.”

### Never Give Up

Michica “Mish” Guillory left work in radio to take a job assisting the marketing director of a shopping mall. She soon became fascinated with property management.

Preparing for a celebrity autograph signing at the mall meant cooling down the building beforehand and coordinating with housekeeping to keep the bathrooms and food court clean. It also meant staying within occupancy limits, as Guillory learned when the fire marshal threatened to shut down a Jay-Z and Roc-A-Fella Records event.

As the assistant and later the marketing director, Guillory absorbed as much as she could about how the mall functioned. “I really fell in love with buildings,” she says.

Guillory focused on commercial property management. She enjoyed solving mysteries and untangling problems. “You give me a building and tell me, ‘Mish, go figure it out.’ That has been the thing that gets me ramped up every single day,” she says.



**AT THE TIME I GOT INTO THIS BUSINESS IN 2000, I DIDN'T SEE ANYBODY THAT LOOKED LIKE ME**

Michica "Mish" Guillory

One time she received a complaint that a commercial building smelled bad. After she ruled out housekeeping and pest control theories, she decided to call in plumbers, who performed a smoke test. They discovered cut pipes were releasing sewer gases. The problem was solved before the building lost tenants.

Guillory adopted a strategy of no excuses when working with tenants. “You accept the complaint. You thank them for the complaint. You even ask them if they have any thoughts or solutions if it’s a really big issue. And then you fix it.” Success meant the phone wasn’t ringing.

She says while there are more women in commercial property management, the commercial real estate workforce in general is

predominantly male.

“At the time I got into this business in 2000, I didn’t see anybody that looked like me. I weighed close to 300 pounds. I was a big girl, and I was African American. That never stopped me from doing a thing. But I also had to always be as good as, if not better.”

She faced slurs and offensive comments said to her face, being paid less than her peers, and being singled out without cause.

“Despite the bumps, I’ve enjoyed my career. All those things I went through are helping future generations of REALTORS®, and that makes every moment worth it,” she says.

Today, Guillory owns Houston-based boutique brokerage The Guillory Group Real Estate Firm and The Guillory Group School of Real Estate. She’s a licensed broker and CE educator.

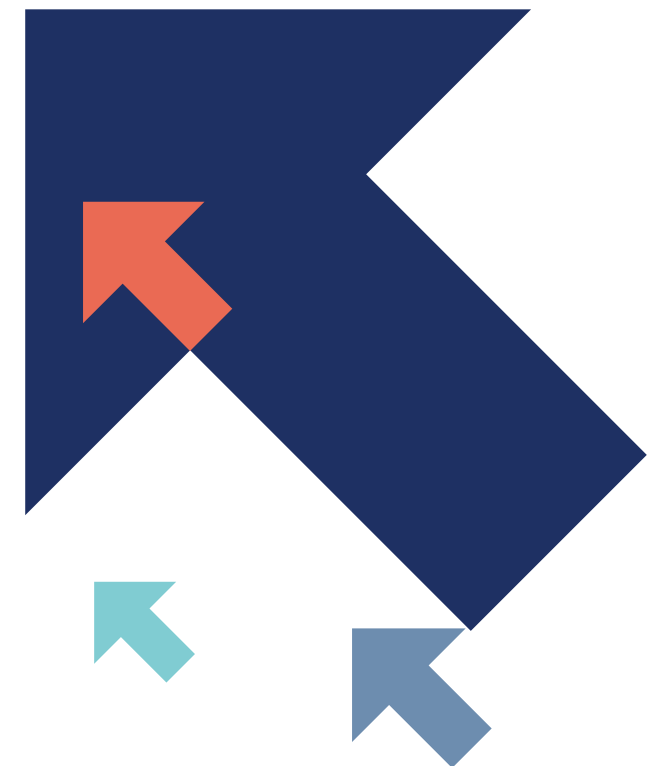
“I am very happy every time a person of color takes one of my classes and says, ‘It’s really cool to see you because you look like me.’ I tell that person, ‘Promise me you’re going to move ahead and stick with it.’ It’s not like it’s some impenetrable club you can’t get into.”

“Sometimes as minorities we have this preconceived idea that there’s no room for us in there. Oh, yes there is room for us! Yet, how do we break in? I tell people that maybe it isn’t the slow stroll you think it is.” You may have to be the trailblazer, she says.

Her advice to female agents and brokers is to never give up. Commercial real estate can be a tough business. Guillory says to be prepared for a less friendly experience—especially coming from residential real estate—and to know your business, data, and numbers inside and out.

“I am still very much a student,” she says. “I still do study air conditioning systems, fire systems. I can’t help it.”

**JOE OLIVIERI** is assistant editor for Texas REALTOR®.



## COMMITTEE PROMOTES COMMERCIAL REAL ESTATE IN TEXAS

The Texas REALTORS® Commercial Committee serves members who practice commercial real estate and positively impacts the industry through education and advocacy.

The 2021 committee is led by Chairman Daphne Zollinger, Vice-Chairman Amber Gilbert, and Liaison Michica “Mish” Guillory. This year marks the first time in committee history in which women have held all of the committee’s leadership roles. The committee discusses ways to encourage REALTORS® to get involved in commercial real estate. It also reviews commercial real estate forms and contracts for possible improvements.

The committee proposed, developed, and approved the Texas Accredited Commercial Specialist certification, a Texas REALTORS® program that provides a steppingstone to more advanced commercial education. TACS courses have already begun with more on the way.

Committee members also stay up to date on developing issues, such as energy saving technologies, proptech, and innovations that help keep people safe during the coronavirus pandemic.

Members interested in serving on the 2022 Commercial Committee can apply when the Texas REALTORS® committee signup opens in late spring.

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# LGBTQ REAL ESTATE ASSOCIATIONS



This is the fourth in a series of profiles of the multicultural allied real estate associations in Texas.

The lesbian, gay, bisexual, transgender, and queer (LGBTQ) community faces housing discrimination as homebuyers and sellers, and professional challenges as real estate practitioners. According to a 2018 Freddie Mac report, the LGBTQ homeownership rate was 49%—significantly lower than the 64% overall U.S. general population homeownership rate.

The LGBTQ+ Real Estate Alliance and the National Association of Gay & Lesbian Real Estate Professionals (NAGLREP) work to increase LGBTQ homeownership and advocate for fair housing rights. Both groups welcome all real estate professionals and seek allies outside of the LGBTQ community.

The LGBTQ+ Real Estate Alliance wants to eliminate real estate discrimination of, and highlight inclusion opportunities for, the LGBTQ community. Advocacy areas include issues facing older LGBTQ demographics, youth homelessness, and underserved groups within the LGBTQ community.

Founded in 2020, the Alliance is building out its organization. It hopes to grow from 50 to 70 chapters nationwide by mid-year. The Texas chapters launched in November, says Dallas-Fort Worth Chapter chairman Bob McCranie.

The Alliance is partnering with REALTOR® groups, nonprofits, and sponsors. “We’re not going to exclude allies,” he says. “I’m a member of a lot of the other diversity groups, too. I think it’s important to support these organizations.” It plans to host a policy summit in April and a conference in the fall.

The Alliance is developing a CE course on the challenges the LGBTQ+ community faces, overcoming unconscious bias, and the impact of housing discrimination. It also plans to publish an *LGBTQ+ First-Time Buyers Guide* this spring.

More generally, the Alliance will promote the idea that inclusion and diversity are important goals to pursue, and that LGBTQ people should have a seat at the table in the real estate industry and the community at large.

“I would love to see more training for professionals and broker-managers to be more comfortable with serving and hiring LGBTQ people,” he says. “There are a lot of brokerages out there



**Bob McCranie**  
LGBTQ+ Real Estate Alliance Dallas-Fort Worth Chapter chairman



**Jamie Zapata**  
NAGLREP San Antonio Chapter founding president

## LGBTQ+ REAL ESTATE ALLIANCE

- **Founded:** 2020
- **Mission:** Advocate for fair housing for all and promote LGBTQ+ homeownership; elevate professionalism in the industry through education and networking; celebrate diversity and inclusion in members and allied partners.
- **Focus:** Enhancing the professional lives of members, providing consumers with the proper resources to assist in buying, selling, and enjoying their home.
- **Local Chapters:** Austin, Dallas/Fort Worth, San Antonio, and Houston
- **Website:** realestatealliance.org

## NATIONAL ASSOCIATION OF GAY & LESBIAN REAL ESTATE PROFESSIONALS

- **Founded:** 2007
- **Mission:** To raise awareness and educate the public on behalf of the rights of the lesbian, gay, bisexual, and transgender community as it related to housing and discrimination laws.
- **Focus:** Increasing LGBT homeownership rates; sharing referral network of real estate professionals; advocating for LGBTQ rights; raising awareness through education and events; legislative advocacy
- **Local Chapters:** Austin and San Antonio
- **Website:** naglrep.com

where we are not welcome. Or if we are allowed in the door, we’re to keep it quiet. That’s not inclusion. At most that’s tolerance, and tolerance is not the same thing.”

NAGLREP was part of the effort to amend the NAR Code of Ethics to prohibit REALTORS® from denying professional services to individuals based on sexual orientation or gender identity. The group has lobbied elected officials to put LGBTQ protections into law, says Jamie Zapata, San Antonio Chapter founding president and the association’s first openly transgender leader.

“What a lot of people don’t know is the federal Fair Housing Act does not include protections for LGBTQ people, which means we can be denied housing or mortgage loans because of who we are,” Zapata says. “The NAR Code of Ethics does go above and beyond the Fair Housing Act, and all REALTORS® agree to uphold that code, but it’s not a law. It only applies to our industry, and it doesn’t apply to buyers and sellers.”

NAGLREP has hosted LGBT Housing Policy Summits and published an annual *LGBT Real Estate Report*. The association’s chapters have taken part in networking and educational events, such as Lunch and Learn with the San Antonio Board of REALTORS®.

“LGBTQ consumers are constantly looking for agents they can trust, with whom they can be themselves without judgment. Joining NAGLREP is one way that real estate professionals can support equal access to the American dream of homeownership for all people,” she says.

The homebuying and selling process can be anxiety-provoking for LGBTQ consumers, Zapata explains. LGBTQ clients have told her they had been turned away at open houses and made to feel unwelcome in neighborhoods.

“We’re not asking for special treatment. We’re asking for equal treatment,” she says. ★

## TEXAS REALTORS® DIVERSITY COMMITTEE

The Texas REALTORS® Diversity Committee supports activities that encourage diversity, equity, and inclusion in member involvement and leadership opportunities.

The committee works with local associations through education, sponsorship, and communication endeavors. Visit [texasrealestate.com/inclusion](http://texasrealestate.com/inclusion).

# SHARE THIS

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## CONSIDER ALL COSTS OF A HOME

Purchase price is important, but it is not the only factor when buying a home. Consider the following “costs” when choosing a place to live.



### COST OF TRAVEL

Your home is your starting point for everywhere you go. How much time does it take to get to work? Where is the nearest grocery store? How long does it take you to reach other places you want and need to go? If you drive, add fuel costs and travel time to your considerations. Are public transit options nearby? Can you walk or bike to your destination?



### COST OF INSURANCE

Insurance helps protect your property when something bad happens. Homeowners insurance is a good start: It typically covers certain types of damage to your home, your belongings, liability, and expenses if displaced. Consider additional policies based on where you live. Do you need flood or earthquake insurance?



### COST OF LIVING THERE

The expenses don’t end after you move in. Some properties may have more costly utilities and upkeep. If your property is part of a homeowners association, factor in its dues. And don’t forget property taxes.



### COST OF REPAIRS AND MAINTENANCE

Landscaping and yard maintenance costs can add up. So can repairs and replacement of items like roofs and AC units.

Your REALTOR® is an excellent source of information who can guide you through these considerations and help you find the home of your dreams.

# TAKE 5

Image © C. Schiffler - stock.adobe.com

## NEGOTIATE BETTER

The real estate industry presents many situations for negotiations—and not only on behalf of your clients. You might negotiate a new commission split with your broker (or agents), the terms of a listing agreement with a seller, and the prices of new products and services. Here are tips to get the best results.

### THROW AN ANCHOR

The first offer in a negotiation will likely sway the discussion in that direction, according to the Harvard Law School Program on Negotiation. That offer serves as an anchor, pulling subsequent negotiations toward it. For example, a \$25,000 offer to purchase a \$30,000 car may not get accepted, but it pulls the asking price down, sometimes resulting in a “split the difference” resolution.

### TALK LESS, LISTEN MORE

You’re focused on your side of the negotiation—points you want to make and how you want to make them. It’s easy to overwhelm the discussion and never understand what’s important to the other party. To find opportunities for common ground, you need to listen.

### USE SILENCE

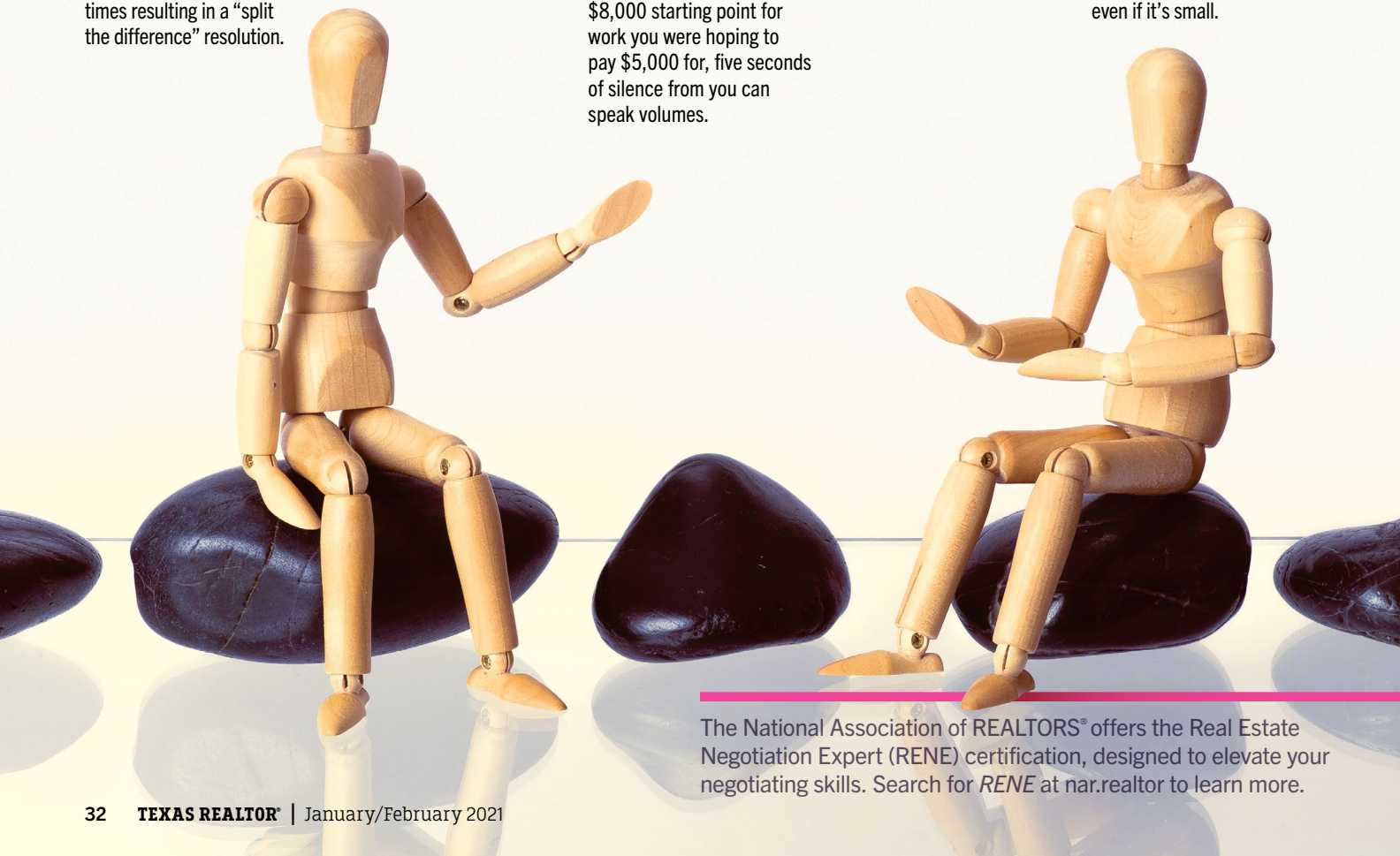
People find silence uncomfortable and will often fill it with justifications for their position or other attempts at persuasion. Taking time to digest what the other party said allows you to understand it and come up with effective counterpoints. In some cases, silence can act as its own counterpoint. For example, if a technology consultant presents an \$8,000 starting point for work you were hoping to pay \$5,000 for, five seconds of silence from you can speak volumes.

### TURN THE TABLES

People are flattered when they’re asked for advice, and that doesn’t change in negotiations. If you find yourself at a sticking point with the other parties, ask what they would do to move forward. Not only does it stroke their egos, but it might reveal areas in which they’re flexible on terms or conditions.

### GIVE AND TAKE

Agreeing to a request without asking for something in return may be a missed opportunity. For example, if a potential retail tenant asks for a reduction in the monthly rent, you might ask for a longer lease. Otherwise, you send a message that the listed rent is too high. Likewise, when you ask for a change in your favor, include what you’re willing to give, even if it’s small.



The National Association of REALTORS® offers the Real Estate Negotiation Expert (RENE) certification, designed to elevate your negotiating skills. Search for *RENE* at nar.realtor to learn more.



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<p><b>No Credit Scores?</b>                  No Problem.                  Alternative Credit Loans using Utility Bills, Etc. Are Available.</p>	<p><b>WVOE</b>                  Written Verification of Employment Loans  <b>Qualify with amount stated in VOE Form by Employer.</b>  <b>No Tax Returns.</b></p>	<p><b>Self Employed</b>  <b>Only 1 Year Tax Return</b>  <b>Loan program.</b></p>	<p><b>Self Employed</b>  <b>1 Year Profit &amp; Loss Statement Only</b>  <b>Loan Program</b>  <b>No Tax Returns.</b></p>	<p><b>Bank Statements Loan Program</b>                  Qualify with Bank Statements Deposits 3, 12, Or 24 Months.                  Self Employed,                  No Tax Returns</p>
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