President’s Message
Gary Elliott, 2018 MIAAOR President
May 2018

Love your Beach!

On Saturday, May 5th about a dozen Realtors® joined with other beach clean-up volunteers to pick up cigarette butts, bottle caps and plastic straws. This kind of trash impacts the lives of birds and turtles, and humans are needed to find this kind of non-organic small trash and dispose of it.

Ruth McCann, Executive Director of MICA, reached out to Shirley English, MIAAOR CEO, asking if MIAAOR would sponsor the May monthly beach clean-up. Ruth explained that the beach is owned by the State of Florida and heavy maintenance is done by Collier County. The City of Marco Island’s Beach & Coastal Resources Advisory Committee as well as the Chamber of Commerce completes the trio that organizes the volunteer clean-up.

At the beach we were met by Katie O’Hara, Director of Sales and Marketing for the Chamber, with a beach cart full of buckets and grabbers. These supplies were purchased with funds donated by Leadership Marco graduates and generous donations from Marco Island Beach Yoga. Katie maintains the beach clean-up equipment and is a passionate supporter of this program. MICA provides the trash bags and gloves and first time clean-up volunteers are given a “LOVE YOUR BEACH” T-shirt for participating. These bright green T-shirts are produced by the Beach and Coastal Resources Advisory Committee through generous sponsorships from local businesses and individuals. Samantha Malloy, Manager of Parks, Culture and Recreation was there representing the City. Ray McChesney, VP at MICA, drove MICA’s Gator tractor providing water to the volunteers and collecting buckets of trash from the participants.

Volunteers meet at South Beach, fan out and stroll the beach for up to two hours collecting trash and enjoying the early morning breeze, sunshine and comradery with neighbors.

Anyone can participate in the beach clean-up. To find out more about Marco Island’s beaches go to the City of Marco Island website http://www.cityofmarcoisland.com/index.aspx?page=38 or the Chamber of Commerce website at https://www.marcoislandchamber.org. You can get emails from the Chamber even if you are not a member by subscribing for that service or just go to the Love Your Beach Facebook page for more info. https://facebook.com/loveyourbeachmarcoisland/

Hope to see you at the next one on Saturday, June 9th at 8am.
Florida law doesn’t dictate contract time, and each contract calculates time differently. As a result, it’s important to read the contract carefully to understand how to calculate the important deadlines correctly.

Let’s review the calculation of time in the Florida Realtors/Florida Bar contracts. The standard version and the “AS IS” version are the same. The effective date of these contracts is a baseline date for other calculations—the first step in figuring out many of the deadlines in both forms. Consequently, it should go without saying that you must know the effective date in order to calculate those contract time periods correctly.

In the Florida Realtors/Florida Bar contracts, Paragraph 3(b) defines the effective date as the date the last party signs or initials and delivers the offer or final counteroffer. Note that there is an element of delivery, so the effective date isn’t always the date the last party signs. In other words, if the last party signs the offer of final counteroffer on a Tuesday, but the contract doesn’t get delivered back to the other side until Wednesday, the effective date is Wednesday.

**Standard F:** Except for the effective date and time for acceptance, calendar days are to be used to compute time periods, and any time periods or dates ending or occurring on a weekend or national holiday are extended to 5 p.m. of the next business day.

**An example:** if the effective date of the contract is Wednesday, Nov. 21, 2018, and the period for making the deposit is “within 3 days after the Effective Date,” the deposit must be made no later than 5 p.m. on Monday, Nov. 26, 2018. Here’s why:

- **Wednesday, Nov. 21:** Not counted as the language states that the time for making the deposit begins after the Effective Date.
- **Thursday, Nov. 22:** Day 1 (It is counted even though it’s Thanksgiving, a national legal holiday; note that holidays effect time periods only if the deadline ends on the holiday).
- **Friday, Nov. 23:** Day 2
- **Saturday, Nov. 24:** While this is technically Day 3, the deposit isn’t due as the time period ended on a weekend, which means the deadline is extended to 5 p.m. of the following business day.
- **Sunday, Nov. 25:** The deposit still isn’t due because Sunday is not a business day.
- **Monday, Nov. 26:** The deposit is due by 5 p.m.

Again, it’s crucial to recognize that contracts may be calculated differently.

For example, the Florida Realtors® Contract for Residential Sale and Purchase (CRSP-13) uses business days to calculate time periods. The Commercial Contract uses calendar days to calculate time periods - but not for time periods of less than 5 days.

The important thing is to be aware of how time is computed in each of your deals. Taking extra time to double check the time computation section of the contract you’re using can save a lot of headaches later.
The Ever-Changing Commission

Make sure you know the rules when changing compensation in the MLS.

Realtor Ryan represents Buyer Bill and presents a full-price offer to the seller, subject to inspection. It is accepted. The inspection reveals an issue with a septic tank that will cost $12,000 to repair, so the buyer instructs Ryan to prepare an addendum asking the seller to provide a $12,000 credit to the sales price.

Ryan presents the addendum to the listing broker, Lisa. The seller counters that he will agree but only if the commission is reduced by $6,000. Lisa agrees to the reduction. After the addendum is presented to the buyer, Ryan tells Lisa that his buyer will sign it. However, he says, he is making his position known in writing that he will not accept the reduction. Lisa tells him that it doesn’t matter because she already changed the offer of compensation in the MLS to reduce it to the appropriate amount.

Livid, Ryan realizes that he needs to get the sale closed. He puts his objection in writing to Lisa and the deal closes on time. Afterward, Ryan looks at the Code of Ethics and files an ethics complaint against Lisa alleging that she violated Article 3, Standard of Practice 3-2, which states:

Any change in compensation offered for cooperative services must be communicated to the other REALTOR® prior to the time that REALTOR® submits an offer to purchase/lease the property. After a REALTOR® has submitted an offer to purchase or lease property, the listing broker may not attempt to unilaterally modify the offered compensation with respect to that cooperative transaction. (Amended 1/14)

Why it may be a violation: The Grievance Committee will most likely forward this complaint for hearing. A listing agent cannot unilaterally change the offer of compensation to the cooperating broker without his or her consent. Although the listing agent felt there was not another option, she should not have attempted to reduce the compensation when the seller could have countered or rejected the addendum requesting credit for the septic tank repair. Ryan, if he is the broker, may also elect to arbitrate this amount to recover the $3,000 if he was not paid at closing.

Congratulations to the following members who completed the MIS (Marco Island Specialist) Program for May 2018: Lourdes Alaimo, Eric Baumbach, Yvette Benarroch, Melanie Boyd, Marcia Clausen, Charles Cox, Lee Dorison, Doreen Herriman, Debra Lashley, Lizbeth Palacios Perez, Tanner Prange, Donna Sandell, Patrick Shannon, Christine Smith, Ellen Suprunowicz, Suzann Tetelman, Starr Whiting, Izabella Whitman & Yvette Wrona.

Congratulations to all!
Please help in welcoming the following new members who were inducted into the Association on May 3, 2018:

James Russell/Keller Williams Realty - Marco
Jake Piekarski/Premier Plus Realty
Mark Skikanich/ Keller Williams Realty - Marco
Sally Cruger - Coldwell Banker
Ken Nevar - Premier Sotheby's International
Dale Suslick - Keller Williams Realty - Marco
Chase Fields - Harborview Realty

Did you know?

We have over 30 years of experience in real estate law and will provide counsel on legal issues that may arise. We work with Realtors as a team and will review and assist with writing sales contracts, addendums and specific contingency clauses in order to avoid problems and provide protection. Our team will handle your closing from start to finish by scheduling and following contract deadlines, maintaining communication between all parties, and even hand delivering documents and your commission check!

Keep it simple by letting our team protect your client and your sale.

Law Offices of William G. Morris, P.A.

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wgm@wgmorrislaw.com
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FREE FORM, PEER-TO-PEER LEARNING

FREE REGISTRATION The first 300 first-time attendees will be charged at the time of registration. Once the convention is over, those first-timers will be fully refunded.
Marco Surveying & Mapping LLC was founded in 2008 by Principal, David Hyatt, PSM who has over 33 years of experience in Land Surveying. He has been a Licensed Professional Florida Surveyor and Mapper for over 20 years. He is assisted by John Pacetti, who is also a Licensed Florida Professional Surveyor & Mapper and a Graduate of the University of Florida’s Geomatics program.

Marco Surveying & Mapping utilizes the latest in Surveying technology and our principals, project managers and team members have extensive experience serving both the public and private sector with professional surveying services.

We hope that you will consider us for any surveying needs that you or your clients may require in the greater Collier and Lee County areas. Feel free to contact us at 239-389-0026 or you can email me directly at DavidHyatt@MarcoSurveys.com.

Ciara Young joins the Marco Island Board of Realtors after 6 years in the real estate business. She is a loan originator for Fidelity Bank Mortgage and a member of the Rosa Ivey Team- touting over 25 years of top-producing mortgage business in Naples and Marco Island.

A Naples native, Ciara prides herself on building strong business relationships and providing outstanding service to her clients in the town that has had her heart for over 30 years. She believes in serving her community, as a volunteer at the Humane Society in Naples and an active member of The Naples Junior Chamber. Ciara looks forward to professionally growing and getting to know each of the members at the Marco Island Board of Realtors, and showing them why Fidelity Bank Mortgage is the number one community bank with the best customer service in town!
Brian Gilmore, is the Owner of Collier Seawall & Dock, he started his career as a welder from the Boston area. Over the last 15 years they have dedicated themselves, with their growing staff, to take special care of each and every customer.

They replace seawalls, Install New Docks and Boat Lifts, bunk boats, perform repairs and maintenance, with a full service department.

Robb & Stucky is an upscale furniture and household décor retailer that offers professional interior design services. Established in 1915 in Fort Myers, Fla., the company also has showrooms in Naples, Sarasota, Coral Gables, and Boca Raton. Robb & Stucky’s Director of Business Development is Jessica Schneider. She is in charge of developing and directing the retailer’s Model Interior and Realtor programs. For more information, call (239) 415-2800 or visit www.RobbStucky.com.

Patrick Neale & Associates has office locations in Naples and Marco Island. Attorney Patrick Neale’s primary areas of practice are: Business & Entrepreneurial Law, Construction & Contracting Law, Drones (UAS), Real Estate (Contract Drafting, Negotiation, Disputes, Transactions and Leases,) Land Use, Zoning & Governmental Law and Bankruptcy.

Patrick Neale is also a Florida Civil Mediator. He has been a member of the Florida Bar for over 35 years and a Collier County resident since 1987.
MIAAOR Membership as of April 30 2018:

| Designated REALTORS® | 47 | AFFILIATES | 47 |
| REALTORS® | 507 | APPRAISERS | 3 |

Please click the links below to view the most current statistics from Florida Realtors®:


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With many buyers and sellers returning to their Northern Homes - Mail away closings are more prevalent than ever!

Mail-Away
CLOSING TIPS

As opportunities for real estate transactions expand across county and state lines, the frequency of mail-away closings is increasing. If you are involved in a closing that requires the mailing of documents, here are some tips that can help you avoid delays:

- Inform your closing agent of the need to mail documents as soon as possible. This will allow them to better coordinate the document preparation and signing process with the lender.
- Provide your closing agent with a physical address and the best phone number for each party involved in the transaction. Most overnight delivery services will not deliver to a P.O. Box.
- Be aware that many lenders have specific closing practices that may differ from local customs. Not all lenders allow documents to be signed in advance of the closing date, and some require that the documents be signed in the presence of an attorney or title officer at a local title company office.
- Allow sufficient turnaround time for the documents to be signed. This may decrease the chances of funding delays due to errors in the signing process. In order to disburse funds on a transaction, your closing agent may require the original documents to be returned and in their possession. Typically, the minimum time required to send and receive documents is three business days.

Island Title 5 Star Agency, LLC
Dawnette M Norgren
EVP/Chief Information Officer
1118 N. Collier Blvd
Marco Island, FL 34145
O: 239-394-4888
dmnorgren@5ststar.com

Island Title has been named #1 Title Company in Collier County - 5th Year in a Row by Industry Giant - First American Title Ins. Company!

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*** FREE RECHECKS ***
WEDNESDAY & FRIDAY
## June/July 2018 Calendar of Events

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<tr>
<th>Date</th>
<th>Time</th>
<th>Event Description</th>
<th>Location</th>
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<tbody>
<tr>
<td>Tuesday, June 5</td>
<td>9:00am</td>
<td>Merger Q &amp; A</td>
<td>Association Office</td>
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| Thursday, June 6   | 12:00pm| LHL - “Lake Michigan Credit Union” - **LHL060618**  
Presented by: Sharon Waldecki, Lake Michigan Credit Union |                                    |
| Friday, June 8     | 8:30am| MLS Summer School - “Magellan” - **060818**  
Presented by: Pattie Ziesig  
**Sponsored by: Conroy, Conroy & Durant** |                                    |
| Tuesday, June 19   | 8:30am| MLS Committee                                                                                       |                                    |
| Thursday, June 21  | 8:00am| Board of Directors                                                                                    |                                    |
|                    | 12:00pm| LHL - Surveying & How it May Relate to Your Transaction  
**LHL062118**  
Presented by: David Hyatt, Marco Surveying & Mapping |                                    |
| Friday, June 22    | 8:30am| MLS Summer School - “Custom Displays” - **062218**  
Presented by: Pattie Ziesig  
**Sponsored by: Regions Mortgage** |                                    |
| Thursday, June 28  | 10:00am| Form Simplicity (Basic) - **062818AM**  
**Earn 2 Hours CE Credit**  
Presented by: Kaz Cisowski, Florida Realtors  
**Sponsored by: Island Title 5 Star Agency** |                                    |
|                    | 1:00pm | Form Simplicity (Advanced) - **062818PM**  
**Earn 2 Hours CE Credit**  
Presented by: Kaz Cisowski, Florida Realtors  
**Sponsored by: Island Title 5 Star Agency** |                                    |
| Thursday, July 12  | 12:00pm| LHL - “Flood Plain Elevation” - **LHL072618**  
Presented by: Kelli DeFedericis, City of Marco Island |                                    |

## July 2018 Calendar Of Events

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<td>Wednesday, July 4</td>
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<td><strong>ASSOCIATION OFFICE CLOSED FOR OBSERVANCE OF INDEPENDENCE DAY!</strong></td>
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</tbody>
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| Friday, July 6     | 8:30am| MLS Summer School - “Prospecting” - **070618**  
Presented by: Pattie Ziesig  
**Sponsored by: Kramer Huy, P.A.** |                                    |
| Tuesday, July 10   | 8:00am| New Member Orientation                                                                               | **Sponsored by: Law Offices of William G. Morris** |
| Wednesday, July 11 | 9:00am| NAR Ethics - **071118AM** - **Earn 3 Hours CE Credit**  
Presented by: Chuck Bonamer  
**Sponsored by: Island Title 5 Star Agency** |                                    |
|                    | 1:00pm| A Real Estate Agent’s Guide to Technology - **071118**  
**Earn 3 Hours CE Credit**  
Presented by: Chuck Bonamer  
**Sponsored by: Law Office of Sam Saad, III** |                                    |
| Thursday, July 12  | 9:00am| Basic MLS Training - **New Members Only**  
Presented by: Pattie Ziesig  
**Sponsored by: Wells Fargo Private Banking** |                                    |
| Tuesday, July 17   | 8:30am| MLS Committee                                                                                       |                                    |
| Thursday, July 19  | 12:00pm| LHL - Seawalls - **LHL071918**  
Presented by: Brian Gilmore, Collier Seawall & Dock |                                    |
| Friday, July 20    | 8:30am| MLS Listing Input - **072018**  
Presented by: Pattie Ziesig  
**Sponsored by: Regions Mortgage** |                                    |
| Thursday, July 26  | 12:00pm| LHL - “Flood Plain Elevation” - **LHL072618**  
Presented by: Kelli DeFedericis, City of Marco Island |                                    |