



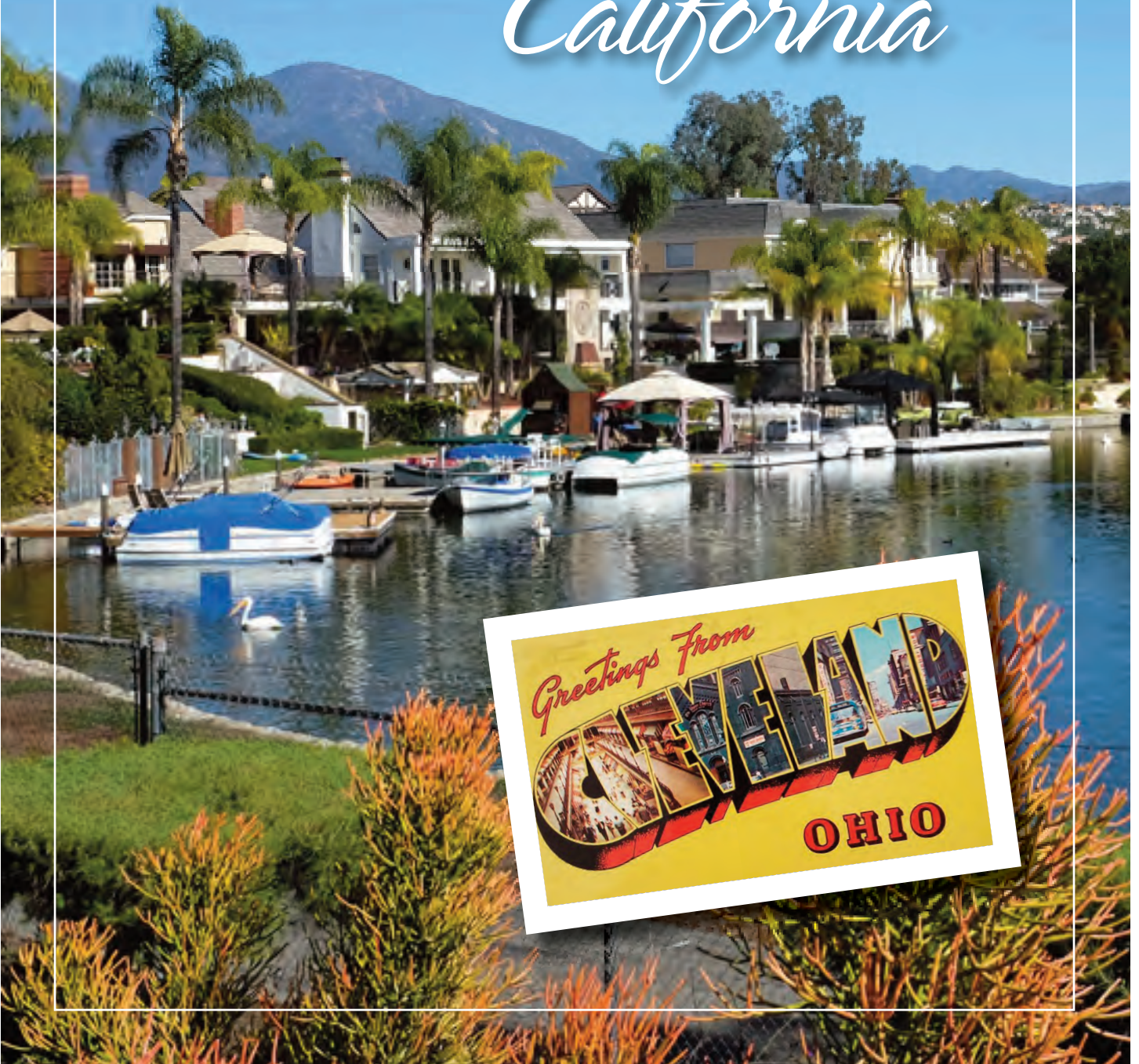
AREA

ASSOCIATED REALTY OF THE AMERICAS

FEBRUARY 2022

SPOTLIGHT

Mission Viejo, California





ASSOCIATED REALTY OF THE AMERICAS

"All the news that fits."

Our members are 110% committed to excellence in our real estate profession. Our mission encompasses: Sharing BEST Practices with our colleagues; treating all referrals with the utmost of care, honesty and integrity; and being involved in organized real estate for the betterment of our profession."

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John Glaab

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Ken Libby

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Dennis Badagliacco

COMMENTS FROM

Jeanne Radsick

A big shout out to **Cheryl O'Brien**, of Gig Harbor, who is VP Elect of Government Affairs for WA REALTORS, 2022. Her distinguished career is already storied while also receiving a Lifetime Achievement Award from WA REALTORS. I just needed let you know, because if you meet Cheryl her humility is her finest achievement. So proud to know her and so honored that she is part of us.



Also, Kudos to **Jennifer Vucetic**, Albany, New York, the incoming State President of the New York State Association of REALTORS®. She is now beginning her second year as a member and we are so fortunate to have her as a member.



Yes, there are big doings on the horizon in Cleveland and beginning right now members and guests may sign up during the “Early Bird Special”, just like the **Harvey’s** of Telluride have, along with several other discerning members, including me. The Early Bird lasts through out February.

To sign up go the AREA website: www.areas.com. If you don’t know your user-name and password, here is a little hint: Try using the first initial of your first name for your personal username and then, the last three letters of your last name for your passcode. Then, as easy as 1 -2-3, you can get on line pay your fee and save \$100. **Yes, YES, INDEED, \$100 SAVINGS TO YOU!**

Now, we all need to be reminded that AREA, has agreed, to do each and every event at cost.

Its’ sole subsidy comes from sponsorships, which are not profits to AREA, but used to underwrite event costs. So, if there is a loss, it is not out of your pocket, and I can assure you, without the continuing support of our Sponsors, AREA pays the bill. So, you may do two things to help: sign up early. This serves to underwrite the extensive up-front costs involved in putting on one these programs; Second, solicit a sponsor. It is money in your pocket when that happens.

One last thing, over the years we have, as a group, been blessed by those among us in leadership who have stepped up to the plate twice a year, D.C. and our annual retreat, when asked, (and we all know who they are) to underwrite the entire direct cost of our “Gatherings”.

We thank each and everyone of them for this wonderful gift!

Lastly, thank you so very much for being a member.

Love, Jeanne



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A LITTLE HUMOR, COURTESY OF JOHN GLAAB
Old Ads We'll Never See Again



Welcome **NEW MEMBERS**



Eddy Ortiz
St. George, Utah
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EDDY ORTIZ

Eddy joins AREA as a secondary member under Meri Crandall of St. George, Utah. Born and raised in the Dominican Republic he moved to the US in his early teens where he completed high school in Queens, NY, and earned a bachelor's from SUNY Plattsburgh. There he met and married his college sweetheart, who earned a Ph.D. in Communications. She is now an associate professor at Utah Tech University in Saint George where he and his family reside.

Eddy has 16-years' experience in the human resources field. Prior to moving to St. George, he was the HR Director for the Indiana Department of Corrections and reported to the commissioner and the head of personnel for the State. At the time, he was the youngest HR Director to take over the state's largest operation with a staff of 26 HR employees embedded in 23 facilities across the state that supported over 6,200 employees.

Later, after his wife received a teaching position in St. George, he decided to move into Real Estate where he has become a top producer.

He is currently a board member for the Leadership Dixie Academy, which is in charge of identifying and providing an impactful experience for 30 top students in their county high school system that show future promise for our area, focusing on teaching these students how to become future leaders and reach their full potential as they enter college.

Most recently, he became a member of his local MLS committee.

In the past, he has held the following service roles:

Board of Director member for multiple Society of Human Resources local chapter since 2011; 2019-2020 President and President-elect of the Color Country Human Resource Association in Saint George; 2018-2020 Board of the Directors for the Utah HR Council.

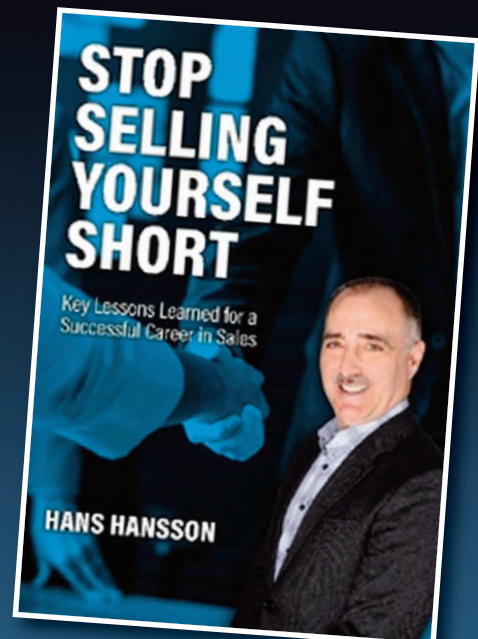


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Hot Markets: Is a Home Inspection Necessary?

Many buyers in today's red-hot real estate markets are tempted to forego the home inspection. An otherwise strong offer may not even be considered if it has contingencies for the inspection or appraisal for example, yet there are plenty of reasons why a home inspection should be a necessity even if it isn't part of the sales contract. Here are our top three:

First, the home inspection allows the potential buyer to learn about any major defects or damage that will need to be addressed. Things like a new roof or repairing a foundation are costly and will need to be budgeted for, on top of all the usual costs of homeownership like property taxes, mortgage payments, insurance and regular maintenance.

Second, the home inspection can reveal potentially dangerous conditions. The electrical system may be outdated or have faulty and unsafe wiring. The panel could be undersized and unable to meet a modern household's needs. There could be safety issues with the furnace or fireplace that need to be addressed. If the buyer is unaware of existing conditions, it can put them in harm's way.

Third, a home inspection is also the best way for a buyer to get to know the condition of the home in general. Is the attic adequately insulated? Is the water heater on its last legs? Is that water stain caused by an active leak, or is it not really a concern? These are just a few more examples of how buyers can really benefit from having the home professionally inspected.

In short, the buyer needs to know what they're buying. Whether or not it's part of the transaction process or takes place after closing, a home inspection is in the buyer's best interest and is key to their peace of mind.

Contact your local Pillar To Post Home Inspector to learn how our latest innovations can help save you time, get to closings faster and delight your clients. It's the Ultimate Home Inspection!

Stephanie Bowling
Director of Marketing, Pillar To Post Home Inspectors Inc.



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15th
Annual
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24-26

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An Afternoon at the Rock & Roll Hall of Fame

Yours to see and do while we honor Jay West and
Leil Koch for their personal contributions to
Rock N Roll throughout the years!

**A Gala Dinner/River Cruise
Aboard the Good Times III**





EVENT INCLUDES:

Saturday, July 23rd

Optional, Barbecue at the residence of Mr. and Mrs. Seth Task

Sunday, July 24th

Registration and No-Host Cocktail Party
Followed By
A Gala Dinner Cruise and Party

Monday, July 25th

Breakfast, Lunch, Meetings
Dinner Pairing that Evening (on your own)

Tuesday, July 26th

Breakfast, Lunch, Meetings
then on to the
Rock N Roll Open House

Followed by Our
Evening No Host Cocktail Reception
and
Gala Awards Banquet

REGISTER NOW AND TAKE ADVANTAGE OF EARLY-BIRD DISCOUNTS

TICKETS INCLUDE ALL TAX AND GRATUITIES



Early-Bird Registration
Prior to March 1st
Rate: \$495 per person



Event Registration
After Mar 1st
Rate: \$595 per person

ROOMS \$199

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Enter your username and password | Go to MAKE PAYMENT

Or Send Your Check to: Associated Realty of the Americas P.O. Box 2109 Green Valley, AZ 85622

Questions: 520-625-9335

SPOTLIGHT:

Mission Viejo, California



Thank you for the opportunity to tell you a little more about my home of over 20 years, Mission Viejo. Only 20 minutes to beach and one hour to the mountains, Mission Viejo is one of 34 cities that make up Orange County, CA. More specifically, we are part of South Orange County halfway between Los Angeles and San Diego. Cities near Mission Viejo are Irvine, Lake Forest, Aliso Viejo, Laguna Beach, San Clemente, Dana Point and of course, San Juan Capistrano. Home of California's oldest mission where the swallows return in March of every year. Mission Viejo actually means Old Mission in Spanish.

Fun Fact: Mission Viejo is usually in the Top Ten of the nation's safest cities of a population of medium size cities (approx. 100,000 citizens)

As usual with most land in South County, Mission Viejo's history began as a ranch. Purchased by Don Juan Forster, an English-born Mexican ranchero, the area was a hilly region primarily used as cattle and sheep grazing since it was of little use to farmers. The city was one of the last regions of Orange County to be urbanized due to its geologic complexity. In 1960, early developers dismissed most of the land in Mission Viejo as simply "undevelopable".

Donald Bren, an urban planner drafted a master plan which placed roads in the valleys and houses on the hills that contoured to the geography of the area. It was conceived, designed and built from scratch on 11,000 acres of vacant land out in the middle of nowhere into a world-class community. In fact, Mission Viejo is considered one of the largest master-planned ever built under a single project in the United States,

How did it happen? The key: one owner, one builder: meticulous, long-range planning and a 30-year commitment to its careful, phased implementation. It is the result of the creative vision, innovative planning, aggressive building, environmentally sensitive landscaping, and imaginative marketing.



Fun Fact: Part of the meticulous planning was the prolific use wide curved thoroughfares with central medians fill with trees and greenery. Mission Viejo was not built on the grid system like most modern cities and has hardly any straight roads.

Home prices start at about \$320,000 to 4,000,000. A standard three bedroom/2 bath home medium price begins at about \$800,000. We don't have too many views of the ocean, but we have plenty of majestic views of the Saddleback Mountain range. Orange County's highest peak at an elevation of 5,689 feet. High enough to have snow every winter.

Mission Viejo truly is a beautiful place to live, work and play because of our golf courses, hiking, biking, Olympic aquatic training center and so much more. We are especially proud of our shining star - gorgeous Lake Mission Viejo.

Lake Mission Viejo is actually 124-surface acre reservoir with two large beaches and picnic areas, clubhouse rental, boat launching facility and shoreline fishing area. The Lake is stocked with different kinds of fish including trout, catfish, tilapia, bass and sunfish. Specially designed fish habitats have been built on the bottom of the lake to promote good fishing and spawning.

Fun Fact: The lake maintains its pristine water conditions because only electric powered motors are allowed.

Another fun fact: On May 15th, 2015, George Coniglio caught a 19 lbs. 12 oz largemouth bass. It ranked 13th largest catch all-time nationwide. The fish measured 28 inches long with a 26-inch girth.

Thank you for taking the time to read about my beautiful hometown. Every day is a new day to explore its charm and appreciate the riches it has to offer. I hope you come for a visit!

Fondly,
Eileen Oldroyd



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MEMBER SHOUT OUT!

Ken Libby

ALL: Yesterday I sat in on the AREA meeting and also the LABOR membership meeting. MANY comments and questions in both forums were heard about why various MLS and State Regulatory groups are changing or recommending change to our industry. It was apparent that many members are not up to date on issues surrounding NAR's legal battles over the past few years with the DOJ, REX, Zillow and others. Below is a copy of an article that appeared in today's Inman Newsletter, 2/2/2022. It is a great summary of the many battles we now are and will face in the future. Thought sending this along to the members of each group would be helpful.

THE ARTICLE:

Location, location, location: Real estate will continue to be an antitrust hotspot in 2022. With billions in commissions at stake, all three branches of government are focused on the real estate industry. Here are the legal wranglings at the heart of their scrutiny.

BY DYLAN CARSON AND ALICIA BATTS

With the size of the residential real estate market estimated to exceed \$2 trillion in 2021 and the volume of real estate commissions forecast to exceed \$100 billion, there is much at stake as antitrust scrutiny advances in real estate.

As a result, 2022 promises to be another active year of antitrust law developments affecting the industry. This year will see government antitrust enforcement in real estate and private antitrust litigation in numerous trial and appellate courts across the country involving fundamental and long-standing real estate industry practices.

The competition law cases and investigations that are ongoing in 2022 show that the Department of Justice and the Federal Trade Commission (FTC) will remain active enforcers in the real estate business, especially given the White House's inclusion of the brokerage industry in its 2021 Executive Order on Promoting Competition.

To add to the major headwinds the industry is facing, the plethora of private litigations challenging the rules and policies of the National Association of Realtors (NAR) regarding broker commissions will come to a head in various forums. To get a sense of where antitrust law is headed in the real estate industry, a look at the recent past provides some telling signs.

White House and FTC focus on real estate

On July 9, 2021, President Joe Biden issued a wide-ranging executive order intended to promote competition in numerous sectors of the economy through 72 specific initiatives. One of the initiatives states that in order to "address persistent and recurrent practices that inhibit competition," the chair of the FTC is "encouraged...to exercise the FTC's statutory rulemaking authority" in several areas, including "unfair tying practices or exclusionary practices in the brokerage or listing of real estate."

In December 2021, the FTC released its Statement of Regulatory Priorities for 2022 and noted it will explore the "benefits and costs" of rulemaking related to real estate listing and brokerage. The FTC, led by Chair Lina Khan, started rulemaking on impersonation fraud. But with a 2-2 deadlock among FTC commissioners (and two commissioners opposed to rulemaking in general), rulemaking on real estate industry practices will have to wait until there is a fifth commissioner. (Biden's resubmitted the nomination of Georgetown

University law professor Alvaro Bedoya as FTC commissioner in early January as the Senate began its new session).

Congress and real estate

The majority of the antitrust focus at the federal legislative level in 2021 focused on bills to change the antitrust laws to address the growing clout of large technology companies, in both mergers and alleged exclusionary conduct.

Related to those bills, the antitrust subcommittee of the Senate Judiciary Committee held a hearing in December 2021 on the impact of consolidation and monopoly power on innovation. One of the hearing's witnesses, a law professor and former DOJ official, testified that there has been an "absence of meaningful innovation in the real estate brokerage market," especially compared to the financial brokerage and car resale markets. The result of this purported lack of meaningful innovation is that the United States has "some of the highest real estate brokerage fees in the developed world," the witness, Roger P. Alford, said, whereas other developed countries have "drastically lower" real estate commissions.

This testimony notwithstanding, there are no antitrust-related bills pending before Congress that specifically target competition in the real estate industry.

From hate speech to antitrust: The year in MLSs and associations

Realty calls on NAR to eliminate commission-sharing requirement

DOJ: No need to argue harm to consumers, buyers in NAR pocket listing suit

NAR countersues REX Real Estate, alleges harm from 'campaign of lies'

NAR v. DOJ

The highest-profile antitrust development in real estate in 2021 involved a lawsuit by the NAR, the largest trade association in the country, challenging the DOJ's withdrawal from a consent decree.

In November 2020, the DOJ filed a complaint and proposed settlement to resolve an investigation into several NAR real estate brokerage rules and practices. In December 2020, the DOJ filed its competitive impact statement explaining why it believed NAR's practices violated Section 1 of the Sherman Act.

Notably, the DOJ challenged NAR's rules that (1) prohibited an MLS from disclosing to potential homebuyers the amount of commission a buyer-broker would earn from a purchase, (2) allowed buyer-brokers to advertise their services as free to homebuyers, (3) enabled buyer-brokers to filter MLS listings based on commissions offered and exclude lower commission homes from a buyer's consideration, and (4) limit lockbox access to NAR-affiliated brokers.

As the Tunney Act process unfolded, however, DOJ sought to amend the proposed final judgment to eliminate any potential limitation on DOJ's ability to investigate and challenge NAR's practices in the future. NAR would not agree.

As a result, in July 2021 DOJ unilaterally withdrew from the settlement and voluntarily dismissed its complaint before the federal court had held a public interest hearing or entered a final judgment. A few days later, DOJ issued a new Civil Investigative Demand to NAR to investigate numerous rules and practices, notably the NAR's Participation Rule (which requires agents listing homes on an MLS to make blanket unilateral offers of compensation to other MLS participants) and NAR's Clear Cooperation Policy (which requires MLS members to list a home on the MLS within one business day of marketing to the public).

Dissatisfied with DOJ's withdrawal from the settlement, NAR filed a petition in federal court in September 2021 to quash or modify the new DOJ CID. NAR contended that the Antitrust Division's agreement in 2020 to resolve its investigation of NAR was binding and that DOJ agreed to close its investigation of the Participation Rule and Clear Cooperation Policy.

In October 2021, DOJ responded, arguing that it never made a commitment to refrain from investigating NAR in the future and is not barred from doing so. NAR filed its reply brief in November and also agreed to change three of the four rules that DOJ had challenged as antitrust violations, even though DOJ had withdrawn its lawsuit.

In January 2022, DOJ informed the court of its view that briefing is complete and the issue is ripe for ruling. A decision from the court (and any potential appeal) will show the direction of DOJ enforcement in real estate.

Antitrust litigation against NAR over pocket listings

In May 2020, Pocket Listing Service, an operator of pocket listings where properties for sale are shared privately, off-market, and not placed in a multiple listing service, sued NAR and three regional MLSs contending that NAR's Clear Cooperation Policy, which requires brokers to submit their listing into their MLS within one business day of marketing the property to the public, violated Section 1 of the Sherman Act as well as California's state antitrust law.

In February 2021, a federal judge dismissed the case for lack of antitrust injury because PLS had not alleged that the NAR policy had harmed homebuying or homeselling consumers, or competition in the real estate industry. To the contrary, the court held that the policy has "some plainly pro-competitive aspects."

PLS appealed to the Ninth Circuit, where the Antitrust Division filed an amicus brief flagging some errors of antitrust law committed by the district court but taking no position on the merits of PLS's antitrust claims.

Oral argument on PLS's appeal was held in mid-January 2022, so a federal appellate decision affecting the future of the Clear Cooperation Policy and pocket listings is likely later this year.

Also on to the Ninth Circuit is a similar antitrust lawsuit brought by another tech company seeking to share off-MLS listings, Top Agent Network, challenging the Clear Cooperation Policy. TAN, which labeled itself a private MLS where the top agents by sales volume could engage in private sales, claimed that NAR was engaged in a group boycott of agents who want to market off-MLS.



Ken Libby
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In August 2021, a federal court dismissed TAN's case for lack of antitrust injury, holding that TAN's loss of agent members did not harm competition because TAN's goal was to limit competition for home sales and curtail the dissemination of property listings. In September 2021, TAN appealed, teeing up another ruling affecting the future of NAR's listing rule.

REX v. NAR and Zillow

In March 2021, Real Estate Exchange (REX), a technology and brokerage company, sued NAR and real estate aggregator Zillow (and its Trulia subsidiary) under Section 1.

REX contended that Zillow agreed to adopt NAR's rules for MLS listing data, including a Buyer Agent Commission Rule whereby a seller's agent must include an offer of commission to a buyer's agent. Zillow then placed REX's property listings on a separate "other listings" tab, consistent with an NAR Segregation Rule that allows MLSs to require that listings obtained through MLS internet data exchange feeds be displayed separately from non-MLS listings from other sources like REX. REX claimed this segregation caused views of its listings to plummet, causing a drop in sales.

In June 2021, the court denied REX's motion for a preliminary injunction, but in September 2021 denied motions to dismiss by NAR and Zillow, finding that REX adequately alleged an agreement by Zillow to use NAR's rules to restrain trade and harm competition.

REX then amended its complaint, adding a defamation claim, leading to another motion to dismiss by NAR to dismiss REX's Section 1 claim. In December 2021, the court issued a brief order rejecting the motion to dismiss, noting that despite NAR's contentions, the amended complaint did not contain new allegations that supported dismissal of REX's antitrust case (but that the plaintiff's defamation and Lanham Act claims would be dismissed with prejudice).

Zillow and NAR answered REX's amended complaint, while NAR added a counterclaim of false advertising under the Lanham Act alleging that REX has falsely claimed that NAR's MLS rules have "artificially inflated commissions [and] hindered the development of technology for home listings."

REX v. Oregon

Seeking to disrupt the real estate world, REX also took aim at the state of Oregon. In December 2020, REX sued the governor of Oregon and several state real estate agencies and officials after REX received a letter that its buyer rebate program violated the state's law prohibiting sharing of real estate commissions with anyone who does not possess a real estate license.

REX asserted that the enforcement of the policy preventing REX from offering commission rebates to customers violates Section 1 of the Sherman Act by preventing new entrants into the brokerage market and by protecting incumbent brokers and their inflated commissions.

continued

In December 2021, an Oregon federal judge dismissed the lawsuit, finding that the state officials enforcing the ant-rebate law were entitled to state action immunity under *Parker v. Brown*, and that REX had failed to state a plausible Section 1 claim because all the defendants were state executive branch members, not separate economic actors restraining competition. In January 2022, REX appealed to the Ninth Circuit.

Consumer class actions against NAR over broker commissions NAR is also fighting several consumer class actions on multiple fronts about its broker compensation rules, which are in the midst of discovery and headed towards trial. 2022 will bring dispositive motions and class certification fights.

In *Sitzer v. NAR*, plaintiffs filed a Section 1 class action in 2019 targeting the NAR's commission rules, including the Participation Rule, which requires sellers to offer and pay commissions to buyer-brokers. Vened in the Western District of Missouri, the court in *Sitzer* denied a motion to dismiss by NAR and several large real estate brokerage companies, holding that a rule requiring "seller-brokers to present blanket commission offers to buyer-brokers could plausibly create a skewed compensation structure within the residential real estate market, leading to inflated commissions that would otherwise be lower under competitive market conditions."

Notably, the DOJ Antitrust Division filed a statement of interest, asserting that a 2008 consent decree with NAR did not examine the NAR policies at issue in the *Sitzer* case nor find them consistent with the antitrust laws.

Under the most recent scheduling order, fact discovery closes in April 2022 and expert discovery ends in July, with oral argument on class certification motions set for April and oral argument on *Daubert* and dispositive motions in November 2022. Assuming no dismissal on the merits, trial is set for February 2023.

In *Moehrl v. NAR*, a similar antitrust class action is progressing towards trial in the Northern District of Illinois against NAR and several large real estate firms. There, plaintiffs also claim that NAR rules requiring a unilateral offer of compensation to the buyer-broker in a listing and limiting the negotiation of lower buyer-broker commissions combine to violate Section 1 of the Sherman Act.

The court denied motions to dismiss in 2020, agreeing that plaintiffs had plausibly alleged that the buyer-broker commission rules had resulted in supra-competitive commission rates and "a pricing system in which the seller is essentially locked into a buyer-broker commission rate upfront that neither the buyer nor the seller have the incentive or ability to negotiate."

The Antitrust Division also filed a statement of interest, reiterating – as in *Sitzer* – that the 2008 consent decree with NAR did not "approve any NAR rule or policy as procompetitive" and that the "specific NAR rules challenged by the [Moehrl] plaintiffs were neither scrutinized nor litigated in the United States' case."

The court in *Moehrl* set the deadline for class certification expert briefing for September 2022 and the completion of fact discovery for October 2022. No trial date has been set.

Finally, in *Leeder v. NAR*, a homebuying plaintiff filed a class action against NAR and several real estate brokerage companies alleging that NAR's rules and policies on buyer-broker compensation have harmed homebuyers who pay inflated buyer-agent commissions as a result. The plaintiff incorporated the DOJ's allegations from its NAR lawsuit, alleging that DOJ's investigation "found" that NAR's rules harmed homebuyers.

In April 2021, defendants jointly moved the court in the Northern District of Illinois to dismiss the case, arguing that there was no antitrust injury alleged and that the product market was defective as a matter of antitrust law. With briefing complete, a ruling in the *Leeder* case should be forthcoming in 2022.

Nosalek v. MLS Property Information Network

In December 2020, a class action was filed in federal court in Massachusetts challenging the Buyer-Broker Commission Rule but did not include NAR as a defendant. In *Nosalek*, (previously known as *Bauman*), the plaintiff sued a large regional MLS operating in New England and New York, as well as several large real estate brokerage companies, claiming that the Buyer-Broker rule violates Section 1 of the Sherman Act by maintaining supra-competitive commission rates.

In December 2021, the court denied a motion to dismiss and agreed with the plaintiff that the rules could plausibly steer clients away from properties with lower commission offers and towards higher-paying commissions, based on information unavailable to the homebuyers. Once defendants file their answers, the case will proceed into discovery.

Takeaways for 2022

The focus on antitrust in the real estate industry this coming year will be hot and heavy. Industry participants and observers can expect major developments in 2022, including:

Reporting from the White House Competition Counsel on competition in the real estate industry

FTC rulemaking on brokerage practices, consistent with the President's Executive Order

A federal court ruling on the DOJ's investigation of NAR, notably its Participation Rule and Clear Cooperation Policy (and likely an appeal)

U.S. Court of Appeals for the Ninth Circuit rulings in the cases by *PLS* and *TAN* about pocket listings, and *REX*'s case against Oregon's commission sharing law

Discovery disputes and expert calculations of significant damages figures in the multiple class actions challenging the NAR's Participation Rule and broker competition policies

Decisions on whether the plaintiffs in the *Sitzer* and *Moehrl* cases can proceed as a certified class, and on whether the plaintiff in *Leeder* can advance into fact discovery.

2022 is likely to become a watershed year for antitrust in the real estate industry, where long-standing industry practices face close scrutiny by federal antitrust enforcers and courts.

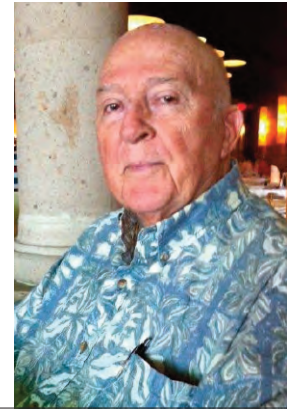
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This is a place to share your thoughts and ideas. Please feel free to send a commentary to THE FORUM to Carl at carl@areamericas.com to published exactly as received.

THE FORUM

By John K. Glaab, CIPS



Mexico Real Estate Market is on Fire!

Some good has come from the pandemic for Mexico. Friends from the US and Canada suddenly realize that they can avoid the cold winters, the traffic and other inconveniences by moving their home to Mexico. With its high-tech internet and outstanding

from 2020 and 1400 units were changed from active to pending showing an increase of 186%. Houses sold during the same period increased 135% over 2020. The greatest increases in the Los Cabos market were for homes in the 500,000 + range and for condominiums in the 200 to 300 range and for those about 500.

Check out the AREA Directory to find a qualified, experienced, ethical agent in Mexico to help you with your plans or next referral.

P.S.

As in years past, “Super Tazon LV” will bring although briefly create an economic boom to our state of Michoacan. One hundred and forty tons of “d 'Oro Verde” (Green gold) will be shipped to the country to our North. Starting next week, every hour a truck full of avocados will leave our city of Uruapan, Mexico’s capital of the product.

Our architect tells us it is a challenge to find albanils (labouros) since they are all Woking in the orchards. Calavo the largest packer has a hiring hall just two blocks away from our home. Their Head Office is in Sato Paulo, California.

Enjoy your guacamole and may the best team win.

courier services many parts of the country are experiencing an influx of foreigners as never seen before. Some good has come from the pandemic for Mexico. Friends from the US and Canada suddenly realize that they can avoid the cold winters, the traffic and other inconveniences by moving their home to Mexico. With its high-tech internet and outstanding courier services many parts of the country are experiencing an influx of foreigners as never seen before.

In the state of Baja California Sur, home of Los Cabos, La Paz and Loreto, 977 condominiums were sold during 2021 up 200%





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Legal Update

by Double Aces Dennis and Diana

Here are a few of the legal issues for your thoughts

Agents upset by Realogy's decision to call for an end of mandatory NAR Participation Rules.

Realogy called for NAR to end mandatory Commission sharing. Many agents responded by saying the move to stop sharing commissions between buyer's and seller's agents would cause confusion and threaten buyer's agents. Could this move if carried out by NAR open the door to portals like Redfin & Zillow?

Should cooperation between agents be eliminated? Are buyers ready to have to pay buyer's agents out of their own pockets instead of having the buyer's agents fee being built into the transaction? Will lenders allow buyers to borrow extra money to pay their agents? Will anyone want to represent first time buyers if the buyers can't pay for services?

Miscellaneous

NAR has been added as defendant in the Missoula LGBTQ hate speech case. The NAR has been pulled into a month's long legal between the Missoula Organization of Realtors and a Missoula pastor and Realtor Brandon Huber. Huber faces expulsion from the local real estate organization after stopping his church's donations to the Missoula Food Bank because of their support of LGBTQ Pride Month and allegedly sharing

anti-LGBTQ sentiments. Huber claims the regulations are too vague to be enforced and NAR & the local Board (MOR) are punishing him for exercising the rights given to him under the Montana Human Rights Act. Interesting ramifications.

Split the baby: A federal Court in Seattle has again declined to toss antitrust claims filed by REX, a discount brokerage, against the NAR and Zillow, but has permanently dismissed the brokerage's false advertising claims. The judge denied the claims of REX. REX failed to back up its claim that Zillow acted as NAR's agent when changing its websites. When will the battle between REX & NAR and its affiliates end?

According to RIS Media, NAR filed a Counterclaim suit on January 28, 2022 against REX-Real Estate Exchange Inc. alleging that the Texas based firm has been deceiving consumers with false advertisements and misleading statements about its services. NAR's claim states that REX misled consumers with the way the company promotes its ability to save sellers \$ by not requiring them to pay buyer-agent commissions. So, the defendant just became the plaintiff! More on this development as the suit moves forward.

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