

REALTOR® AE

REALTOR.ORG/RAE

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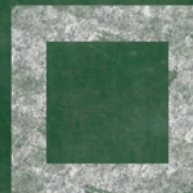
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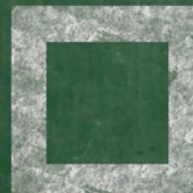
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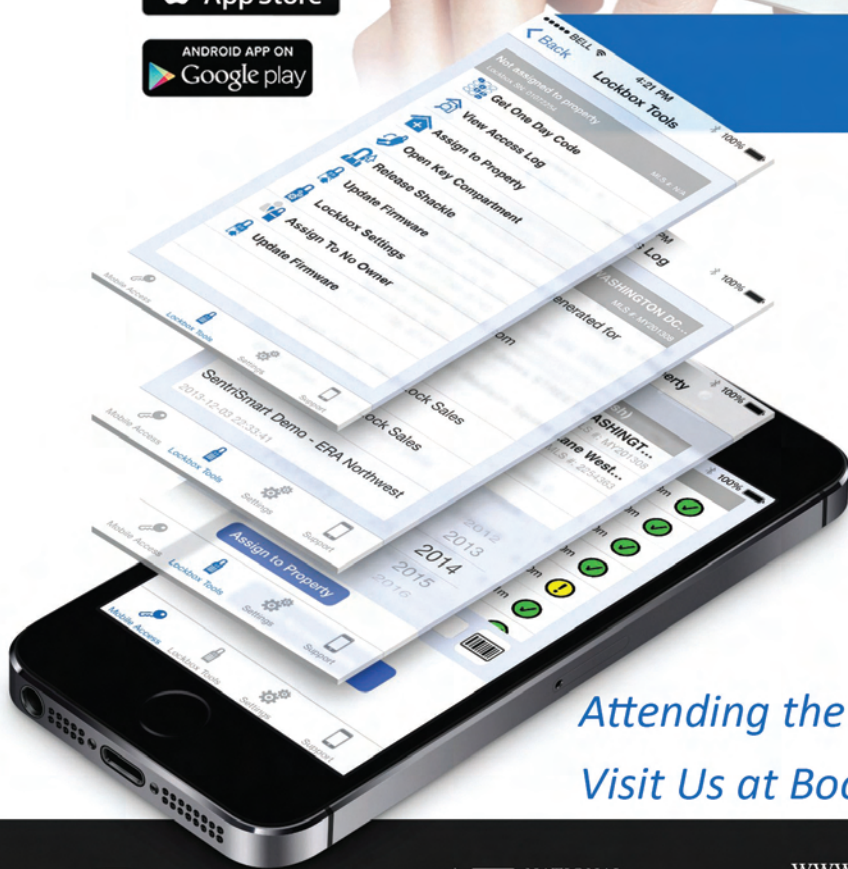
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Planning and writing surveys that generate insightful and actionable data is harder than you think.

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need to know

BIG DATA

Harness Data to Drive Value

What state associations plan to do with more information about members.

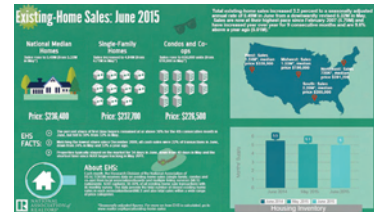
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Where to find the answers to nearly any real estate question members ask.

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Stay tuned to your weekly INS reports later this year for the call for volunteers or send an e-mail to RAE Editor Carolyn Schwaar at cschwaar@realtors.org.

Leadership's Mentoring Imperative



Jarrod C. Grasso, RCE,
CEO, New Jersey
Association of
REALTORS®, 2015 chair
of the AE Committee

As I prepare to close this chapter as chair of the 2015 Association Executive Committee, I'd like to share a little bit about how I got to where I am today.

My story doesn't exist without Robert F. Ferguson, who loyally served as executive vice president of the New Jersey Association of REALTORS® for more than 40 years. When he approached me to work in the government affairs department, our first meeting was supposed to last only a few

minutes. Hours later, I was sold. His attention and focus on my career goals didn't stop after that first meeting. Instead, they grew.

I'm not sure I can adequately express how important it was for me to have a strong mentor as I moved up through the association. I had someone who was there to teach me skills for situations no classroom could dream up and someone to tell me when I did something wrong and allow me to find a way to fix it. He was a strong leader, someone who put it all out there for the greater good. He gained loyal followers like me because he proved, time and again, that his leadership was effective and unmatched.

I set out to be the version of myself that Ferg believed in. It's a task I aim to live up

to every day. I understand the gift he gave me as a mentor, and, just as I encourage my staff to do, I urge you to take on your leadership role with great pride and responsibility. Your effect on those around you—colleagues and coworkers—can be considerable. Remember that your leadership in times of hardship can often define your style, and your leadership in the best of times can define your approachability. Understand that everyone around you has goals and aspirations that are different and unique and worthy to them.

Ferg passed away Jan. 12, 2010. Not a day goes by that I don't think about him or wish I had the opportunity to talk to him one more time. I think he would agree with this last piece of advice: Aim to lead not only your membership but those within your association to great, valuable careers they are proud of.

It has been an honor to serve with the NAR Leadership Team led by President Chris Polychron. I wish our incoming AE chairman, Marc Lebowitz, and incoming vice chairman, Mike Theo, the best of luck in 2016. I'd like to extend a sincere thank you to Steve Franks who served as the AEC liaison to the Executive Committee. To all the staff at NAR, especially the Leadership Team liaison to the AEC, Stephanie Walker, your hard work does not go unnoticed.



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D.A.N.G.E.R. Report Guides Association Strategic Planning

Associations across the country are using a new tool at strategic planning sessions: the D.A.N.G.E.R. report and its online interactive component.

Released in May, the 164-page report commissioned by NAR from real estate consultant Stefan Swanepoel details 50 threats, risks, and challenges the real estate industry is facing today or could face in the near future. It has been widely discussed and debated on social media and has become the focal point of roundtable discussions, membership luncheons, leadership retreats, and planning meetings at REALTOR® associations nationwide.

The report presents scenarios to consider, such as agent teams threatening the survival of brokerages or the impact a national MLS might have on associations. The goal of the D.A.N.G.E.R. (Definitive Analysis of Negative Game Changers Emerging in Real Estate) report is to help every brokerage, MLS, and association think through some fundamental threats and changes that may be coming to the real estate industry.

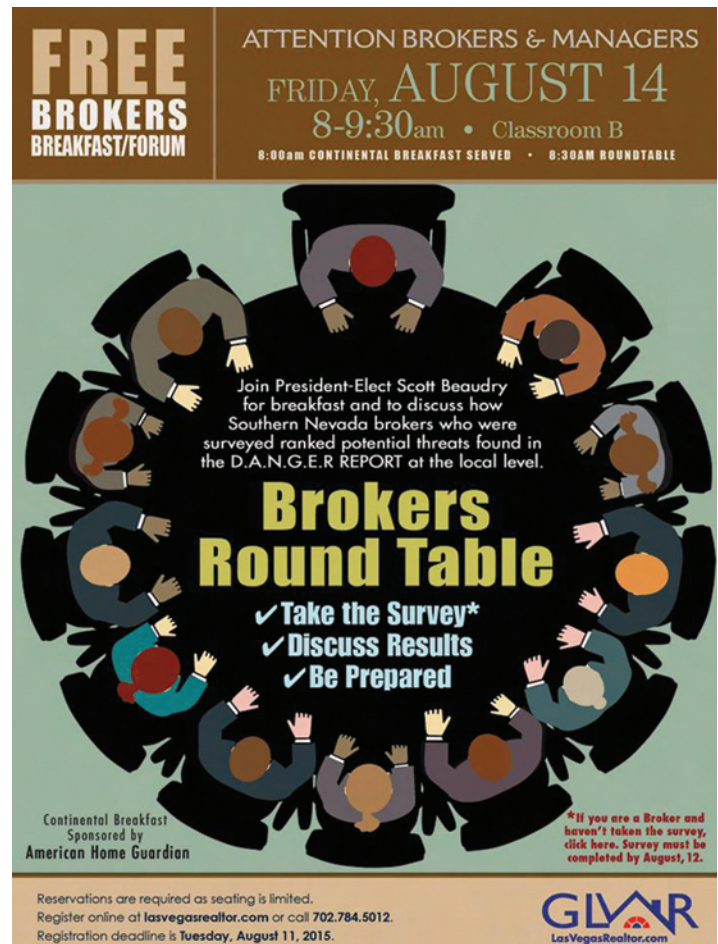
In New York, state association CEO Duncan MacKenzie, RCE, has been talking about the D.A.N.G.E.R. report at regional REALTOR® luncheons around the state. "A few local boards said that they would use it as reference for their 2016 strategic planning," he says.

The Atlanta Board of REALTORS® hosted an invitation-only, candid roundtable discussion with area brokers about the report facilitated by Mike Oppler, vice chair of NAR's Strategic Thinking Advisory Committee, which commissioned the study. The event, "What the DANGER Report Means to You," guided brokers through the issues that may threaten their businesses in the years to come.

The San Mateo County Association of REALTORS® in California invited real estate consultant Adorna Carroll to host a presentation of the report to its membership at a monthly meeting and at the new member orientation. "We had a pretty good reaction to the report, with a lot of questions and answers afterward," says association communications director Nasreen Willis. "The YPNers are already ahead of the game and pretty much agreed with the report."

Online report component

To help guide the discussion process, an interactive and customizable survey of dangers is posted at dangerreport.com. Each of the 50 dangers is presented with options to select how likely you believe



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- ✓ Discuss Results
- ✓ Be Prepared

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*If you are a Broker and haven't taken the survey, click here. Survey must be completed by August 12.

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The Greater Las Vegas Association of REALTORS® was among dozens of associations that hosted a D.A.N.G.E.R. report-focused event since the release of the study in May.

this threat will affect your association, when it could impact your association, and how big of an effect this danger will have on your association. The program sorts the dangers by level of threat in each of five sections: agents, brokers, associations, NAR, and MLS.

The threat level survey at dangerreport.com, like the print report, doesn't offer any solutions to the challenges. The survey is a companion to—not a replacement for—reading the full report and is a way to guide a group discussion focused on your individual association or MLS. Have association staff and elected leaders complete the threat level survey individually before discussing it as a group.

The D.A.N.G.E.R. report is based on data from a national survey of approximately 7,800 REALTORS® and interviews with 74 high-level executives and other real estate industry leaders. The report also takes other real estate-related studies, reports, articles, and surveys into account.

NAR's leadership and Strategic Thinking Advisory Committee will discuss all the report's findings over the next year to create future strategic direction based on what they find useful, forward-thinking, progressive, and actionable.

Successful Programs

No Drone Photos, Unless ...

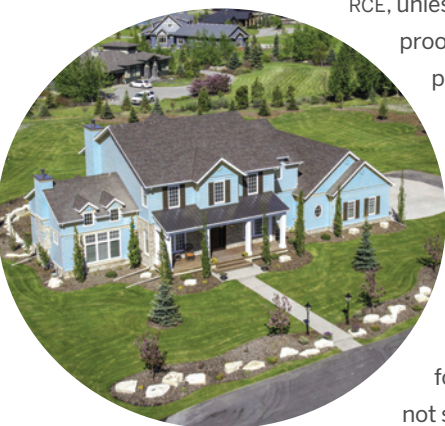
After a great deal of research, much discussion, the advice of legal counsel, and approval from NAR, the board of directors of the West Michigan Lakeshore Association of REALTORS® has banned from its MLS photos taken with a drone, says association CEO Dale Zahn,

RCE, unless the MLS subscriber can submit proof that the photos were taken in compliance with all requirements of the Federal Aviation Administration and other applicable laws regulating the use of drones for commercial purposes.

In its memo to subscribers, the association said the decision was about “safety and security and following the law. The directors are not saying a member cannot use drone photography. They are saying do it right. To

do it right, this means obtaining a Section 333 waiver from the FAA.”

The new MLS rule states that any photos, videos, images, or depictions submitted in violation of the rule will be removed from display and the participant will be subject to disciplinary action.



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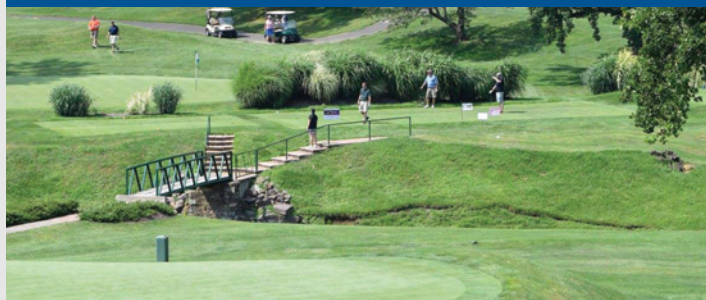
The trademark term “REALTOR®” was adopted in 1916 to identify the members of the National Association of REALTORS®, a revolutionary group of individuals deeply committed to integrity, community, and protecting the American dream of property ownership. Throughout 2016, NAR will celebrate the association’s history, future, and members. As part of the celebration, NAR will launch an interactive website late this year where members can share how they are making a difference within their communities. Local associations are asked to encourage their members to submit stories and to nominate commendable members whose contributions show pride in who they are and how they are helping consumers understand the power of REALTORS®. Look for more information in early 2016.

Consumer Outreach: Enhancing the REALTOR® image.



The “Home Ownership Matters” float created by the Ashland Board of REALTORS® in Ohio was a popular attraction in the city of Ashland’s bicentennial parade. Members of the association’s Public Relations Committee and leadership wore REALTOR® T-shirts while walking with the float and handing out candy.

Consumer Outreach: Enhancing the REALTOR® image.



The Montgomery County Association of REALTORS® in Pennsylvania hosted its annual golf outing July 20 as a fundraiser for Family Services of Montgomery County. More than 120 people golfed and more than 180 attended a dinner and silent auction to raise a record \$18,000.

Consumer Outreach: Enhancing the REALTOR® image.



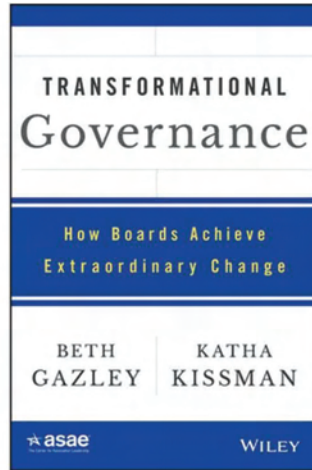
The South Metro Denver REALTOR® Association and RE/MAX partnered with Habitat for Humanity to provide half of a full-home sponsorship (\$42,500). REALTOR® volunteers were onsite in August to help build the house for a deserving family.

REALTOR® Association Featured as Model of Board Governance in New Book

The success story and best practices of the Northern Virginia Associations of REALTORS® and its former CEO, Christine Todd, in cultivating a highly effective board of directors are featured in the new book, *Transformational Governance: How Boards Achieve Extraordinary Change*. Building on the previous research of member-serving association boards highlighted in *What Makes High-Performing Boards*, authors Beth Gazley and Katha Kissman focus on the stages and processes CEOs and their staff used to

transform volunteer boards—bringing about significant changes in governance practices that had positive effect. The authors explore in depth the actions a board can take to

achieve desired results, including techniques for altering expectations and changing bylaws, structures, policies, and roles. Based on research funded by the ASAE Foundation,



the book fills a gap in the governance literature by emphasizing diagnosis and problem solving, using the actual tools and activities implemented by 85 transformed associations. Combining the credibility of scholarly research with lively and compelling stories, tools, and teachable moments, this book is designed to help associations

and other nonprofit organizations achieve the entire journey to good governance, from first to last steps. It's available at Amazon.com in hardcover and e-book.

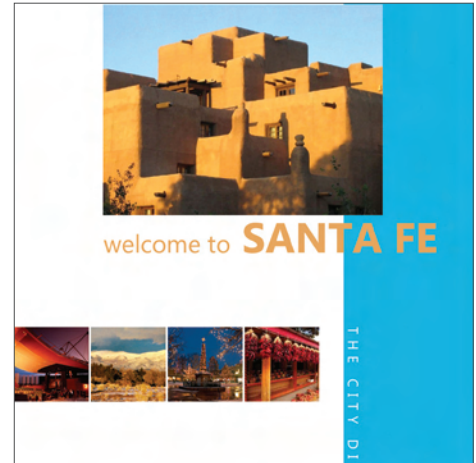
Are Your Members Ready for TRID?

On Nov. 20, 2013, the U.S. Consumer Financial Protection Bureau ruled to integrate disclosures and regulations required by RESPA and the Truth in Lending Act. The final rule, called TILA-RESPA Integrated Disclosure, or TRID, integrates existing disclosures with new requirements from the Dodd-Frank Act to improve consumer understanding of the mortgage process, aid in comparison shopping, and help prevent surprises at the closing table. These changes take effect Oct. 3.

A recent survey by the National Association of REALTORS® found that most members are aware of the mortgage closing changes, yet when asked if they are ready for the change, slightly more than 20 percent of members said they were not ready or only somewhat ready.

Direct your members to the myriad resources available to help them understand the changes. Among the online resources is a sharable NAR video explaining the closing changes (at realtor.org/topics/trid-tila-respa-integrated-disclosure), the Field Guide to the TILA-RESPA Integrated Disclosure Rule (at realtor.org/field-guides/field-guide-to-the-tila-respa-integrated-disclosure-rule-trid), and the Consumer Financial Protection Bureau's "Know Before You Owe: The Real Estate Professional's Guide" (at consumerfinance.gov/know-before-you-owe/real-estate-professionals).

NAR has established a strong cooperative relationship with the CFPB to communicate the resources available to REALTORS®, and to work together to address the impact TRID will have on closings.



The Santa Fe Association of REALTORS®' new "Welcome to Santa Fe" guide features a wealth of information for new home owners and residents alike, including extensive information on local affordable housing programs and services. The association received funding from NAR's Housing Opportunity Program Grant program to produce the guide, which includes a section where members can add their personal information for sharing with clients.

Bring NAR Tech Edge to Your Board in 2016

Contact the National Association of REALTORS® by Nov. 1 if you would like your association to host one of eight NAR Tech Edge events planned for 2016. The event is a one-day conference that brings the latest business technology to your members. NAR speakers and local technology experts present sessions on everything from mobile marketing and online identities to Facebook for business and content creation. For more, visit epronar.com/nar-tech-edge/host.



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Florida Realtors strives to utilize technology to better assist REALTORS® and their profession. Provide your members with the total transaction solution for real estate professionals. Provide them with Form Simplicity.



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Indianapolis REALTORS® Score Win-Win With Graffiti Abatement Program

Using a Game Changer Grant from the National Association of REALTORS®, the Metropolitan Indianapolis Board of REALTORS® joined forces with other local funders to create the mobile Graffiti Abatement Unit that responds to calls from residents reporting graffiti and from property owners who are unable to remove graffiti from their own houses and businesses. The program uses a donated fire truck and a trailer fully loaded with equipment and is staffed by Recycle Force, a program helping former inmates reenter the workforce with dignity, viable skills, and a strong work ethic.



The associations celebrated the launch of the Graffiti Abatement Unit on June 24 with a volunteer opportunity and news conference, which brought out about 20 members who painted several high-profile sites along a major thoroughfare.

“The challenges of graffiti are not unique to Indianapolis; communities across the country are dealing with it,” says Chris Pryor, government affairs director of the 6,850-member association. “Programs like this are one way that REALTORS® can have a direct impact on the issue of crime,” he

says. “We believe it’s a terrific way for REALTORS® to be a part of the solution in supporting a healthy real estate market and a safer, more vibrant community.”

REALTORS® Help Elect Pro-Business REALTOR® Champion to City Council

When a seat opened up on the San Jose, Calif., city council last January, the 5,000-member Santa Clara County Association of REALTORS® took action. It saw an opportunity to elect a candidate who would stand up for its issues on a council that was fairly evenly divided between labor and business. And there were a number of significant property-rights issues looming on the horizon.

Adding a grant from the REALTOR® Party to political action funds of its own, the association supported REALTOR® champion Manh Nguyen, a Vietnamese-American businessman, with a powerful and positive independent expenditure campaign. He won a decisive victory in the June election.

Shortly after the election, Nguyen attended SCCAOR’s annual membership picnic, where he expressed his gratitude and took the time to meet with members. “We invite all the local elected officials,” says association Government Affairs Director Vince Rocha. “Many of them make a point of coming because they know that REALTORS® understand the needs of the community and our neighborhoods.”

Washington State REALTORS® Help Defeat Two Tax Hikes

In consultation with the National Association of REALTORS® Campaign Services team, the Washington Association of REALTORS® developed an extended two-part plan it called “Recover Washington” to battle proposed tax hikes. First, in the past election year, the association worked hard to get as many friends as possible in place in the legislature; second, with a significant Issues Mobilization grant from the REALTOR® Party and the participation of a 25-member coalition of small business advocacy groups, the association conducted a major public issue campaign, making use of television, radio, online ads, social media, mailers, and paid calls targeting swing districts, all with the counsel of NAR’s razor-sharp polling services.

Washington Association leadership was

deeply involved in the effort, and members responded energetically to the association’s calls to action; they also tackled the tax issue as a focal point of their annual Hill Day, when they meet with members of the legislature to discuss matters that affect the real estate industry. “It was a great marriage of NAR resources, our association’s resources, and the grassroots effort of members out in the field,” says association GAD Nathan Gorton.

By leading a coalition of like-minded

groups representing small businesses, he adds, the Washington Association was able to fight a tax on its members without appearing self-serving.

In the end, the “Recover Washington” campaign scored two major wins. First, a 20 percent increase in the gross receipts tax paid by REALTORS® was deleted from the proposed tax package. Then, a new 7 percent capital gains tax on investment properties and second homes was defeated after a bitter battle that went into special session.

“It’s been a long, hard fight, and a real roller-coaster ride at times,” says association CEO Steve Francks, “but in the end, I can proudly say that this was as good a legislative session as WR has ever had. And we could not have achieved this victory without the tremendous support and expertise of NAR.”





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Survey Members the Right Way

Technology tools make launching surveys easy, but planning and writing surveys that generate insightful and actionable data is harder than you think.

Survey design is a skill and, in a perfect world, everyone would hire research professionals. But time and budget constraints lead association staff to conduct surveys themselves. Here are a few basic ways to make sure that your DIY surveys yield solid information you can act on.

Most REALTOR® associations conduct surveys. Member feedback is critical for strategic planning and program and service development. In fact, surveys can measure and quantify just about anything, but should always be undertaken with a specific business need or question in mind. Approach survey building carefully so the data you get back can guide the decisions you need to make.

For example, let's say your association wants to re-examine "the way things have always been done" and create new value for your members. A survey can help you figure out how to create the best possible programs and services for your members. So where do you start?

There are several steps to take before writing survey questions:

1. Know what question you need the data to answer.

Let's say you want to find the one new service that would most benefit members right now.

2. Know what you're going to do with the data. The information you get back needs to be actionable. In this

scenario, the data will guide your program development, so be sure that leadership is on board with following where the data guides you.

3. Define the problem. What issue will the survey results help you resolve? In this case, there's a perceived lack of value in member services.

4. Put together a research objective. A research objective should be very clear and simple, and phrased: "To determine or measure X in order to Y." Here, the objective could be, "To determine what new service would be of most value to our members right now in order to create a program that will increase the value proposition of membership."

Once you've taken these initial steps, you're ready to write your survey questions. The major things to keep in mind when designing a survey are that you want it to:

- Be easy for your members to answer honestly and with as little of their time and energy as possible.
- Reflect as little of your own bias as possible (and we all have biases).
- Reflect the group you're trying to draw conclusions from (in this case, all of your members).
- Enable you to draw conclusions from the data in terms of who your members are and what they need.
- Yield actionable information for your association.

Continued on page 12

Association Value Survey

These questions are samples of what you might include in a member survey intended to measure the use and effectiveness of association products and services.

1. How useful do you find the association's website?

- 1 Not at all useful
- 2 Not very useful
- 3 Of neutral use
- 4 Useful
- 5 Very useful
- I don't use the association website

2. How often do you read the association's weekly e-newsletter?

- 1 every week
- 2 a few times a month
- 3 once a month
- 4 less than once a month
- 5 rarely
- 6 never
- Not sure

3. Have you taken any education courses at the association?

- Yes
- No
- Not sure

4. Have you ever attended the association annual convention?

- Yes
- No (SKIP to Q6)
- Not sure

5. How useful did you find the event on a scale of 1 to 5?

- 1 Not at all useful
- 2 Not very useful
- 3 Of neutral use
- 4 Useful
- 5 Very useful

6. Please describe the most valuable product or service you receive from the association:

7. For each of the following association services, please rate your satisfaction level:

1: Very Dissatisfied, 2: Dissatisfied, 3: Neutral, 4: Satisfied, 5: Very Satisfied, 6: I'm not aware of or have never used this service

- Monthly magazine
- Facebook group
- Networking mixers
- C.E. classes
- Online education
- Legal hotline
- Open house tour
- Market reports

8. Are you interested in volunteering for an association committee or work group?

- Yes
- No
- Not sure

9. What product or service not offered by the association would you most want to see?

10. If you have any further comments, please let us know here:

11. How many years have you been in real estate?

12. Please describe your main business function in real estate:

- Residential sales
- Brokerage management
- Commercial sales
- Resort/second home
- Other:

Survey versus focus group

Surveys (quantitative research) and focus groups (qualitative research) are not interchangeable. Which one to choose depends on your research objective or what you need to do with the information. If you need to explore or uncover issues or underlying reasons for behaviors, then you need a focus group. If you need to measure or determine behaviors or factors that you are already positive you understand, then you're ready for a survey. If you aren't even sure what your members' greatest needs are right now or how to address them, you need to talk to some of them using qualitative research. You can't measure how big the problems are if you're not sure what the problems are in the first place.

Anonymous or named?

Your surveys should always be anonymous. You can collect member information for a drawing at the end, but if you want honest responses, you need to assure your members that their individual responses will not be connected with any identifying information. Yet you can still ask demographic questions, such as function in real estate, age, years in real estate, gender, and income. These are good ways to segment your results to see if there are differences among groups. But your members need to know that that information will not be used to market to them and will not be passed on to a third party.

Continued from page 10

In our scenario, your questions should address not only what members want and need but also which association services members are aware of.

Surveys Dos

1. Give your members an “out.” If there is any chance that someone might not have an answer or opinion about a question, include “Don’t know” or “No opinion” as responses. Allow your members to respond honestly. Not allowing for these neutral responses will skew your data and make your results unreliable.

2. Ask one question at a time. For instance, if you want to know which services your members are actually aware of as well as how useful they find them, ask these questions separately. Ask only those who are aware of a particular service to tell you how useful they find it. If you ask your members how useful they find something they didn’t know existed, you’ve skewed your data.

3. Make your response lists exhaustive. For every question, think of as many responses as possible and use those as your options. Include a final response option of “Other, please specify” with a single-line comment box to cover anything you might not have thought of.

4. Use skip patterns. Even the most basic survey software will allow you to program a survey so that people who answer one way to a particular question will then get another question that applies to them, and people who answer another way won’t see that question. Skip patterns ensure that you don’t waste your members’ time with questions they can’t answer, and that they aren’t giving responses that make no sense. If you’re using a hard-copy survey, you can write, “If no, skip to question X.”

5. Add at least one open-ended question—but use no more than three. Your members will always want a question at the end of the survey that lets them tell you

If you find yourself wanting to ask many open-ended questions, you shouldn’t be doing a survey because you don’t yet know what you need to measure.

what they think in their own words. “If you have any further comments, please let us know here” with a comment box underneath is a great way to end a survey. Don’t offer an e-mail address for them to send comments; build commenting into your survey. Keep in mind that it’s very difficult (sometimes impossible) to quantify the responses to open-ended questions. If you find yourself wanting to ask many open-ended questions, you shouldn’t be doing a survey because you don’t yet know what you need to measure. Back up and talk to your members via qualitative research, such as telephone interviews or focus groups.

6. Phrase the questions in a neutral way. Take a hard look at your own need to hear particular answers, and make sure that doesn’t come through in your survey. Resist the urge to explain why a particular service is important, for example, if what you’re trying to measure is how important your members think it is.

7. Avoid yes-or-no questions. There are very few cases in which your members will have responses as black and white as “yes” or “no” to anything. You will get a much more realistic idea of how your members feel about something using a rating scale. For instance, instead of asking, “Do you find X member resource useful,” consider asking

them to rate how useful that resource is on a scale of 1 to 5, where 1 is “not at all useful” and 5 is “very useful.” If you must ask a yes-or-no question (for instance, whether your members support a particular piece of legislation), you still need to give them an out of “No opinion.”

8. Use imbalanced rating scales. If you do use a scale, make it uneven. Your members need to be allowed a middle ground. If you give them an even scale, you’ve forced a response, either positive or negative. Allow for neutral feelings or you’ll skew your data.

9. Keep your surveys as brief as possible. If it takes you or a staff member longer than 10 minutes to take it, it’s probably too long. Consider sending two shorter surveys stretched across a longer period of time. If you absolutely must send out a lengthier survey, make sure you’re offering your members an incentive to participate.

Survey Don’ts

1. Don’t make sensitive questions mandatory. Certain questions about income or transaction sides can make your respondents uneasy. Make those questions optional—and for income-related questions, put the responses in ranges. A member might not be willing to tell you that he made only \$15,000 in real estate in 2014, but might be willing to say that he earned “less than \$20,000.”

2. Don’t complicate the survey. If you need to give background before members can answer a question, make that background brief and to the point. No one will read a full page of anything before answering a question. And keep the questions themselves brief, clear, and conversational.



Lisa Herceg is the director of marketing research for the National Association of REALTORS®. Contact her at 312-329-8563 or lherceg@realtors.org.

Harness Data to Drive Value

What state associations plan to do with more information about members.

As consumers, we know that every time we use our rewards card at a store or search for something on Amazon, these companies collect information about our inclinations and habits. Large retailers are expert at predicting our preferences and offering discounts on the products we're actually interested in (most of the time). It's the same on sites including Facebook and LinkedIn, which use our habits to display the posts and updates we've shown to favor in the past.

This all works to create a more productive and inviting environment for consumers and a win for companies such as Amazon and Facebook and their advertisers, since we are likely to use these sites more often and buy more products.

How can harnessing data about members be used to boost value, create a more welcoming environment, and cultivate a more successful REALTOR® association?

With a rich collection of data on members culled from a wide variety of association and public data sources including census and voter registration, associations can build a full profile of each member. Using this data, they can better track the use and performance of products and services, better target future offerings, and eventually save members time and money. With background data on members such as college degrees, home ownership, and previous careers or volunteer experience, associations can better determine which members are more likely to volunteer, which may make good leaders, and which may have expertise to contribute to a specific committee or workgroup.

This is the idea the Washington REALTORS® have in mind with their new member data initiative.

"We want to track utilization of benefits,

such as our legal hotline, and collect data on past occupations, languages, real estate specialties, leadership roles, as well as demographic information such as age and marital status, plus all the political information available from other sources," says the organization's Communications Director Steve Klaniecki.

The more we know about our members, their relationship to the association and their real estate background, the better we can target messages and services to the right REALTORS® at the right time in their careers. That's how you provide value."

—Steve Francks, CEO,
Washington Association of REALTORS®

The ultimate goal of the REALTORS® project is to boost association value, says association CEO Steve Francks.

"Our research tells us that no single value proposition fits every member," Francks says. "Different REALTORS® have different needs and expectations of their association, depending on their specialty, location, years in the business, management responsibility, and the like. So the more we know about our members, their relationship to the association, and their real estate background, the better we can target messages and services to the right REALTORS® at the right time in their careers. That's how you provide value."

Francks is working with the National Association of REALTORS® on a data pilot project that may pave the way for all associations to benefit from a member data initiative.

The backbone of the Washington proj-

ect—the platform to collect and organize all of this data—is RAMCO, the AE-designed REALTOR® Association Management System Co-Operative. With this platform, associations of any size can collect and put to use a wide range of member information.

"With RAMCO, we'll be able to see a better picture of our members," says Kevin Juliano, digital media manager at the Pennsylvania Association of REALTORS®. PAR is also launching a data project initially aimed at tracking use of association programs.

"By tracking those who are involved with our board and those who use some of our member benefits, we can essentially do reverse marketing to those who aren't taking advantage of specific programs," says Juliano. "If we see a dip in one program, we can target members who may have not used the service and remind those who may have only used it sparingly. Ultimately, we want to share the importance of state membership and the benefits REALTORS® receive."

By using an e-mail system called Exact Target from Salesforce, which plugs into RAMCO, PAR can automate the delivery of custom messaging to targeted groups of members.

"We hear from members that they receive too many e-mails, but then we hear from some of the same members that they didn't know about an event or program," says Juliano. "Our goal is to allow each member to customize his or her e-mail preferences based on several topics, general information, Preferred PARTners, events, and more."

Like Amazon and Facebook, the Washington and Pennsylvania REALTOR® associations know every member has unique preferences and needs, and the best way to keep them engaged is to offer them what they need when they need it.

Know Everything About Real Estate

Where to find the answers to nearly any real estate question members ask.

You want your REALTOR® association to be the best resource for real estate information. Yet for single-staff associations, it can be a challenge to keep track of where to find the information members ask for, let alone distribute all the information they may benefit from.

Below is a handy guide to NAR's most popular reports and other sources of great data for members about real estate, home buy-

ers and sellers, and fellow members. Tip: Extract data from these sources for daily or weekly social media posts. If your members or local media have other real estate questions not covered here, check out the NAR Field Guides, one-stop resource packages on dozens of subjects of interest organized by topic (realtor.org/field-guides), or contact (e-mail, phone, live chat, Skype) NAR's information services (realtor.org/contact-us).

Just the Facts: Members, Consumers, and the Market

NAR's Information Services department offers a great overview of the top real estate facts from some of NAR's most requested reports and other sources, plus links to those reports here: realtor.org/field-guides/field-guide-to-quick-real-estate-statistics. This page features at-a-glance data from the latest reports on home buyers and sellers, members, FSBOs, home ownership, and more.

Insight Into the Current Market

When members or the media are looking for more insight than numbers can offer, check out the Economists' Outlook blog. Here (economistsoutlook.blogs.realtor.org) you'll find analysis from NAR Chief Economist Lawrence Yun and other NAR research experts on how various economic indicators affect the real estate market, including what the data (housing starts, mortgage applications, consumer prices, and more) really mean to REALTORS® and consumers.

About Home Owners and Sellers

The more members know about trends among home buyers and sellers, the better they can target their business efforts. NAR provides the annual *Profile of Home Buyers and Sellers* and the

State and Local Market Data

For most associations, your MLS is the key source for local housing market indicators and your state association economist offers insights into this data. To compare your state with other states and areas, NAR maintains a list of links to state REALTOR® association data, which often includes a breakdown by county and metro area (economistsoutlook.blogs.realtor.org/2015/08/24/existing-home-sales-data-by-state). NAR also provides a state-by-state report on international transactions (realtor.org/reports/state-by-state-international-business-reports).

Associations in metro areas can tap into

a range of research from NAR including the Local Market Reports (realtor.org/reports/local-market-reports), which summarize the fundamentals and direction of the nation's largest metro housing markets; the change of home ownership rate for the 100 top metro areas; and the quarterly metro area prices and affordability (the top 180 areas).

NAR's State-by-State Economic Impact of Real Estate Activity reports (realtor.org/reports/state-by-state-economic-impact-of-real-estate-activity) provide numbers relating to the contribution of the real estate industry to a state's economy and GDP.

On REALTORS® and Firms

Associations report that REALTORS® love information about REALTORS®, from average transactions per year to time spent on social networks. NAR offers a range of data on REALTORS® in these three key annual reports accompanied by video overviews and infographics: *NAR Member Profile*, *Profile of Real Estate Firms*, and *Commercial Member Profile*. The "REALTORS® Confidence Index"

asks practitioners about their expectations for home sales, prices, and market conditions, and yields insightful nuggets of information, such as the biggest reason for delayed closings being obtaining financing, and the biggest reason behind terminated contracts being from home inspections and environmental issues. Also check out the "REALTOR® Technology Survey."

"Home Buyer and Seller Generational Trends" study. Other consumer-focused studies, such as the "Community and Transportation Preferences Survey," the *Investment and Vacation Home Buyers*

Survey, the *Profile of Buyers' Home Feature Preferences*, and the "Digital House Hunt" (realtor.org/research-and-statistics/research-reports#home), are published sporadically.



CREATE — COLLABORATE — CLOSE

You Create transactions, You Collaborate with clients or peers, then You Close faster with zipForm® Plus - the industry leading forms software.



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Enable transaction access for collaborators whether or not they currently use zipForm® Plus

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Visit zipLogix.com/zipformplus or call 866-MY FORMS to learn more.

zipForm® is the Exclusive and Official Forms Software of the NATIONAL ASSOCIATION OF REALTORS®.



Take Data Beyond Charts & Graphs

Cheap and easy technology transforms information into engaging graphics.

Raw data used to be boring. But today's infographics have changed the way we consume data. Infographics aren't just new versions of charts and graphs; they are a vehicle for sharing all types of information more effectively and efficiently than text alone.

Studies show that people retain more visual data than what they read or hear. So as more members use smartphones and social media to receive association news and information, infographics make sense. They condense and transmit an immense amount of information that's quickly and

easily digestible.

Infographics are not meant to replace your association's full reports, surveys, or guides. Often they are coupled with a link to more information, but they can also be useful on their own. In fact, infographics are the fastest-growing digital marketing strategy in the U.S., according to a survey by Content Marketing Institute.

Although they lend themselves to displaying survey data and statistics, infographics can convey the benefits of contributing to RPAC, the reasons why continuing education

leads to career success, or any other idea your association seeks to promote. They are also ideal tools for displaying data to leadership or your directors about programs, budgets, or services.

Infographics can be fun and powerful if you use the right tools. Here are some cheap and easy online services and apps recommended by REALTOR® association staff that enable you to create your own infographics. Some offerings are as simple as uploading your data to a template, while others allow for full customization.



Scottsdale Association of REALTORS® Communication Director Amanda Sue Piltz uses Piktochart for frequent infographics like this one on market data.

■ **Piktochart** is an easy infographic design app that requires very little effort to produce beautiful, high-quality graphics. Cost: Free; a pro version with more templates costs \$39 annually (nonprofits), \$290 annually (corporations).

■ **Vennage** enables you to feed your data from a range of formats into its library of charts, maps, and other graphics. Cost: \$15 per month for corporations, with discounts for nonprofits.

■ **Infogr.am** concentrates on data visualization, or making better, more interactive charts and graphs. Cost: Accounts

with very limited features are free; costs range from \$15 to \$166 per month for pro accounts.

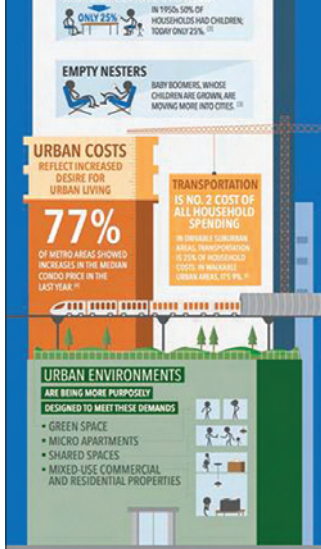
■ **Easel.ly** features thousands of free infographic templates and design objects that users can customize to create and share their visual ideas online. Cost: free (limited template library); a pro account costs \$3 per month.

■ **Canva** offers an infographic maker and design platform with hundreds of free elements that you can also use for print graphics, blog graphics, presentations, posters, and more. Cost: Many images are free; others are \$1 each.

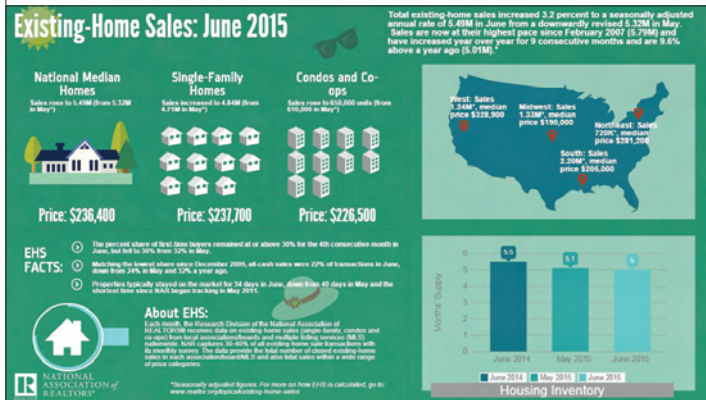


Laura Jenkins Haag, communications director at the Orlando Association of REALTORS®, also uses Piktochart and says, "We recently tried creating a simplified version (above), and we found that members are sharing these much more than the full infographic (below)."



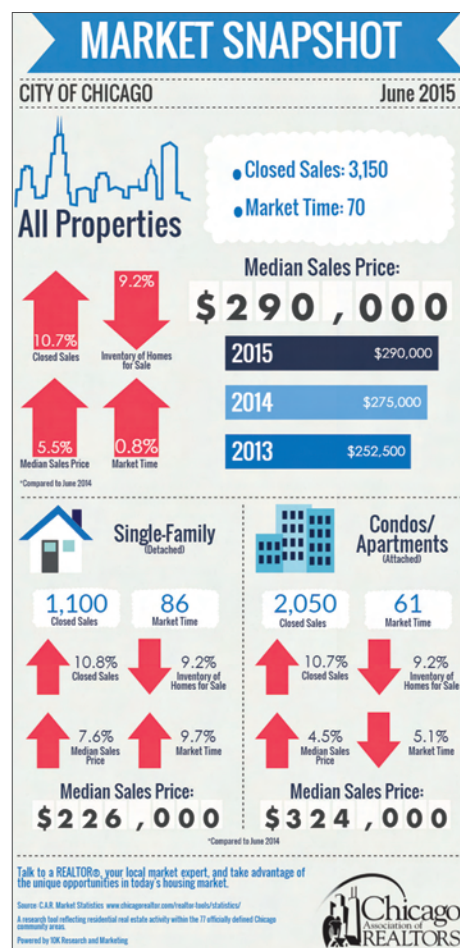
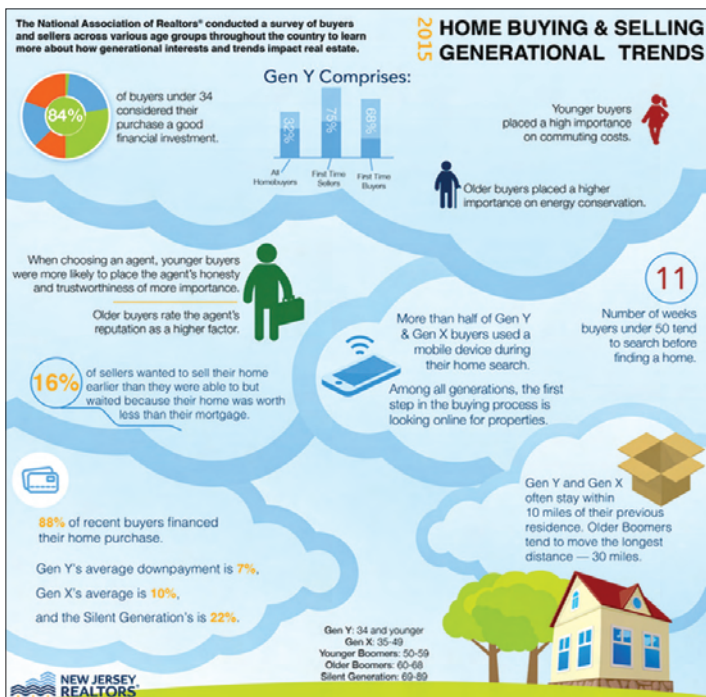


Eric Berman, communications director of the Massachusetts Association of REALTORS®, creates infographics in-house. This one highlights monthly sales data. Berman uses the same layout each month but changes the colors.



Angela Fabbri, director of marketing and communications at the Coastal Carolinas Association of REALTORS®, S.C., uses Easel.ly for regular infographics like this one on local home sales.

(above) The National Association of REALTORS® expects to release one infographic with every NAR report going forward, says TJ Doyle, director of executive and digital communication. "Members really enjoy infographics and they drive our social engagement numbers through the roof," he says. These three NAR infographics are available at realtor.org and at NAR's social media outlets.



(above) This infographic from the New Jersey Association of REALTORS® uses data from the National Association of REALTORS® Home Buying and Selling Generational Trends report.

Jessica Kern, director of marketing and communications at the Chicago Association of REALTORS®, launched her first infographic in June. "We've received a lot of engagement on social media from members sharing on Facebook and Twitter, and some media pickup on Twitter as well," she says.

Encouraging Diversity in Leadership

For understanding member needs, member participation may trump data.

Technology enables us to capture enormous amounts of data about who members are and what they want. However, data is no substitute for having members who represent diverse groups on your board of directors or in your volunteer committees.

For example, your data may indicate that there's a growing segment of young, tech-savvy, resort-home specialists in your area, but if none of them participates in the association, then your carefully targeted programs and services will have a hard time reaching them.

To be most effective, an association's board of directors should reflect its diverse membership as much as possible, with regard to ethnicity, gender, age, business focus, and other relevant measures. Lack of diversity represents a missed opportunity to bring in new thinking, insights, experiences, and knowledge about different markets, consumers, and practices. Worse yet, you may appear out of touch with members' needs and less than transparent.

Assembling a board of directors that accurately represents your membership makeup can unlock fresh perspectives, innovation, and organizational creativity.

Diversity is also key to political and legislative success. How can an association claim to represent the needs of home owners in a community when its leadership does not? How can an association achieve the goal of higher professionalism among REALTORS® and abiding by Fair Housing laws when its leadership is not inclusive?

Associations should care about inclusion because it makes good business sense, says Fred Underwood, NAR's director of diversity and community outreach programs. "Inclusion of diversity helps you achieve what you want to achieve, but it isn't an end in itself. Diversity in leadership is a process, not something you turn on one day and say you're inclusive. It's all a matter of strategic planning."

Seeking out diversity

The Southland Regional Association of REALTORS® in Van Nuys, Calif., specifically seeks out members of different backgrounds and areas of expertise to run for the board, says association CEO James Link, CAE.

Link says the initiative has two primary goals: to assemble a board that represents the diversity (geographic location, race, age, and other aspects) of its membership and

find leaders who represent varied business functions, including residential sales, commercial sales, and property management. "This is going to result in a more diverse and active board of directors," he says.

Yet the association is careful not to invite members into leadership solely based on their ethnicity or age, for example. Leaders need to bring insight into the needs of a particular segment of home owners and home buyers in the local market. Just because a member has a particular background doesn't necessarily mean he or she can knowledgeably represent that market segment.

Southland Regional will welcome a new Armenian-American president in 2016 who also graduated from the association's Leadership Institute. (The largest population of Armenian-Americans in the country is within Southland Regional's territory.) "There's proof that what we're doing is working," says Link.

At the Seattle-King County Association of REALTORS®, CEO Russell Hokanson says he has achieved a pretty good balance by making a "conscious effort" to get new faces on its board via a number of outreach initiatives.

"Those efforts go on all the time, so they're institutionalized in the sense that

A Path to Inclusion – Where do we start?

Discovery

- How is your market diverse?
- Have there been recent population or demographic changes?

Action

- Seek out the members serving the diverse communities.
- Encourage these members to get involved in the association.

Realization

- Build diversity within leadership.
- Leadership reflects community and membership.



WHAT'S NEW FOR ASSOCIATIONS & MEMBERS



THE LITTLE RED BOOK: SAFETY RULES TO LIVE BY FOR REALTORS®

Gain excellent insights and conversation starters so members can build personal and professional safety protocols through 103 safety instructions, philosophies, and rules provided by more than 1,000 NAR members. It's the perfect tool for new and seasoned real estate practitioners.



SAFETY COURSE – NOW AVAILABLE ONLINE

NAR's three-hour safety course is now available online at REALTOR® University. "Real Estate Safety Matters: Safe Business = Smart Business" is an online course that teaches real estate professionals how to limit risk and increase safety for themselves and their clients.



SAFETY VIDEO FOR MEMBERS TO SHARE WITH CONSUMERS

"REALTORS®, Safety and You" is a new safety video that educates consumers about the potential safety precautions real estate agents may use during transactions. It's designed to introduce REALTOR® safety to the public and help them understand the need for safety precautions.

Visit www.REALTOR.org/Safety
to view all these great resources and more.



NATIONAL
ASSOCIATION *of*
REALTORS®

need to know: diversity

“I do think we’ve all acknowledged that we’re better off by having a board that represents all facets of our membership.”

— Russell Hokanson, CEO, Seattle-King County Association of REALTORS®

our leaders know to be on the lookout for that,” says Hokanson. “I do think we’ve all acknowledged that we’re better off by having a board that represents all facets of our membership.”

How to ensure a diverse board

Although putting out the word for applicants for our leadership institute attracted some interest, Link says, “to really get to those individuals we were targeting, we had to come right out and ask them. We just got belly to belly with them and encouraged them to participate.”

To increase diversity, elevate board recruitment to a program the association is dedicated to, not simply the routine annual process of accepting applications.

The first step toward inclusion is to identify your market segments, says Underwood. For example, is there a growing community of Hispanic immigrants or veterans or gays and lesbians in your area? Which REALTORS® are serving those communities? Next, he says, “once you’ve found those members, look for a way to get them involved, first on a committee that interests them. Then, when you have an active group of members representing diverse market segments, begin to build a culture for them to enter leadership and involve them in your political activities and other core association functions.”

If you don’t ask...

In Seattle, Hokanson’s best success attracting new volunteers is with what he calls the “peer-to-peer asking” process. “One of the objectives we have for our board members is to go out and identify your successor, whomever that might

be,” Hokanson says. “Their job is to bring someone else into the organization to help us.” As part of that process, he says, members have made conscious efforts to reach out to certain geographic areas within the association’s membership, as well as those potential candidates of specific ethnicities and age groups.

The members you’re seeking may be active in other area organizations specific to their demographic, such as the Asian-American Chamber of Commerce or the Veterans Association of Real Estate Professionals.

To associations looking for help in achieving balance on their boards, all it takes is for the president of the board to open discussions about potential leadership opportunities with REALTORS® of underrepresented membership segments, says Roger Turcotte, a New Hampshire-based REALTOR® who provides leadership and strategic planning help to REALTOR® associations nationwide. “In most cases, when associations are running as a clique,” he says, “it’s because no one is reaching out and encouraging leadership transitions.”

Turcotte sees the Core Standards strategic planning process as a new tool for association executives to institute diversity awareness. As an approved facilitator for the new planning process, Turcotte worked closely with a number of associations and says the majority of the strategic plans created addressed the issue of future leadership development and the related training programs, mentoring, and recruiting.

“You want a board that has the ability to look inward at the entire organization when making decisions and presenting new initiatives,” says Turcotte. “The best way to do this

is by developing leaders who truly represent the makeup of your entire membership.”

There’s clearly a need for associations to do more to be inclusionary, says Underwood, “Diversity needs to be a strategic imperative at every association.”

—by Bridget McCrea

Sponsor a diversity workshop at your association

Leading with Diversity is a course for association executives, staff, and member leaders interested in incorporating diversity initiatives into an association’s business model.

You’ll learn how to:

- **Explain** to your association the benefits of a leadership, membership, and staff that reflect the community.
- **Develop** guidelines to identify an appropriate focus for your association’s diversity activities.
- **Create** strategies to involve underrepresented members or communities.
- **Identify** new leaders and ways to foster their development.
- **Use** NAR’s tools to create one or two key diversity initiatives.

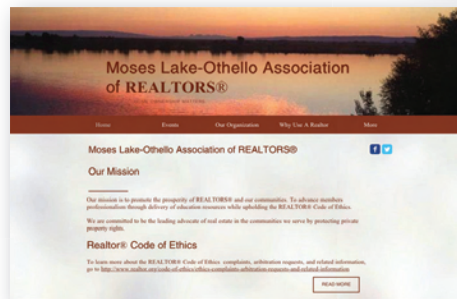
For more information on NAR’s diversity in leadership work group and NAR grants to help you achieve your diversity goals, contact Fred Underwood at funderwood@realtors.org.

Checkout
these boards
using their
.REALTOR web
address with
custom websites!

Del Norte Association
of REALTORS® with
www.DNAOR.REALTOR



Moses Lake Othello
Board of REALTORS® with
www.MLOBR.REALTOR



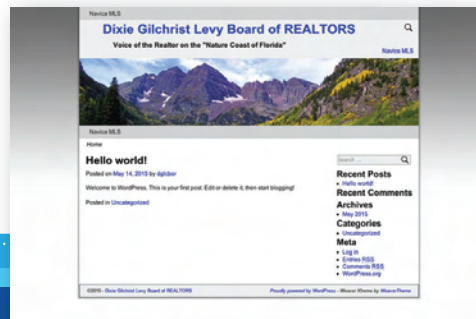
Grant County Association
of REALTORS® with
www.GCARI.REALTOR



Central Missouri Board
of REALTORS® Inc with
www.CentralMOBoard.REALTOR



Dixie Gilchrist Levy Counties
Board of REALTORS® Inc with
www.DGLCBOR.REALTOR



Your Board, your firms and your members can claim
a .REALTOR address at www.claim.REALTOR

Board .REALTOR Marketing Program has been extended through
December 2015! Visit www.about.REALTOR/associations to learn more

The Next Property Rights Frontier

Figuring out where the right to rent fits into protecting home ownership.

REALTOR® associations are working to keep up with a flood of new local regulations on home owners' ability to rent part or all of their property. It has become a fight for home owners' rights and property value on both sides, with many associations feeling caught in the middle.

The new rental norm

Home owners are flocking to sign up at websites such as Airbnb and Vacation Rentals By Owner, which match people seeking short-term accommodation with property owners. These sites make renting homes easier and more popular and home owners are finding out how lucrative a spare bedroom can be. There are an estimated 1.5 million properties listed on Airbnb worldwide, and more than 17 million people stayed in Airbnb accommodations in August alone.

The prospect of generating revenue from occasionally or regularly renting a furnished basement or an entire house or condo is increasingly attractive to home buyers. Real estate agents market the rental potential of homes with a guest house, a mother-in-law suite, or even a large backyard in which to build a rental cottage.

The skyrocketing popularity of short-term rentals is prompting local governments to regulate them in various ways across the country. Some communities are imposing bans on short-term rentals. Others are restricting how many rental permits are issued per neighborhood. Opponents to short-term rental say these regulations are an attempt to maintain an area's residential quality of life. On the other hand, some home owners—including second-home owners—believe they should have a right to rent their own properties.



This room in a private home in Allentown, Pa., goes for less than \$100 a night.

REALTOR® associations are busy advocating for common ground between property rights and home owners' rights, yet the issues, which vary by location, and are often complex.

Right to rent

Trey Price, public policy representative at the Florida Association of REALTORS®, fought hard to get the state legislature to prohibit new local ordinances on short-term rentals. Yet a recent amendment now allows communities to regulate anything other than the frequency and duration of rentals.

"We've always used the property rights argument, and while there is a counterargument that full-time neighbors have property rights as well, we believe there are other ordinances (noise, trash pickup, parking) to protect them," says Price.

Home owners concerned over the noise, crowds, and traffic that vacationers can bring to certain residential neighborhoods in Ocean City, Md., oppose short-term rentals, says Sarah Rayne, government and public affairs director for the Coastal Association of REALTORS®. Property owners there are facing new restrictions that would ban rentals of any time period less than a year.

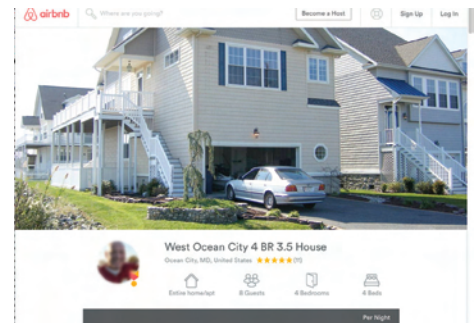
"These limits are problematic for many of our members," says Rayne, because vacation home owners could lose their livelihood and so could the REALTORS® who handle rentals and property management in the resort area.

In defeating a 2014 call for a rental ban, Coastal REALTORS® backed a compromise that included increased enforcement of local noise restrictions and education for property owners on how to help their guests be good neighbors.

Indeed, regulation is often the compromise between banning and allowing short-term rentals. Regulations are aimed at protecting the property owner's right to rent, while giving assurances to surrounding communities that the rentals will pose no threat or disturbance.

GADs negotiate rental ban down to rental restriction

In Evanston, Ill., a proposed ban on short-term rentals pitted property owners against one another. Although the final ruling required property owners renting for 30 days or less to get a special license, Howard Handler, government affairs director for the North Shore-Barrington Association of



An accommodation for rent listing on Airbnb near Ocean City, Md., where a fight over home owners' right to rent has been going on since 2014.

“We took the position that we were not there to advocate for those running quasi-hotels and remained neutral on the final ordinance, but we did want to ensure the average property owner maintains the right to rent their property on a short-term basis.”

—Howard Handler, Government Affairs, North Shore–Barrington Association of REALTORS®, Ill.

REALTORS®, advocated for some key exemptions, including allowing short-term rentals due to disaster or renovation. Handler also won a provision that lets all owners rent out their property once a year without a license, and, most important, an exemption allowing rent-backs, which is when someone sells a home but is unable to move out by the closing date and needs to rent the home back from the new owners.

“We took the position that we were not there to advocate for those running quasi-hotels and remained neutral on the final ordinance, but we did want to ensure the average property owner maintains the right to rent their property on a short-term basis,” says Handler.

In Northwest Montana, instead of banning rentals outright one municipality adopted a set of standards that short-term rental properties must meet. These requirements include meeting fire safety codes, registering with the state as a commercial enterprise, and paying a small license fee.

“If they could meet the performance standards, they got permission from the city to operate,” says Erica Wirtala, government affairs director at the Northwest Montana Association of REALTORS®. “The important item was that there is now a contact name and phone number for the owner if things get out of hand with renters and a mechanism for revoking licenses.”

Some taxes may apply

Although some communities focused on regulating or restricting short-term rentals, others such as Portland, Ore., reversed a previous ban, in part, some speculate, to collect new tax revenue from short-term rentals.

Collecting taxes and licensing fees on short-term rentals is a huge new revenue stream for local governments. Chicago alone expects to collect \$2.5 million a year in taxes from its new arrangement with Airbnb, which agreed to manage the collection and remittance of taxes on behalf of its property-owner customers in the city.

Often home owners are unaware that such hotel taxes, sales taxes, income taxes, rental permits, inspections, or business licenses are required.

Over the summer, several members of the Greater Lehigh Valley and Pocono Mountains Associations of REALTORS® in Pennsylvania received letters from their county treasurer stating that they owe a 3 percent hotel tax on the accommodations they have listed on Airbnb or similar sites. The county had hired a consultant to cull Airbnb listings for properties in the area and compare them with local tax rolls.

“Some members were not aware they would owe taxes,” says Matthew Marks, the associations’ government affairs director. “The law has been on the books for several years, but some members did not know it was being enforced with individual renters. Members think the 3 percent is too much and they are concerned that the tax will be retroactive.”

Pro or con? Preparing your response

How should your local association respond to home owners in favor and those opposed

to short-term rentals?

The National Association of REALTORS® will provide a legal review of proposed local ordinances regulating short-term rentals at no cost to the association. “The short-term rental issue has been a growing trend for our review program, the Land Use Initiative program,” says Adriann E. Murawski, state and local government affairs representative at NAR. “We review about 56 proposed ordi-



Realtor.com® and Airbnb announced a partnership in June billed as giving home buyers a chance to test-drive a new neighborhood by first staying at an Airbnb accommodation in the area. A new feature on realtor.com® directs home buyers to an Airbnb offering in the same area as the listing they’ve clicked on.

nances each year, and this year alone we’ve seen about eight requests just on short-term rental ordinances.”

NAR offers guidance to associations in a new white paper on the issue due out in October ([realtor.org/reports/short-term-rental-housing-restrictions-white-paper](https://www.nar.org/reports/short-term-rental-housing-restrictions-white-paper)).

NAR takes no official stance on short-term rentals because it is a local, not a federal, issue. Yet the white paper analyzes the issues raised by various regulatory approaches, provides ways to address these issues, and outlines best practices for short-term rental housing that associations and REALTORS® can use in discussions with local government officials.

—by Carolyn Schwaar

Plan Now for a Smooth 2016

Embed Core Standards in your day-to-day organization practice.

You know the requirements and understand the rationale for the Core Standards, but you wish you had more time to handle all the responsibilities while keeping up with everything else on your to-do list.

As in life, attitude toward the process often determines the outcome. As we move forward, gathering all of the documentation can be daunting. But it doesn't need to be.

I'm the Core Standards Compliance Liaison for the state of Oregon, a position that focuses on helping local associations with all aspects of compliance. Oregon manages one local association, but several others have no full-time paid staff, and we

went from 30 local associations to 26 due to mergers in the last year.

Essential tools

A useful tool to gain insight into Core Standards criteria and identify areas of strength and weakness is the Core Standards Certification Form. It spells out exactly what needs to be done. Use the form's tools to help you structure conversations, committee agendas, and task force assignments.

Every association brings special characteristics to the REALTOR® organization; yet leadership teams, members, and staff in all associations have many similarities.

The Core Standards were developed to help associations identify and build on their unique assets within the context of shared strengths. We are one group united by the term REALTOR® and everything it means. We have built a solid reputation. But as the first certification cycle is completed and we are in the next cycle, action plans need to be put into place for any weaknesses that were identified. That's a good thing: Organizations are only as strong as their weakest links. Corrective action needn't be challenging given all the resources you have at your fingertips.

Ways to make 2016 certification better

Planning is the key to successful certification. But don't forget to document,

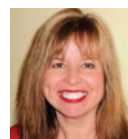
document, and document. Areas where I noticed associations struggling most were with documenting Calls to Action and with evidence of being the "The Voice for Real Estate." A handful of associations needed to beef up their websites to include the links to Code of Ethics information. (The technology guide provides all of the information to have a compliant website.) Another area of weakness was with financial policies. Many associations provided budgets and financial reports but still needed the actual policy document. Lastly, AE professional development was highlighted throughout the process.

NAR has listened to feedback from association executives around the country and provided helpful tools. All of the resources necessary to become certified are available on realtor.org/corestandards.

Now is the time to get your files ready. It adds more to the mix of daily operational duties but will pay off in the long run. The purpose of Core Standards is to keep the REALTOR® organization strong. This is where I believe attitude comes into play. Once AEs in my area settled down and relaxed—and tuned into thinking about the exercise as one to strengthen their organization—it was much easier.

The new compliance form is online so you can begin completing and uploading items on a regular basis; working with your fellow local AEs and state association staff, you will be on track for success.

Here's to a "corefully" compliant 2016!



Mary T. Burke is the Core Standards compliance liaison at the Oregon Association of REALTORS®. Contact her at 971-273-8892 or mary@oregonrealtors.org.



Community Outreach with Boys & Girls Club

At the NAR Leadership Summit in Chicago, 2016 NAR President Tom Salomone (above) announced the association's new partnership with the Boys & Girls Club of America. As part of the program, resources to help state and local associations get involved with their local Boys & Girls Club are posted at realtor.org. Association involvement with the organization not only provides volunteer resources to a valuable organization within your community, it also fulfills the Community Outreach requirement for Core Standards (specifically under "Investing in Your Community").

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Commissions Vulnerable to Antitrust

REALTORS® who serve on your state's real estate commission risk antitrust liability when their decisions appear to protect private monetary interests rather than advance sound public policy.

Real estate licensees typically serve on state real estate commissions. It's critically important that REALTORS® serve on these powerful boards, which have great responsibilities, from granting licenses to real estate brokers and salespeople and regulating their professional conduct to writing licensee education requirements and certifying real estate schools.

Earlier this year, the Supreme Court of the United States issued an important decision that affects any state regulatory agency, such as a real estate commission, and the individuals who serve on these agencies. The

ruling could make REALTORS® serving on real estate commissions liable for antitrust violations if the commission harms competition in its regulatory capacity.

The court said state agencies that include industry participants could claim antitrust immunity only if the agency could show that its regulatory actions were derived from a state policy and that the state actively supervised the commission. Any member serving on a state real estate commission must ensure that it meets the above test when it is enacting regulations; otherwise the member could be held liable for antitrust violations.

Case in point

A state statute created the North Carolina State Board of Dental Examiners as the agency that regulates the practice of dentistry in the state. Eight members comprise the dental board: six licensed dentists who are currently active; one dental hygienist; and a consumer appointed by the governor. The state played no role in the activities of the board.

In the 1990s, dentists began offering teeth-whitening services. Eventually, nondentists offered this service at a cost lower than what dentists typically charged. Even though teeth-whitening was not included within the statutory definition of dentistry, the board interpreted its regulatory powers as covering this service and ruled to ban unlicensed practitioners from offering this service. Eventually, the nondentists stopped offering teeth-whitening services in the state.

The Federal Trade Commission determined that the board violated the antitrust rules by excluding nondentists from the teeth-whitening market. The board then appealed to the Fourth Circuit Court of Appeals and lost. The board then appealed to the U.S. Supreme Court.

The Supreme Court affirmed the rulings of the FTC and the Fourth Circuit. The board argued that an exception to antitrust law protects a state's regulatory activities from antitrust scrutiny when the state is acting in its sovereign capacity. However, the court rejected that argument and ruled that for a state to qualify for this immunity, it must satisfy two requirements: the action must

To lower antitrust liability, states may seek to change the composition of real estate boards and commissions or establish a new supervisory agency to guard against anticompetitive actions.





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be expressed as a state policy, and the policy must be actively supervised by the state.

The court determined that the antitrust exception required more than a mere “facade” of state involvement, particularly where market participants (i.e., the dentists) were in charge of enforcing the license law. Instead, when a state agency is composed of active market participants and they are in charge of enforcing the state regulations, the state must actively supervise the agency to qualify for antitrust immunity. While the court did not clearly define what would constitute state supervision, it ruled that the board could not argue for antitrust immunity because North Carolina exercised no supervision over the board.

What does this mean for real estate?

The Supreme Court’s decision in the North Carolina dental case will likely bring new challenges to regulations made by state agencies such as real estate commissions. Indeed, one state real estate commission has already received a threat that it violated antitrust laws when it attempted to regulate an unlicensed business.

The decision by the Supreme Court in the North Carolina dental case has important ramifications for state regulatory agencies, such as real estate boards, where market participants regulate other market participants. The decision does not, however, affect other types of commissions on which REALTORS[®] may serve, including economic development boards or local zoning commissions.

The test established by the court in this case requires a state to “actively supervise” the agency, and the exact scope of this requirement is something that will become better defined in future decisions. What is clear is that active supervision requires that the state have the power to review and reverse actions by the agency. The test also will be applied on a case-by-case basis and will be determined by the facts of each case.

Real estate licensees serving on commissions should attempt to seek indemnification from the state for their role as a commissioner and also ensure that the commission qualifies for antitrust immunity.



Finley Maxson is a senior counsel at the National Association of REALTORS[®]. Contact him at 312-329-8381 or fmaxson@realtors.org.

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Embracing the Value of Change

Marc Lebowitz, the 2016 AE Committee chair on outreach and growth

When Marc Lebowitz, RCE, CAE, stepped into his new role as CEO of the Tucson Association of REALTORS® and MLS last March, he brought with him 23 years of experience in REALTOR® association management and a passion for change.

“Coming into a new place, you don’t know if your predecessor was a financial wizard or a marketing genius, but either way, it’s all about change,” he says. “I came into this job with my own checklist of what I believe represents a strong, vibrant association, and prioritizing that list with our new leadership is what determines our challenges. It’s not what was done here before.”

In addition to settling in to a new association—and moving from Boise, Idaho, where he was CEO of the Ada County Association of REALTORS®—Lebowitz is also the incoming chairman of the National Association of REALTORS® Association Executives Committee and has priorities for change there, too.

“We’ve finished the first year of Core Standards, and the committee would like to

look at what we’ve learned and any changes that we’d like to propose,” says Lebowitz.

“There’s also been a lot of turnover in AE ranks in the last year or two, so we’d like to see if we can add some more structure into the AE orientation, mentoring, and training that NAR provides to new AEs.”

Yet it’s not just new AEs who can benefit from NAR resources, says Lebowitz. He wants to encourage colleagues to take advantage of NAR programs and services.

“There are some amazing things going on right now at NAR, and we need to include checking in with what’s new at NAR in our daily routine,” he says.

His plans to have his staff complete NAR’s online association management training so they are aware of all of the resources that NAR offers to help associations do a better job.

Among the skills Lebowitz brings to Tucson are his communication talents. His undergraduate work in television and film honed his natural ease in front of the camera and media savvy.

“Every association I’ve been in before

has wanted me in the role of spokesperson for the association to the media. I’m comfortable with it, but it’s not for everybody,” he says. “The key is that we’ve got to put the best team on the field in order to have the best relationships with the media. Whatever the staff role is, it’s important for us to support the REALTOR® spokesperson. I think the AE can bring, as a spokesperson, a really great contextual value, a broader vision of what the story might be. The AE is able to create longer relationships with the media so that they look to the association as a trusted source and a legitimate voice in any housing or economic development conversation.”

TAR, like many associations, plans to include more video in its communications but finding the right way to capture, produce, and deliver videos is a challenge, says Lebowitz.

“I just worked on a one-minute promotional video for our REALTOR® expo and it took me about three and a half hours. That’s a pretty big investment,” he says.

Mastering the media and video are key elements of one of TAR’s biggest priorities: consumer outreach. “We have about a dozen community outreach and charity events a year—it’s a key part of who we are,” says Lebowitz. “All association strategic plans after Core Standards have a component of consumer outreach. In order to make it work internally, we have to make sure we’ve identified the most knowledgeable, passionate members in the different niches of our real estate market and have those people engaged, committed, and ready to go.”

Look for more on the AEC’s 2016 programs and new resources in Lebowitz’s chairman column here in REALTOR® AE.



Tucson Association of REALTORS® CEO Marc Lebowitz (second from left) with Communications Director Roger Yohem (far left), 2015 TAR President Nicole Brule-Fisher, and 2014 President Steve Redmond getting ready to open the association’s popular TAR EXPO, an annual real-estate only trade show with 100 exhibitors and 1,400 attendees.



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