



AREA

BULLETIN
 AREA Gathering
 Friday, November 4, 2016
 4:30-6:00 in Orlando, FL.
 Hosted by Sherri Meadows.
 Location to be
 announced later.

ASSOCIATED REALTY OF THE AMERICAS

*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.*

OCTOBER 2016 NEWSLETTER

Carl A. Bosse, Green Valley; President **Suzanne Cooper**, Ridgewood; Executive Vice President

ADVISORY BOARD

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| Diana Bull , Santa Barbara, Chair | Leslie Rouda Smith , Dallas; Vice Chair |
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| Linda Jones Neil , Los Cabos | Jo Kenney , Atlanta |
| Gail Hartnett , Boise | Ken Libby , Stowe |
| Ron Phipps , East Greenwich | Craig Sanford , Phoenix |

“This event is not to be missed!”

Stated **Ken Libby**, former Police Chief of Stowe and president of the Vermont Association of REALTORS®

A Real Estate Discussion at Burlington’s OK Corral

The “Vermont REALTOR® Rally” will take place in Burlington, Vermont on the 26-27th of October, 2016 and all AREA members are invited to attend. The signature event is a roundtable discussion scheduled to start at 9:00 A.M. on the morning of the 27th entitled, simply, “FUTURE”. And it promises to be an eye opener and, potentially, very controversial, because of who will be speaking and the points of view being represented. In fact, Ken thinks it could also be billed: “A real

estate discussion at the OK Corral because sparks will be flying.” **Ron Phipps** will be the moderator and the five panelists include, **Brad Inman**, CEO of the Inman News; **Austin Allison**, CEO of Dotloop, which is owned by Zillow; **Suzanne Mueller**, Sr. VP of Move, Inc., which operates REALTOR®.com; and CEOs of two NAR projects: **Dale Ross** of REALTOR® Property Resources and

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Real Estate Discussion at Burlington's OK Corral (continued)

Alex Lange of Upstream LLC. For more information, please contact **Ken Libby** or go to www.vermontrealtor.com/Rally. Ken is president of the Vermont REALTORS® Association, which is sponsoring the event, and a member of the AREA Advisory Board.



Can you ID Ken?

A Hearty Welcome to AREA's Newest Members

We welcome our newest members: **Christy Vail**, *Ogden, Utah*, Keller Williams, (Residential) **Toni-Diane Donnet**, *San Diego, California* Keller Williams (Commercial) and **Moana L. Andersen**, *Pukalani, Hawaii*, Equity One Real Estate (Residential).



Christy Vail
Ogden, Utah
REALTOR®
KW Success Keller Williams Realty
vail01@gmail.com
801-603-5005

Christy, who is located in the greater Salt Lake City area, has been a REALTOR® for more than 20 years and is strongly suggested for membership by Gail Hartnett who has known her for several years and worked with her on Women's Council (she was the **local WCR Chapter President in 2006-7 and Utah State Governor in 2010.**) She was **President of the Northern Wasatch Association of REALTORS® in 2013 and named REALTOR® of the year by that same group in 2014.** She is a **2015 graduate of the NAR Leadership Academy and was Dean of the Academy in 2016.** She holds several designations and has held numerous supporting roles in the UAR throughout her career. She is a major RPAC Contributor.



Toni-Diane Donnet
San Diego, California
Commercial Broker
Keller Williams Central Coastal
Market Center
toni.donnet@gmail.com
619-814-7500 ext. 125

Toni-Diane Donnet, a licensed attorney, has been broker of record since 2008 for the Keller Williams San Diego Central Coastal Market Center 7050 Friars Road in Fashion Valley San Diego, CA 92108. Ms. Donnet is one of the original members of KW Commercial, the commercial arm of Keller Williams Realty. She has her own commercial real estate practice working directly with investor clients. Ms. Donnet specializes in commercial development and off market mixed use, hospitality, retail, and offices. In 2012, **Ms. Donnet was elected to serve as a Mediator for Real Estate Mediation Center (REMC), the mediation arm of the San Diego Association of REALTORS® (SDAR).** **In 2013, Ms. Donnet became a member of Risk Management at SDAR.**

(She was a litigator/trial lawyer from 1985 through 2007, and from early 1990s through 2008, Ms. Donnet served as a San Diego Superior Court Mediator. She also served as a mediator and arbitrator for the American Arbitration Association. From 2000 to 2008 Ms. Donnet wrote a bimonthly legal column for the San Diego Union-Tribune called "Your Legal Right." In 2001, Ms. Donnet created Cover Your Ad, a legal compliance tool for advertisements, which was created for California newspapers. These same laws apply to real estate advertising.)

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Welcome AREA's Newest Members (continued)



Moana L. Andersen
Pukalani, Hawaii
 Broker in Charge
 Equity One Pukalani
moana@equityonemaui.com
 808-573-9077

Moana is the Founder and Broker of Equity One Real Estate, Inc. and began her career in 1985. **She is the 2016 President of the Hawaii Association of REALTORS®.**

In 1999 she was honored as Realtor of the Year by the REALTOR® Association of Maui. For five years (1995 - 2000) she served as a Mayor appointed Planning Commissioner for Maui County.

In 2003, she was installed as the President of the Realtors Association of Maui. She has served as a State Director for the Hawaii Association of Realtors for 2 terms and has worked on numerous committees including Equal Opportunity, Standard Forms, Public Relations, State Conventions and the Affordable Housing Task Force. She is also a 2010 graduate of the Hawaii Association of REALTORS® Leadership Academy.

Moana is a Certified International Property Specialist (CIPS), a Certified Residential Specialist (CRS) as well as a Certified Real Estate Brokerage Manager (CRB). She received her Bachelor's Degree in Public Administration from the University of Hawaii.

She is also an accomplished pianist and songwriter and was nominated for Religious Album of the Year for the 2004 Na Hoku Awards. And, as you will later learn, Moana and her husband own a coffee plantation, more to follow.

Make Your Reservations at the Fess Parker Doubletree Hotel

The 2017 AREA Retreat

Associated Realty of the Americas (20-Jun-2017 to 23-Jun-2017)

A dedicated website is now available for your attendees to book their hotel rooms online.

Reservations can be made starting now at this web address:

Booking Website: https://resweb.passkey.com/Resweb.do?mode=welcoming_ei_new&eventID=15924109

Member Registration Fee \$395

CLICK HERE TO MAKE YOUR RESERVATIONS



Dolphin's View of the Fess Parker Doubletree - Santa Barbara.

Comments from Diana Bull



Diana Bull, Chair
 Chair, Advisory Board
 Santa Barbara, California
 dianabull@earthlink.net
 805-689-2855

Next month is the 2016 NAR Convention in Orlando and once again there will be an AREA gathering, this year hosted by **Sherri Meadows**. Details of the exact location will be forthcoming, but it will be on Friday, November 4th 4:30 until 6:00. So check your calendars and be sure to give a great big hug to Sherri!

Also, remember that **Gail Hartnett** and **Jo Kenney** want to have our sponsors set by the first week of November. All of us have received a package on what to do. So, now it is our turn to produce! Any questions call Gail, Jo or Carl.

Last month we highlighted AREA member **Telman Abbasov** of *Odessa, Ukraine*. This month we move on to Germany where we spot-light **Volker Gruber** of *Frankfurt, Germany*.

Volker joined up with Carl in 2010 and, along with his lovely and charming wife Silvia, attended the AREA Retreat in San Antonio in 2011. Shortly thereafter, Volker asked Carl to assist him with a client he had in Santiago, Chile who wished to acquire a specific hotel in New York City. This all led to the group eventually acquiring two hotels; one in South Florida and the other in Central Florida. Several AREA members were involved, in particular, **Don Bullock**, who spent a great deal of time and



Herr Volker Gruber
 Frankfurt, Germany



effort in reconnoitering properties and situations that the group from Chile expressed an interest in. In September, Volker advised Carl of another opportunity, this time with a venture capital company located in Berlin. Several members of AREA are now engaged to work on this potential opportunity. Here is some background on Herr Gruber; but first a little refresher on Germany, itself.

As we all know Germany is a Western European country with a landscape of forests, rivers, mountain ranges and North Sea beaches. It has over 2 millennia of history. Berlin, its capital, is home to art and nightlife scenes, the Brandenburg Gate and many sites relating to WWII. Munich is known for its Oktoberfest and beer halls, including the 16th-century Hofbräuhaus. Frankfurt, with its skyscrapers, houses the European Central Bank. It has a population approaching 82 million and is considered one of the world's most well run and livable countries. Volker is located in Frankfurt am Main and has been in business since 1990. He and his wife, Silvia, attended AREA's Retreat in San Antonio in 2011. Volker later met Carl and Hans Hansson in San Francisco to further enhance their relationship.



Gi-Health Facilities

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GI is a team of real estate professionals with a passion for Commercial Properties. Private and public companies, wealthy individuals, Major Brands, Developers, Fund managers, are the groups it has served in the past. All of these have their own investment criteria and individual needs. GI's experienced professionals accurately pinpoint an asset's value, market it effectively and deliver optimum results. While, at the same time, offering unsurpassed access to thousands of international capital sources as it works through its global colleagues to expose its clients the right commercial properties to investors. We are proud members Associated Realty of the Americas and its affiliate INV-America and have enjoyed great success working through the AREA team and look forward to our next venture" Volker Gruber.



A Look on the Legal Side

with Dennis Badagliacco

Dennis Badagliacco

San Jose, California
 dennisb@legacyrea.com
 408-218-1800

Dennis Badagliacco, who is one of three members serving on the Legal Advisory Board of the NAR, as are other prominent members of AREA: **Diana Bull** and **Patti Lawton**, who is vice Chair, made the following presentation about current legal considerations facing the NAR:

NAR Wins a Huge Victory

Footnote: As a member of NAR's Legal Action Committee Dennis was under an NDA to not discuss the suit until now.

Data Distribution Technologies, LLC has been employing a patent trolling strategy. Data Distribution Technologies was suing individual real estate companies claiming they owned the search patents used by all real estate companies. An example would be the search for a 3 bedroom two bath home with a fireplace. NAR spent time and money helping defend the suits. In every case, the company sought to get an amount of money to let the company out of the suit. In all cases just before the case went to trial the plaintiff would drop the suit. In the mean-time thousands of dollars of NAR and the company sued would be spent in legal fees. You cannot stop an entity from dropping a suit. NAR Legal Action decided to end the game for Data Distribution by filing a "secret suit" to invalidate the "alleged patent". Faced-with a certain loss in court, Data Distribution agreed to a settlement with the National Association of REALTORS® that will prevent it from suing, or threatening to sue, real estate practitioners, brokerages, MLSs and other companies in the real

estate industry that offer email alerts to consumers about new or updated listings.

In another NAR Legal Action case U.S. v. Hawkes, a case in which NAR joined as party to an amicus brief in the U.S. Supreme Court, the Court issued its opinion today upholding the property owner's right to appeal in court an Army Corps of Engineers determination that the owner's property contains federally regulated "waters of the United States." Prior to this ruling it was extremely difficult, if not impossible to challenge the Army Corps of Engineers.

Finally, in the Horiike v. Coldwell Banker case is moving closer to decision. This is the case with national implications. The case involves a wealthy Japanese investor who bought what he thought was the "largest home" in Beverly Hills, CA. Two different Coldwell Banker offices handled the listing and sale. The listing office pulled data off the County records. The records included sq. footage of a lanai. The plaintiff is claiming that the Coldwell Banker listing agent should have told him everything he knew about the seller. This case is possibly a definitive case on dual agency.

The Jeanne Radsick "Sherlock Holmes" "She is well known for seeing things that others may miss"



Jeanne Radsick
Bakersfield, California
jeanne@radsick.com
661-319-6555

This month's contest deals with your imagination. Submit a caption about the 2016 Retreat members in the photo below. A **2017 model Lamborghini is the prize** and, like **Ken Libby** and **Miriam Dunn**, our previous winners. And, you could also be in the clover. Please create your caption and then forward it on to carl@areamericas.com for our consideration.

THIS MONTH'S WINNING CAPTION! Was submitted **Meri Crandall** of *St. George, Utah* but it was a very competitive contest with several potential winners Like "This is what it is like to grow up in the business". So, as we did in an earlier contest, we put the top three in a hat and Meri's was the winner.

(By the way, they are still manufacturing Miriam's Lamborghini and we expect to deliver it by the end of Fall.)

Thanks to all who sent in such clever captions. Her name now goes into another drawing, together with those of **Trinkie Watson**, *Lake Tahoe* and **Deborah Baisden**, *Virginia Beach* and in December we will award the grand prize. Among the other Captions: "Every Transaction has its ups and downs" **Ken Libby**, *Stowe, Vermont* and "The Long and The Short of it", **Pat Fitzgerald** of *Palm Beach, Florida*, were tied with Meri's.

Meri's Winning Caption: "Power is not Limited by Size"



Linda Jones Neil, *Los Cabos* and Deena Zimmerman, *Chicago*

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Give us your Caption for this Month's Photo

Be sure and submit your answer to carl@areamericas.com



Miriam Dunn, *Scarsdale*