Marco Island Area Association of REALTORS®

"MIAAOR -Community, Compassion, Collaboration
That's Who We Are - What We Have—What We Do"

ASSOCIATION NEWSLETTER

2023 | VOL. 2

2023 Premier Business Affliate Partners

Platinum

Law Offices of William G. Morris, PA

Gold

Kramer Kellerhouse, Chartered

Silver

Vacasa

Bronze

Gulf Coast Mortgage of Naples, LLC
First Horizon
Law Office of Sam J. Saad III
Island Title 5 Star Closing Team, LLC
New American Funding
Conroy, Conroy & Durant

Save the Dates

upcoming power lunches (brief 1-1.5 hour learning + FREE LUNCH)

- Wednesday, April 19 Understanding the Mortgage Process to Help YOU Sell More Homes

CONTRACT SERIES

- Tuesday, April 4: *NABOR Contracts - As Is Contract v. Residential Improved Contract*
- Tuesday, April 18: *Mistakes to Avoid*
- Tuesday, May 9: *Inspections Under FR/BAR and NABOR Contracts*
- Thursday, May 25: *Financing Contingencies Under FR/BAR and NABOR Contracts*

upcoming ce classes

- Friday, April 7 @ 9:30am via Florida Realtors Zoom 4CE
- Thur. April 27 @ 9am Fair Housing & Marketing Diversity on the

Web 3 CEs VIA ZOOM

- Wednesday, May 3 @1pm NAR Ethics LIVE 3CE

upcoming pitch plus - (What is Pitch Plus? Flyer)

- Fri. March 31 - OFF ISLAND
- Fri. April 14- Marco
- Fri. April 28 - Marco

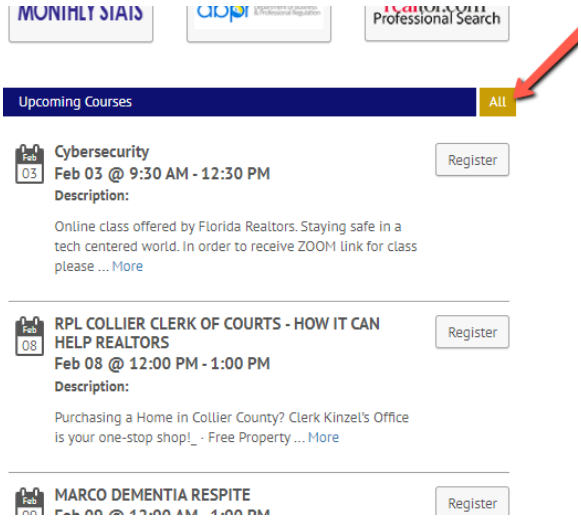
upcoming general membership luncheons

- May 23 @ Hilton Marco Island

upcoming events

- Monday, April 24 @ 9am District 5 Cars & Coffee - click for flyer
- RSN/MIAAOR AFTER 5 @ CAPRI FISH HOUSE IN LATE APRIL, DATE TBA

MIAAOR Portal & Flex MLS tips and reminders



Please remember in order to see more than the next 5 classes being offered on the portal, you have to click "ALL"

WIRE — Where Successful Businesswomen Meet, Share and Connect

This annual event brings together real estate pros from all over the state to focus on

leadership, inspiration, recharging and empowerment. The 2023 Women in Real Estate conference is set for June 16 at the Rosen Centre in Orlando.

Your Realtor Support Network has introduced the Silver Dollar Awards and will be recognizing the winners each quarter at the General Membership Luncheons and then annually in February/March of 2024. The annual winners for 2022 were recognized at our General Membership Luncheon on March 14th at the Hilton Marco Island. ***Coastland Breeze Article***

2022 Silver Dollar Award Winners

Top Production by Dollar Volume Sold

Teams

1st place: The Needles Group of John R. Wood Properties
2nd place: The Bartos Group of Premiere Plus Realty
3rd place: Michelle Thomas Team of Premier Sotheby's International Realty

Individuals

1st place: Jim Prange – Premier Sotheby's International
2nd place: Cathy Rogers – Premier Sotheby's International Realty
3rd place: Pat Wilkins – RE/MAX Affinity Plus

Top Production by # of Transaction Sides Sold

Teams

1st place: The Needles Group of John R. Wood Properties
2nd place: The Bartos Group of Premiere Plus Realty
3rd place: The McCarty Group of Keller Williams Marco Realty

Individuals

1st place: Jim Prange – Premier Sotheby's' International
2nd place: Cathy Rogers – Premier Sotheby's' International Realty
3rd place: Reilly McGregor of Harborview Realty

2022 Top Realtor Support Network Partner of the Year

Reilly McGregor of Harborview Realty

DID YOU KNOW?

Buyer Requests for Repairs or Credits Under "As Is" Contracts

- Buyer has no right to request repairs or a credit for defects under NABOR and FR/BAR "As Is" Contracts?
- Buyer only has right to terminate until the Inspection Period expires.
- If the Inspection Period expires and the contract is not terminated, Buyer accepts the property condition as is.

We are available seven days a week to work with you as a team to assist with sales contracts, addenda and specific contingency clauses.

Let us help you avoid problems with your customers and closings!

LAW OFFICES OF
WILLIAM G. MORRIS, P.A.

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Watch this short video of your MIAAOR President for Florida Realtors RPAC

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If you are looking to purchase a luxurious home with a high purchase price, a jumbo loan may be a good option.

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FIRPTA

Foreign Investment In Real Property Tax Act

What are the withholding requirements when a seller is not a U.S. Citizen or U.S. Resident?

DOES THE BUYER HAVE DEFINITE PLANS TO USE THE PROPERTY AS THEIR RESIDENCE*?

NO

Buyer is required by law to withhold 15% of the purchase price.

NOTE: If the seller believes they may be eligible for an IRS Withholding Certificate, they should contact a CPA or tax attorney regarding application form 8288-B in order to obtain a determination from the IRS whether a lesser amount is due.

*The buyer or a member of their family must have definite plans to reside at the property for at least 50% of the number of days the property is used by any person during each of the first two 12-month periods following the date of transfer. When counting the number of days the property is used, do not count the days the property will be vacant.

YES

What is the sales price?

$300,000 or less	More than $300,000, but not more than $1 Million	More than $1 Million
Complete buyer's declaration for $300,000 residence exemption form.	Buyer is required by law to withhold 10% Of the purchase price.	Buyer is required by law to withhold 15% of the purchase price.

Island Title 5 Star Closing Team,

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O: 239-394-4888
dmnorgren@it5star.com

ISLAND TITLE WAS RECENTLY NAMED INDUSTRY GIANT FIRST AMERICAN TITLE'S TOP AGENT IN FLORIDA!

AGAIN! **2 YEARS IN A ROW!!!**

Thank you for making it possible!

*

First American Title Insurance Company and its affiliates expressly disclaim any representations or warranties that the guid-ance provided herein will satisfy any statutory or regulatory obligations, or will guarantee or otherwise ensure compliance with any applicable laws or regulations, including but not limited to FIRPTA, or other federal or state statutes or regulations. [Agent] is solely responsible for ensuring that any services provided are in accordance with applicable law. It is [agents'] responsibility to review changes in laws, regulations and accounting practices that affect you and your business.

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REGISTER TODAY FOR 3 FREE CE'S VIA ZOOM ON THURSDAY, APRIL 27 AT 9AM - FAIR HOUSING & MARKETING DIVERSITY ON THE WEB

What Realtors Need to Know About Fair Housing Laws

A detailed look at the Fair Housing Act and the Florida Civil Rights Act, including legal information on "testers" and 55-plus communities.

Background

The **Fair Housing Act** (FHA) (Title VIII of the Civil Rights Act of 1968) prohibits discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18) and disability.

The **Florida Civil Rights Act of 1992** "secures all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap or marital status." (Section 760.01(2) 2013, Florida Statutes). The FHA has been applied by courts across the country to "individuals, corporations, associations and others involved in the provisions of housing and residential lending, including property owners, housing managers, homeowners and condominium associations, lenders, real estate agents and brokerage services." (**Source**)

Also, agents should check their local/county ordinances for any further protected classes that may be included.

Equal Opportunity slogan/logo

The Fair Housing Act does not specifically require the use of the Equal Opportunity slogan or logo. However, using the slogan and logo expresses your commitment to fair housing. Use of the slogan and logo in an advertisement can serve to temper a perception that discrimination is indicated.

55-plus communities

While the Fair Housing Act prohibits discrimination against protected classes, including families with children under the age of 18, federal guidelines do permit exemptions for communities designed for older adults. Among other things, the community's board must prove that at least one resident in at least 80 percent of the units or properties is 55 or older. (Section 760.29(4)(a), Florida Statutes)

This means a 55-plus community could still have people younger than 55 or even families with small children living in up to 20 percent of the properties. An 55-plus community may qualify for an exemption from the Fair Housing Act if the association board can prove:

- at least one resident in at least 80 percent of the units or properties is 55 years or older
- the community presents itself as "housing for older persons" in its marketing and controlling documents

- the board has filed the necessary paperwork for a 55 and older exemption.

The Florida Commission on Human Relations has created a **searchable registry of 55-plus communities in the state**.

Testers

There has been a recent wave of lawsuits filed against Realtors by "testers," which are groups that call Realtors just to see if the Realtor will violate a provision of the Fair Housing Act, even though the tester has no relationship with the Realtor and is not interested in buying or renting the listed property. Courts have found that these testers have standing to sue as they have suffered injury, as shown in the following example:

In **Havens Realty Corp, et al v. Coleman et al.** (455 U.S. 363 (1982), the Court found that the testers had standing to sue, which appears to be a growing trend. HOME argued in this case that Haven's steering practices had "frustrated the organization's counseling and referral services with a consequent drain on resources" as the harm suffered. The Court read section 804(d) of the FHA and decided that Congress conferred on "all persons" a legal right to truthful information about available housing. Specifically, the Court reasoned that "a tester who has been the object of misrepresentation made unlawful under Section 804(d) has suffered injury in precisely the form the statute was intended to guard against, therefore has standing to maintain a claim for damages under the Act's provisions." Additionally, the Court held that the fact that the tester may have been approached fully expecting to received false information and without any intention of buying or renting a home does not negate the "simply fact of injury."

Realtors must be aware of and understand the FHA, in addition to the Florida Civil Rights Act, so they don't face lawsuits. **REGISTER HERE NOW FOR THE FREE 3 CES ON APRIL 27 FOR FAIR HOUSING CLASS VIA ZOOM W CHUCK BONAMER**

MIAAOR Real Estate Market Report - FEBRUARY 2023
FL Realtor® Market Stats – Single Family Homes – February 2023
FL Realtor® Market Stats – Townhouses & Condos – February 2023

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