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# REALTOR<sup>®</sup> NEWS

Web Site - [greaternhrealtors.com](http://greaternhrealtors.com)

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Issue No. 260

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## GNHAR MISSION STATEMENT

The mission of the Greater New Haven Association of REALTORS® is to serve our membership through programs, products and services which enhance knowledge, professionalism and profitability.



## *Congratulations!!!*

The following members have been awarded the 2008 Third Quarter Achievement Award by the Greater New Haven Association of REALTORS®, Inc. for being the High Producers during that period. Congratulations! Recipients were honored at the October 23rd General Membership meeting. All recipients were featured in the November 7th issue of The Connecticut Home Browser magazine, and also featured on the Association Web Site - [greaternhrealtors.com](http://greaternhrealtors.com)

Stacy Blake	ReMax Right Choice, Milford
Karen Charest	Calcagni Associates, Wallingford
John Coppola	C21 Today, West Haven
Stephanie Ellison	ReMax Right Choice, Milford
Betsy Grauer	Betsy Grauer Realty, New Haven
Kevin Green	Prudential Ct Realty, Wallingford
Pat & Wayne Harriman	Wm. Raveis Real Estate, Cheshire
Jared James	ReMax Right Choice, Milford
Nick Mastrangelo	Weichert Realtors Reg. Prop., Orange
Larry Madow	Calcagni Associates, Wallingford
Greg Robbins	Realty World-Clayton, East Haven
Toni Ross	Weichert Realtors Reg. Prop., Orange
Eric Schull	ERA Seigel Realty, Hamden
Mihael Sirochman	Weichert Realtors Reg. Prop., Orange
Rosemary Sowitcky	Weichert Realtors Reg. Prop., Orange
Paul Thompson	Realty World-Clayton, East Haven

The Quarterly Awards Program is available to all members of The Greater New Haven Association of REALTORS®. Points are completed on listings currently in CTMLS. Rental status listings cannot be used. To qualify, you must earn 9 points per calendar quarter. 1 point earned if you are the listing or selling agent on a property that closed during the quarter. You will earn 2 points ONLY if you are both the listing and selling agent, during the same quarter. Nomination form attached.

Deadline to submit nominations for the next quarter ending December 31, 2008: MUST be received at the Association Office no later than January 13, 2009. (Fax copies not accepted).

## ASSOCIATION EVENTS

### POWER LUNCH SERIES

Thursday, Nov. 20, 2008  
11:45 AM at the Assn Office  
(free lunch provided)

Speaker:

Francisco Garcia  
Technology Administrator  
Greater NH Assn of Realtors

Topic:

### Emerging Technologies

Reservations a **MUST**  
Flyers were sent to all members

**HOLIDAY GATHERING &  
INSTALLATION OF  
OFFICERS & DIRECTORS**  
Laurel View Country Club  
310 W. Shepard Ave., Hamden

The Board of Directors of the GNHAR invites all members and their guests to this event. Al Scafati of Press & Cuzzo Inc. will be installed as the 2009 Chairman of the Board of the GNHAR.

\$30/person

Cocktails & Hors d'oeuvres - 5:30

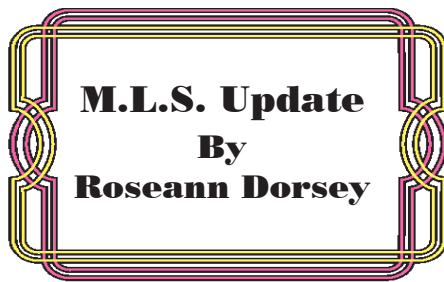
Dinner 7:00 pm.

Music and Dancing - DJ

**Flyers mailed to all members**

Deadline for reservations is  
Monday, December 1st.



**CTMLS ERRORS:**

(Noted by Michele Benson, Operations/Compliance Assistant at CTMLS.)

**HUBBARD STATUS:**

We have been many, many calls regarding what to do when a property has a HUBBARD Clause. Hope this will minimize the problem.

The listing MUST be put on HUBBARD (HUBRD) status. Previously, before CTMLS took over the MLS, GNHAR allowed the HUBBARD to stay on ACT as long as the Realtor had a signed letter from the sellers stating they want to keep it on ACT.

Since that time, we must go by the Rules & Regulation of CTMLS which states all properties must be placed on HUBBARD (HUBRD) and CANNOT stay on ACT status. This is a direct violation of their Rules & Regulations.

However, something new that will be announced early next year (2009) by CTMLS. A field will be added next to the Listing Status, "HUBBARD (HUBRD) YES NO."

You will need to check off one of these boxes.

Until then, again, you need to put the listings on HUBRD status. You cannot leave it on Active status.

If you have any questions, please feel free to call Roseann, 203-234-7700 or Michele Benson at 203-234-7001. Thank you.

**BRANDED PHOTOS:**

Branded photos are photos that have either signage or contact information in them are in direct violation of the CTMLS Rules & Regulations. I realize some signs are not readable, however in all fairness, CTMLS does not allow signs in the listing photos AT ALL. Agents like to email listings to potential clients and it is understandable that they should not want to pass on another listing agents contact information. Agents have actually stated that these kinds of photos deter them from sending the listings to clients. Please do not enter listings with signage in them or with frames showing the agent name and/or company. Thank you.

**STATEMENTS IN REMARKS SECTION:**

It is very difficult to determine which words or statements to use; statements and words such as "Great family neighborhood", "Near church(s), near synagogue, or "non-smokers" in any remarks section on the MLS is not acceptable.

As a general rule, use words to describe the property not the buyer or tenant. There is a list you can obtain for the asking. Please email Roseann at rdorsey@snet.net

Thank you.



The following applications for membership have been received. Any member having any comment, pro or con, on the qualifications of these candidates should forward those comments, in writing, to the Membership Committee in care of the Association Office.

**REALTOR APPLICATIONS:**

Marc D Kroopneck, ERA Property World, Milf.  
Carol A. Kuryla, Joy Real Estate, Milford  
Damaris Santos, CB, Hamden  
Laura M Zippo, Riccio Realty, West Haven  
Emily Gonzalez, C21 Access Amer., Meriden  
Dawn C. Siedlarz-Aponte, Mission Real Estate  
Jeremy B. Rosner, Rosner Doherty Realty, NH  
Tracy Levey, Eye Spy Realty, Milford  
Michael R. Choromanski, Raveis RE, Ches.  
Matthew J. Pepe, Amer. First Realty, Bfd  
Margarita Pellegrino, CB, Hamden  
Michael Ramos, GAP Realty, East Haven  
Dean Stone, The Home Store, Wallingford  
Richard Volpe, H Pearce, Wallingford

**DESIGNATED REALTORS APPLICATIONS:**

Kristen L. Burr d/b/a TKA Real Estate, LLC, 22 Algonquin Dr., Wallingford 06492. Phone 203-774-4910, Fax 203-697-0849

Aron B. Schreier d/b/a Nutmeg Enterprises, LLC, 218 Quarry Rd, Stamford, CT 06903. Phone 917-287-2860.

**OFFICE ADDRESS CHANGES:**

Quest Realty Group, 114 Sherman Ave., New Haven, CT 06511.  
Sunderland Realty, 164 Vista Drive, East Haven, CT 06512  
Buyers Capital Brokerage, 60 Connolly Parkway, Bldg 10-B, Suite 201, Hamden, CT

**OFFICE RESIGNED:**

Jim White d/b/a White Realty LLC, 503 Hundred Acre Rd, Orange  
Richard F. Nicolari d/b/a Remco Realty, LLC, New Haven.

**OFFICE NAME CHANGE:**

Groves Associates, 1828 Dixwell Ave, Hamden, CT 06514 was Resolution Real Estate

## CONGRATULATIONS TO THE FOLLOWING NEW REALTORS®

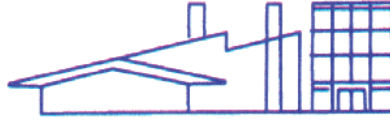
Access MLS Realty, LLC, EH  
Steven M Mascia  
Calcagni Associates, Cheshire  
Ann Marie Micacci  
Calcagni Associates, Hamden  
John P. Costanzo  
Carbutti & Co, Wallingford  
Thomas J. Buijnarowski  
Clayton Realty World, EH  
Carolyn M. D'Errico  
Alice E. Ruggiero  
CB Res Brokerage, Hamden  
Damaris M Santos  
Steven Troiano  
ERA Property World, Milford  
Anne Peterson  
Easton B. Smith Ent., Hamden  
Easton B. Smith  
Hunts, Meade & Part. Co.  
Sean M. Roper  
Joy Real Estate, Milford  
Carol A. Kuryla  
Keller Williams  
Rema J. Brown  
Mainline New England, Wall.  
Cynthia J. Cipriani  
Mission Real Estate, Wall.  
Dawn C. Siedlarz-Aponte  
ReMax Colony, Wallingford  
Edward L. Grenier  
Riccio Realty & REO, W.H.  
Laura M. Zippo  
Rosner Doherty Realty, NH  
Jeremy B. Rosner

## REMINDER OF DUES AND SUPRA KEY BILLING

*From the Finance Director  
Edward Sposito*

**Supra Key Bill for 2009 - \$130/year**  
**If you are not going to need your key for the year 2009, please return it BEFORE December 15th. Keys not returned will be billed out.**

**Dues billing will be mailed out in December, 2008 for payment no later than January 31, 2009. In order to avoid billing, if you are going to resign membership, please advise the Association BEFORE December 15, 2008.**



### NEW HAVEN REAL ESTATE SCHOOL

A Division of the Greater New Haven Association of Realtors (GNHAR)

127 Washington Ave. West LL

North Haven, CT 06473

Telephone 203-234-3938 Fax 203-234-3980

[reschool@snet.net](mailto:reschool@snet.net)

[www.greaternhrealtors.com](http://www.greaternhrealtors.com)

GET a **REAL** Education

*“Ethics and equity and the principles of justice do not change with the calendar.”*

*D. H. Lawrence*

**\*The end of this calendar year is fast approaching. ALL members of the National Association of REALTORS® are required to completed Ethics Training by the second quadrennial cycle deadline of December 31, 2008**

**Between January 1, 2005 and December 31, 2008, every active NAR REALTOR® member is required to complete 2 1/2 hours of Code of Ethics training.**

**\*REALTOR® members include Appraisers, Brokers, and Sales Agents.**

- **Code of Ethics training is a NATIONAL membership requirement that must be completed every four years vs. Continuing Education which is a STATE requirement of the CT Real Estate Commission that must be completed every two years.**

**If you have not completed an Ethics class since January 1, 2005, the requirement can be met by:**

Completing the free NAR on-line course through the NAR website. <http://www.realtor.org/education>

*Or*

1. Attending an approved Ethics class in a classroom setting.  
Please visit our website [www.greaternhrealtors.com](http://www.greaternhrealtors.com) for schedules

**As of August 4<sup>th</sup>, 2008 NAR members can check whether they have completed their NAR education requirement.**

To check whether or not **you** have completed Ethics, log on to NAR at [www.realtor.org](http://www.realtor.org) then select NRDS, enter your user id/password, select Basic Information, View My Education Records.

**Lynne Westerhoff  
Education Coordinator**

**DUTIES AND OBLIGATIONS OF REALTORS  
IN CONNECTICUT REAL ESTATE  
TRANSACTIONS INVOLVING  
REGISTERED SEX OFFENDERS**

*Provided by*

*William W. Bouton III, Assn. Attorney*

The purpose of this memorandum is to provide the GNHAR with an overview of the duties and obligations of REALTORS® in transactions involving registered sex offenders. Because Connecticut's statutes and case law on this topic is fairly undeveloped, some of the discussion below is based on an analysis of California law. Therefore, when reviewing the following questions and answers, please keep in mind that many of the questions below have yet to be addressed under Connecticut law and may yield different answers when actually considered by courts or the legislature.

**I. Connecticut's Sex Offender Registry**

Connecticut law requires that the Connecticut Department of Public Safety establish and maintain a central registry of persons who have been convicted of certain sexual offenses and are required to register under this central internet database. The Registry contains information about sex offenders who have either been convicted of certain sex offenses or found not guilty of such offenses by reason of mental disease or defect. This information is provided on the internet in a central location to make it more readily available and accessible, not to warn the public about any specific individual. To obtain more information about the persons listed on the Registry, the Department of Public Safety will release a state criminal conviction record for a fee. For more information on the Registry, you can contact the Department of Public Safety, State Bureau of identification at (860) 685-8480.

**II. Questions and Answers Relating to Connecticut Real Estate Transactions Involving Sex Offenders**

**• What are the disclosure obligations of REALTORS under Connecticut law?**

Connecticut General Statutes 20-327b(G) states that any person offering residential property in Connecticut for sale, exchange or lease with the option to buy, must provide the prospective purchaser with a residential condition report which contains a statement notifying the prospective purchaser that (i) information concerning the residence address of a person convicted of a crime may be available from law enforcement agencies or the Department of Public Safety and (ii) the Department of Public Safety maintains a site on the Internet which lists information about the residence addresses of registered sex offenders.

Connecticut law does not specifically require REALTORS to disclose this Registry to prospective tenants who will be entering a lease without an option to purchase; however, to protect the interests of the participants in the transaction, REALTORS may opt to adopt a policy to inform prospective tenants of the Registry.

**• What disclosures are required if a REALTOR representing a landlord or seller is actually aware of a registered sex offender living in the area?**

Under Connecticut law, REALTORS cannot misrepresent or conceal material facts in a real estate transaction. Therefore, simply notifying the prospective purchaser or tenant of the existence of the Registry may not be enough if the REALTOR representing the landlord or seller has actual knowledge that a registered sex offender is living in the neighborhood. While there is no Connecticut case or statute addressing whether a sex offender living in a neighborhood should be considered a material fact, it is reasonable to infer that most prospective buyers and tenants would view this as material. Thus, if a REALTOR representing a seller or landlord has actually viewed the Registry and knows that a sex offender is living in the neighborhood of the property on the market, this fact should be disclosed to the other parties in the transaction.

**• What disclosures are required if a REALTOR learns that his or her client, the prospective buyer or tenant, is a registered sex offender?**

The question of whether a REALTOR is obligated to disclose the fact that his or her client, the prospective buyer or tenant, is a registered sex offender is a difficult question to answer with no clear answer for several reasons. First, REALTORS have a fiduciary duty to their clients and Article I of the Code of Ethics explicitly requires REALTORS to protect and promote their clients' interests. However, even though a REALTOR's obligation to his or her client is primary, this does not relieve a REALTOR from the obligation to treat all parties honestly. In addition, REALTORS are obligated under Article II of the Code to avoid misrepresenting or concealing pertinent facts relating to the property or transaction. This creates a conflict between a REALTOR's duty to his or her client and other professional obligations.

The best way to resolve this conflict is for a REALTOR in this situation to discuss the possibility of disclosure with his or her client. There are many reasons why disclosure may be in the best interest of the client. For instance, because the information is public and readily available on the Registry, the landlord or seller could easily learn about the client's past, even without the REALTOR's disclosure. In some circumstances, this may cause the transaction to fall apart even after significant time and resources have been expended by all parties. Also, it may be risky to make the assumption that the seller or landlord will not consider the client's past a material fact. While the seller or landlord may not be living next door to the registered sex offender, there may be other circumstances that make the client's past material. Therefore, disclosure with the client's consent will allow a REALTOR to promote the client's interest, while not breaching other professional duties. Ultimately, however, a REALTOR's obligation to his or her client is primary and could prevent him or her from making the

disclosure to other parties in the transaction.

**• Does a REALTOR representing a potential buyer or tenant need to disclose to the seller or listing agent the fact that he or she has knowledge of a sex offender living in the area?**

REALTORS do not have a duty under Connecticut statutes to disclose the existence of a sex offender in a neighborhood to the seller or listing agent of a property. Nevertheless, if the client is not purchasing or leasing the property because of the existence of a registered sex offender in the neighborhood, the REALTOR may choose to disclose this information and their client's reasoning.

**• Should a REALTOR print out a copy of the information from the Registry and provide this information to his or her client?**

Connecticut law provides that if a person uses information in the Registry to injure, harass or commit a criminal act against a person listed in the Registry, such person will be subject to criminal prosecution. Therefore, if a REALTOR provides his or her client with this information, knowing that such information will be used to injure, harass or commit a criminal act against a sex offender, the REALTOR may be found to be in violation of Connecticut law. Prudent REALTORS should instead disclose the existence of the Registry and explain how to access relevant information, but should not print out the information for their clients.

**• What are the disclosure obligations for a REALTOR who has actual knowledge that a sex offender is currently living in the unit that will be rented out or sold?**

The answer to this question depends on whether the potential tenant or buyer would view this as a material fact. Since the sex offender will not be living at the address once the prospective buyer or tenant moves in, this may not be considered a material fact. However, if the presence of the sex offender on the property would put the prospective buyer or tenant at risk, this fact should be disclosed. Similarly, if the sex offender committed a crime in the residence, this information would likely be viewed as a material fact that should be disclosed by the REALTOR.

**• Can a seller or landlord of a property refuse to sell or lease the property to a registered sex offender?**

While sellers and landlords are prohibited from refusing to sell or lease property for reasons related to a person's race, color, religion, sex, handicap, familial status or national origin, they are not prohibited from refusing to sell or lease property to a registered sex offender.

## **NAR'S FOUR-POINT HOUSING STIMULUS PLAN**

As REALTORS®, we know that at its core, the current economic crisis is the result of problems in our nation's housing and mortgage markets. With Congress considering a return to Washington this month for another economic stimulus effort, NAR has put forth a Four-Point Plan that must be included in any stimulus effort in order to boost the economy and calm jittery real estate markets.

Housing has always lifted our economy out of past economic downturns. Immediate action is imperative to foster a housing recovery that historically leads any overall economic recovery.

### **NAR's plan would:**

- 1.** Make the \$7500 first-time homebuyer tax credit available to all buyers and eliminate repayment requirements. The credit's limited availability and repayment requirement severely limit the credit's use and effectiveness.
- 2.** Make the 2008 FHA, Fannie Mae and Freddie Mac loan limits permanent. New rules for 2009 will reduce them. Now is not the time to limit mortgage affordability.
- 3.** Get the Treasury relief program back on track and target more funds to mortgage relief. Create a federal mortgage interest buy-down program to lower rates to 4.5% or lower and stabilize home prices. The proposal calls for a short-term government buy-down of mortgage rates to at least 4.5%, or lower, for a 30-year fixed rate mortgage (down from current rates of approximately 6.04%). This homebuyer incentive would apply to the purchase of all new and/or existing homes sold up to \$1 million in price. There are a number of ways in which the government ultimately could decide to structure and fund this program, which could be addressed as part of the stimulus packages currently being discussed in Washington.
- 4.** Permanently bar banks from engaging in real estate brokerage and management. The banks have proven they have enough to do to simply manage the loan process. We do not want them to manage home sales and purchases.

**"SUPPORT RPAC - CONTRIBUTE TO YOUR INDUSTRY"**



