

Official Publication of the Newport Beach Association of REALTORS®

# THE COASTAL REALTOR® *News*



JUNE 2017

V22 N6



# President's Message



**Kemble Spyro**  
2017  
President

## Be The Realtor With A "Soul"

As you all know my theme for 2017 is "Raising The Bar" on our profession. This month my bar is set on finding the "soul" in our industry.

The word "Soul" has been defined as many things. The definition however, that resonates best with me is "The incorporeal (having no material essence) of a living being. The reason that resonates with me is because truthfully speaking, I think our profession can use a little more "Soul" in the transaction process; and yes, I say that in light of the Real Estate Wars debut.

We as Realtors are entrusted with a great responsibility, which is the selling or acquiring of an individual's/families most substantial asset – their home. As a 30 year veteran in the industry I am burdened because I'm seeing more and more realtors treat "the deal" as a gateway to the commission, instead of what it really is, which is helping our clients find a place that they can call home. Home, where they will raise their children. Home, where they will create lifetime memories. Home, where they will get their first pet, broken arm, lose a loved one, or where the next big idea might be birthed.

As industry professionals we need to remember that where we make money in the transaction of selling or buying a house, our clients on the other hand are investing, often times, their life's saving. Where we are looking at the art of the deal that will close in a "matter of weeks", they are looking at the colors and memories of their life to come. In other words, selling or buying a home is not just about the transfer of bricks and mortar, and the hard line details in the contract. It is an intimate transaction where we must never forget to have empathy, patience and caring as we navigate our client thru the challenges of professionally closing a deal. This is what I call the "Soul" of the transaction.

Don't get me wrong, I am perfectly aware of the seduction of the commission in the great O.C., where millions of dollars a year are up for grabs. In addition, I believe there are currently many agents and brokers who are already seasoning their deals with the aroma of Soul. I feel however that we can all lose sight at times as to why we are doing the business we are, and what our primary goal is, or needs to be: Selling a home, to a client.

In our world today, where social media, glossy eight-page brochures, fancy videos and clever marketing is our tool of choice to attract clients, I would challenge you to add the element of Soul to your presentation packages. Because in this competitive market where all the pomp and circumstance of promotion is available to every agent, it's the word of mouth and personal referral that will put your name in front of all the rest.

Here is to a prosperous Summer and may the "Soul" be with you...

# Contents

2nd Annual Charity Texas Hold-Em Poker Tournament

PAGE **FIVE**

NBAOR Summer Kickoff Cocktail Mixer

PAGE **ELEVEN**

Team Names: Q&A

PAGE **EIGHTEEN**

## Government/ Political Affairs Update

PAGE **TWELVE**

## Message from the President

PAGE **TWO**

## New Members

PAGE **SIXTEEN**

## Calendar of Events

PAGE **TWENTY**

### Official Publication of the Newport Beach Association of REALTORS®

401 Old Newport Blvd., Ste. 100  
Newport Beach, CA 92663  
(949) 722-2300

The purpose of the Newport Beach Association of REALTORS® is to be a service and support organization through active participation in establishing programs and services that will enhance and promote the successful business endeavors of its members. With integrity and competence, it will provide a positive link to the local community by cultivating goodwill and protecting the individual rights to own, transfer and use real property.

#### Editor:

Tricia Moore / Kimberly Foreman

#### Production Coordinator:

Ned Foley, *Foley Publications, Inc.*

#### Advertising information:

1-800-628-6983

©Copyright 2000 Foley Publications, Inc.  
All rights reserved.

## The Coastal REALTOR® News

The Newport Beach Association of REALTORS® makes no warranties and assumes no responsibility for the accuracy of the information contained herein. The opinions expressed in article are not necessarily the opinions of the Association of REALTORS®.

### 2017 Officers and Board of Directors Newport Beach Association of REALTORS®

President - Spyro Kemble  
Vice President - Bob Milliken  
Treasurer - Kevin Kubiak  
Secretary - Cari Young

#### Directors:

Bob Braun  
Ken Carr  
Devin Lucas  
Rob Norquist  
Sue Podany  
Mark Todd  
Jennifer Wong

#### Executive Vice President:

Tricia Moore, RCE, CAE

### 2017 C.A.R. Directors:

Spyro Kemble  
Kevin Kubiak  
Bob Milliken  
Rob Norquist  
Sue Podany  
Cari Young

### 2017 C.A.R. 32nd Regional Chairman:

Cheryl Romig

### Equal Housing Opportunity

Federal law prohibits discrimination based on race, color, religion, sex, handicap, familial status or national origin in connection with the sale of rental of residential real estate, in advertising the sale or rental of housing, in the financing of housing, and in the provision of real estate brokerage services.





# Let us help you move ahead with your home financing goals

Whether you're a first-time homebuyer or a seasoned homeowner, we have products and programs that are sure to meet your home financing needs:

- Wide selection of conventional and government loans
- Reliable preapprovals
- Responsive service and professional knowledge

Call or stop in to visit your Newport Beach home mortgage consultants today.



**Steve Glass**  
*Branch Manager*  
Newport Beach, CA  
949-809-2555  
NMLSR ID 453218



**My Hoang**  
*Sales Manager*  
949-356-8991  
NMLSR ID 453285



**Joseph James Pirro**  
*Sales Manager*  
949-809-2590  
NMLSR ID 483673



**Tina Vo**  
949-809-2547  
NMLSR ID 450331



**Michael Prime**  
949-809-2550  
NMLSR ID 468654



**Jacob Neushul**  
949-644-7574  
NMLSR ID 450373



**Lisa I. Chen**  
714-865-9945  
NMLSR ID 455425



**Saundra L. Gonzales**  
949-261-6282  
NMLSR ID 460072



**Maryam M. Gillany**  
949-809-2558  
NMLSR ID 460014



**David L. Stiffler**  
949-809-2545  
NMLSR ID 265135



**Marta Cena**  
714-366-9808  
NMLSR ID 1407555



**David Allen**  
949-809-2546  
NMLSR ID 138595



**Tammy Phan**  
714-803-0725  
NMLSR ID 484527



**Mika Cooper**  
310-913-9030  
NMLSR ID 489277



**Sean Yari**  
949-838-6526  
NMLSR ID 488457



**Eric Heimstaedt**  
949-809-2578  
NMLSR ID 1321090

**Newport Beach Branch**  
4675 Mac Arthur Court, Ste 1400  
Newport Beach, CA 92660





# 2ND ANNUAL CHARITY TEXAS HOLD-EM POKER TOURNAMENT

## Benefitting the Blind Children's Learning Center



1st Place Winner - Mark Todd  
 2nd Place Winner- Rex Lin  
 3rd Place Winner - Jim Jacobs



# RENEW YOUR LICENSE THE DUANE GOMER WAY



**Friday, June 30th at 9 a.m.**

Newport Beach Association of REALTORS®  
401 Old Newport Blvd. #100, Newport Beach

**LOW PRICE - GREAT VALUE: \$105-TEXT BOOKS / \$95-PDF**

*Non-Members \$115 Text/\$105 PDF*

## WHAT THE PROGRAM WILL COVER

- You will test on one 15-hour course, Property Management Success, at the site and will receive instructions to test online later on the additional courses.
- All students will receive the 3-hour mandatory courses: of Agency, Ethics, Trust Funds, Fair Housing, Risk Management, Management & Supervision and one consumer protection course by textbook or PDF.
- Although this meeting is not mandatory to renew your license through the use of our continuing education courses, it is our most popular.
- Instructions for online exams will be given at the seminar.
- All testing in accordance with current CalBRE rules.

## SCHEDULE

**8:45 p.m.** Registration

**9:00 a.m.** Course review

**12:00 p.m.** End of Session

## NOTE:

1. Value - Book \$10
2. Money back guarantee
3. Must cancel 48 hrs prior

Anyone who fails an exam can take a second test at no cost any time within one year from date of registration or take the optional review again at no cost. Courses are for all licensees. These courses are approved for Continuing Education Credit by the California Bureau of Real Estate. However, this approval does not constitute an endorsement of the views or opinions which are expressed by the course sponsor, instructor, author or lecturers. BRE Sponsor #0054

TO REGISTER OR INFO CONTACT ARLEEN AT (949) 722-2300

Name(s): \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Please charge my AMEX VISA MC DISC BRE# \_\_\_\_\_

Credit Card # \_\_\_\_\_ Expiration Date: \_\_\_\_\_ SEC Code \_\_\_\_\_

Billing Address for Credit Card \_\_\_\_\_ Signature: \_\_\_\_\_





# Life will be different here.

## Welcome to Great Park Neighborhoods.

Where there are more ways to love where you live. Like new home designs that range in price **from the high \$500,000s to the high \$1,000,000s**. Top-rated Irvine Unified School District. Creative parks. Connected trails. And a front-row seat to the Orange County Great Park.

Located near the intersection of Great Park Blvd and Ridge Valley. Turn on Great Park Blvd from Sand Canyon Ave and then left at Ridge Valley.

[GreatParkNeighborhoods.com](http://GreatParkNeighborhoods.com)

949.523.2037

**Great Park**   
**NEIGHBORHOODS**



**FIVEPOINT™**

*Delivered as promised.*

© 2017 Heritage Fields El Toro, LLC. All rights reserved. Great Park Neighborhoods, the bicycle logo, and "Life Will Be Different Here" are registered trademarks of Heritage Fields El Toro, LLC ("Heritage Fields") dba Great Park Neighborhoods used for the marketing of new home neighborhoods in Irvine, California. Five Point Communities Management, Inc. ("Five Point") is the development manager of Great Park Neighborhoods. Neither Heritage Fields nor Five Point is designing, constructing or offering homes for sale in Great Park Neighborhoods. All proposed amenities are subject to change without notice. Lifestyle photography does not reflect any ethnic or racial preference. (5/17)

## 2017 WomanUP!™ Conference

---



### WomanUP!™ Conference

Thursday, June 8  
9:00 a.m. - 6:30 p.m.  
The Westin

Pasadena, California

Identify, Develop, Connect #WomanUP

A full day devoted to giving powerful women bold tools to take their careers to the next level.

View [agenda](#) and learn more about [speakers](#).

**REGISTER NOW**

**Registration Deadline is June 1, 2017**

*Includes lunch, a cocktail hour,  
keynames in the industry, and loads of networking!*

#### Hotel rates

#### Sponsors

Thank you to the WomanUP!™ Conference Sponsors below for your support.

#### SponsorUP



#### SponsorLIGHT

Beverly Hills/Greater LA Association of REALTORS®  
Contra Costa Association of REALTORS®  
Orange County Association of REALTORS®  
REALTORS® Property Resource



# bravo

## Bravo's New Series Real Estate Wars Promises to be a Battle Royal, O.C. Style

**See NBAOR's own President, Spyro Kemble in the latest episode.**



# TRUSTED, TRIED & TRUE



- 30 Years Experience
- FHA / VA / Conventional
- Purchase / Refinance
- Primary Residence
- Second Home
- Investment Property
- Personally Funded Over  
\$2.75 Billion in Residential  
Mortgages



**Al Hensling**

800-708-5626 ext.110

Direct: 949-223-0310

Fax: 949-606-9045

alhensling@UAMCO.com

**www.UAMCO.com**

NMLS #: 71287

State License # 01154798  
NMLS #: 1942





# SUMMER KICKOFF COCKTAIL MIXER



Let's kick off the summer  
time with a cocktail mixer.

Please join us for happy  
hour on the patio of Avila's  
El Ranchito (Lido Peninsula)

NBAOR Members FREE—All others \$10

Please RSVP by calling (949) 722-2300



**RSVP: 949-722-2300**

**Date: Thursday, June 8, 2017**

**Time: 4:30 PM—6:30 PM**

**Location: Avila's El Ranchito's Patio**  
2800 Newport Blvd., Newport Beach





# GOVERNMENT/ POLITICAL AFFAIRS UPDATE



Weekly Update of State Legislation, 5/15/17

## C.A.R. Sponsored Bills:

**AB 448 (Daly) Parcel Tax Vote Notification** - This measure is a follow up to last year's C.A.R.-sponsored AB 2476 (Daly) which requires that a postcard notice be sent to property owners who reside outside of the jurisdiction after the approval of a parcel tax by the voters. This measure would require the notice to be mailed within 30 days of certification of the election results. AB 448 is pending hearing in the Assembly Appropriations Committee.

**AB 690 (Quirk-Silva) Homeowners Association (HOA) Management Company Disclosures: Fees & Conflicts of Interest** - AB 690, among other things, requires HOAs to deliver, within the annual budget report, an itemized estimate of fees that may be charged by a professional management company for documents necessary to facilitate a real estate transaction. The bill also clarifies that sellers may request to purchase some or all of these documents, but shall not be required to purchase ALL of the documents listed on this form. Management companies will also be required to disclose any conflicts of interest when initiating a management contract or presenting bids for service to the HOA board. C.A.R. is sponsoring AB 690 to help unit owners prepare for costs associated with the transfer of real property and to ensure that the board of directors has the tools necessary to make informed decisions regarding proposed service providers. AB 690 passed out of the Assembly Judiciary Committee this week.

**AB 749 (Irwin) and AB 1289 (Arambula) Real Estate Law Cleanup** - In 2016, C.A.R. successfully sponsored AB 685 (Irwin), which made some necessary technical corrections to the Real Estate Law including changing outdated terminology. These measures make additional changes in the Real Estate Law to update and conform it to current practice. AB 749 and AB 1289 are comprehensive efforts opposed by the consumer attorneys who argue the bills do more than simply "clean up and conform to current practice." The Judiciary chair has requested that stakeholder meetings take place to sort out the details of the bills. The bills will not move forward this year: AB 749 is pending in the Assembly Business and Professions Committee; AB 1289 is pending in the Assembly Judiciary Committee.

**AB 1139 (Reyes) Private Transfer Fee Disclosure Update**  
- Private Transfer Fees (PTFs) are fees imposed by a seller requir-

ing the buyer and any subsequent purchaser to pay a fee upon the transfer. In 2012, the Federal Housing Finance Agency (FHFA) adopted a rule for Fannie Mae and Freddie Mac backed mortgages requiring that the funds generated by any PTF provide a "direct benefit" to the encumbered property (PTFs established prior to the date of the rule are "grandfathered"). Federal law now requires the Federal Housing Administration (FHA) to adopt the same rule regarding PTFs. Current California law on PTF disclosures only provides the "particulars" of the fee (i.e., amount, fee recipient, etc.). This bill updates the PTF disclosure law to inform homebuyers of the FHA and FHFA regulations relating to PTFs and how those regulations may impact the ability to obtain financing. AB 1139 is pending hearing in the Senate Judiciary Committee.

**AB 1333 (Dababneh) Property Owner Notification: Proposed Taxes and Bonds** - Under current law, resident property owners receive notice of proposed taxes and bonds with receipt of their ballot pamphlet while non-resident property owners do not receive any notice whatsoever. This bill requires a city, county or special district (e.g., hospital district) to provide notice to all property owners within 7 days of a proposed tax or bond qualifying for the ballot. AB 1333 is pending on the Assembly Appropriations Committee's Suspense File.

**AB 1569 (Caballero) Rental Housing: Support/Companion Animal Certifications** - Housing providers must make a "reasonable accommodation" for a tenant's disability. "Reasonableness" for support (sometimes referred to as companion) animals is, based on federal guidance, determined on a case-by-case basis. Unlike service animals, support animals are not trained to perform specific tasks. Support animals are not afforded the same protections under the ADA or California state law, causing confusion for housing providers. This bill, among other things, clarifies the right of landlords to request reliable third-party verification to show the need for a support/companion animal in a rental unit, and clarifies that ID cards or online services providing "ESA prescription" letters for sale are not sufficient verification. C.A.R. has been testifying before the Department of Fair Employment and Housing (DFEH) on proposed regulations that would achieve the same objective as AB 1569. Opponents, in strong opposition, are making the argument that AB1569 is not necessary or at best premature, that the legislature should wait to see if DFEH "fixes the problem." C.A.R. is holding the bill this year pending regulatory action by DFEH.

**SB 173 (Dodd) CalBRE “Department” Status Restoration**

In 2012, the Brown Administration made changes to the state's organizational structure in an effort to streamline government practices. These changes included moving the Department of Real Estate to the Business, Consumer Services, and Housing Agency (BCSH) to function under the Department of Consumer Affairs as a Bureau. This bill returns CalBRE to its standing as the Department of Real Estate within BCSH. SB 173 is pending on the Senate Appropriations Committee's Suspense File.

**SB 348 (Leyva) Ballot Pamphlet Notification: Challenging New Taxes**

Current law allows taxpayers to challenge new taxes typically within 60 days of approval by voters. However, most taxpayers are unaware of the time restrictions imposed on their ability to challenge new taxes. This bill requires the ballot pamphlet notify voters that new taxes can only be challenged within 60 days of voter approval. SB 348 is pending on the Senate Floor.

**Bills of Others - Support:**

**AB 879 (Grayson) Housing Element: Developers** - The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. This bill would require the housing element to include an analysis of potential and actual nongovernmental constraints upon housing development. The housing element would include data on the number of density reduction requests along with a report explaining the time gap between local government approval and application for building permits. Finally, local governments would be required to identify their efforts to remove non-governmental constraints. C.A.R. supports AB 879: it seeks to identify solutions to the state's housing crisis using the housing element planning process. AB 879 passed out of the Assembly Appropriations Committee this week.

**AB 1100 (Chen and Harper) Homeowners' Tax Exemption and Renters' Tax Credit** - Existing property tax law provides for a homeowners' property tax exemption in the amount of \$7,000. Additionally, the existing Personal Income Tax Law authorizes a \$120 credit for married couples renting a unit with an income of \$50,000 or less, and a \$60 credit for those renters whose adjusted gross income is \$25,000 or less. This measure, among other things, proposes to increase the homeowners' exemption from \$7,000 to \$25,000 of the full value of a dwelling, and adjusts the renter's credit to \$428 for married couples and \$214 for individuals. C.A.R. supports AB 1100. AB 1100 is scheduled to be heard in the Assembly Revenue and Taxation Committee next week.

**SB 540 (Roth) Workforce Housing Opportunity Zones**

This bill authorizes local governments to establish Workforce Housing Opportunity Zones by preparing an Environmental Impact Report pursuant to the California Environmental Quality Act. SB 540 prohibits local governments from denying developments proposed within that zone for 5 years, provided that the developments contain affordable housing (i.e., 30% for mod-

erate income households, 15% for lower income households and 5% for very low income households) and meet all other specified requirements. Finally, SB 540 requires local governments to approve, or disapprove, a housing development located within the zone within 60 days of the submission of a completed development application. C.A.R. supports SB 540: it limits unnecessary regulatory costs while speeding up the development process and increasing the enforcement of state housing laws. SB 540 is scheduled to be heard in the Senate Appropriations Committee next week.

**Bills of Others - Oppose:****AB 71 (Chiu) Mortgage Interest Deduction Elimination:**

**Second Homes** - This bill would, among other things, eliminate the state tax deduction for mortgage interest on second homes and direct these new tax revenues to an existing program that finances low-income housing construction through tax credits. C.A.R. will oppose AB 71 until it is amended to remove the provision that would eliminate the mortgage interest deduction for second homes. AB 71 will be heard in the Assembly Revenue and Taxation Committee next week.

**AB 663 (Bloom) Coastal Zone: Housing Policy** - In 1981, C.A.R. supported SB 626 (Mello, Statutes of 1981), which removed the authority of the California Coastal Commission (Commission) to set affordable housing policy within the Coastal Zone and instead gave jurisdiction for low and moderate income housing in the Coastal Zone to local governments. This bill would restore that authority to the Commission until January 1, 2023. C.A.R. opposes AB 663: it effectively eliminates local governments' ability to set housing policy in the Coastal Zone and empowers the Commission to implement policies that could be harmful to housing production (e.g., rent control). AB 663 is scheduled to be heard in the Assembly Appropriations Committee next week.

**AB 982 (Bloom and Chiu) Forcing Landlords to Stay in**

**Business for One Year** - The Ellis Act prohibits any public entity from forcing owners of residential rental property to continue to offer their property for rent or lease. AB 982 requires landlords to give all tenants a one-year notice of termination of tenancy. C.A.R. opposes AB 982: it discourages investment in rental housing by placing a substantial limitation on a property owner's right to legitimately take a property off the rental market, thus negatively affecting property values. Furthermore, no other business is required to continue operating for one year after deciding to go out of business. AB 982 was scheduled to be heard in the Assembly Housing and Community Development Committee this week; however, due to strong opposition, the author removed AB 982 from consideration.

*For more details on all of the above legislation, please see the description C.A.R.-sponsored bills and C.A.R.'s Legislative Program .*



# THE CALM BEFORE THE SWARM



When the weather gets warm, termites start to swarm! Don't let it bug you.



**NEW! ACCOMMODATION  
OPTION FOR FUMIGATION**



**WE HAVE OUR  
OWN FUMIGATION DIVISION**



**WE ARE LICENSED  
TO FIX TILES FROM FUME**



**WE SPECIALIZE IN  
ESCROW TRANSACTIONS**



**24 HOUR  
TURN-AROUND TIME**



**WE ARE LICENSED  
GENERAL CONTRACTORS**

## 5 YEAR WARRANTY ON FUMIGATIONS

CELEBRATING  
**20**  
1997-2017



**THE TERMITE GUY**  
**877-TERMITE.COM**

CALL US FOR A FREE QUOTE

 **1-877-TERMITE or 1-877-837-6483**

 **INFO@877TERMITE.COM**

 **WWW.877TERMITE.COM**

BR. 1 & 3 LIC#PR5121 B GENERAL CONTRACTOR & C-39 ROOFING & WATERPROOFING LIC#771813





# Pass your Real Estate Exam!

## Duane Gomer's One Day Exam Prep Crash Course

Only \$150.00

**Newport Beach Association of Realtors®**

401 Old Newport Blvd. #100  
Newport Beach, CA 92663

Wednesday, July 26th 2017  
8:30 a.m.—5:00 p.m.

- Fast moving One Day Live Class
- Comprehensive Course Outline
- Online Flashcards
- Text Book and Online PDF
- Glossary of Important Terms
- Math Basics
- Money-back Guarantee
- Over 1,100 Practice Questions

**Our Live Exam Prep Class** Includes 8-hours of non-stop, fun-filled learning. During the lecture, the instructor will cover all seven subject areas tested on the exam, with time for questions.

**Practice Exams:** There are practice questions at the end of each chapter and hundreds of practice exam questions designed to resemble your actual test.

**Glossary:** Real Estate terms with the definitions. Included in the textbook and online.

**Our Exclusive Online Flashcards:** Grades always increase with flashcards. Your easy to study method.

**Study Guide/Final Briefing:** Study tips, test taking ideas, what to do and not do at the exam.

**Guarantee!** If you fail the exam twice after taking our course twice, your tuition will be refunded.

**Call Duane Gomer Education to Get Started: 949-457-8930**

Materials will be shipped to you if the registration is received by: 15/10/17

## REALTOR MEMBERSHIP

**Tyler Appeldorn**  
*Arbor Real Estate*

**Marlene Castellanos**  
*Villa Real Estate*

**Taylor DeMaio**  
*Coldwell Banker*

**Barbara Dimercurio**  
*HOM Sotheby's Int Realty*

**Michael Korhan**  
*HOM Sotheby's Int Realty*

**Brenna Metrow**  
*The Ballast Group*

**Doni Nikooei**  
*HOM Sotheby's Int Realty*

**Melissa Schmand**  
*First Team Real Estate*

**Elizabeth Spain**  
*Surterre Properties*

**Marcel Stiffey**  
*Arbor Real Estate*

## CLERICAL ASSISTANT

**Amy Wolfe**  
*Engel & Voelkers*

## AFFILIATE MEMBERSHIP

**Aaron Yu**  
*Central Escrow*

**Diana Lee**  
*Pacific Coast Title Company*

## MEMBER TRANSFERS

**Laura Dolan**  
*from Teles Properties  
to Berkshire Hathaway*

**Natalie Duthoy**  
*from Keller Williams  
to Harcourts Prime Properties*

**Wendy Hooper**  
*from Keller Williams  
to Jayco*

**Lieveke Scott**  
*from Surterre Properties  
to Arbor Real Estate*

**Lori Wright**  
*from Corona del Mar Properties  
to McMonigle Group*



# WELCOME NEW MEMBERS

**Trends in Marketing** - Social Media YPN Meeting with Keven Stirdivant, KASE Real Estate and Quinn Stirdivant, Fade Away Media. Standing room only crowd to hear a dynamic presentation from Keven and to view some of Quinn's production work.





# TEAM NAMES: Q&A

Many real estate salespersons work in teams under a brokerage. If a group of two or more real estate licensees working under the same broker wish to work together as a team and advertise themselves as a team using the name of one of the licensees, usually the head of the team, there are some very specific CalBRE requirements that must be followed. This Q&A goes over the details of the CalBRE rules for team names and team name advertising.

## Q 1. What is a Team Name?

**A** A team name is “a professional identity” or “brand name” used by a salesperson and at least one or more other licensees for the provision of real estate services.

## Q 2. What must a team name include?

**A** The name includes the surname of at least one of the licensee members of the team and that name is used together with any of the following terms: “associates,” “group,” or “team.”

## Q 3. Can the word “brokerage” be included in the team name?

**A** No. The team name cannot include any term or terms, such as “real estate broker,” “real estate brokerage,” “broker,” or “brokerage” that would lead a member of the public to believe that the team is offering real estate brokerage services, or that implies the team is operating independent of the real estate brokerage of which it is a part. (Cal. Bus. & Prof. Code § 10159.7).

Some examples of names that could meet the requirements of the law, are the “Garcia Group,” the “Nguyen Team,” or “Smith and Associates.” However a name like the Garcia Brokerage Group would violate the law as it suggests that the team is offering real estate brokerage services or is itself an independent real estate brokerage. (Cal. Bus. & Prof. Code § 10159.7).

## Q 4. Can one sales agent be a “team?”

**A** No. The name must be used by two or more licensees who work together to provide services required a real estate license, or who represent themselves to the public as being part of a team, group or association which provides those services.

## Q 5. Does the CalBRE have to approve the team name?

**A** No, as long as the three requirements listed in questions 1 through 4 are satisfied, a broker may permit salespersons to use a team name without having to submit the name to be approved as a fictitious name by CalBRE. (Cal. Bus. & Prof. Code § 10159.7).

## Q 6. Does a team name need to be registered as a

## fictitious business name (DBA) with the county?

**A** No. The law states that a team name is not a fictitious business name (DBA) under the real estate law or any other law as long as it meets the three requirements set forth in question 1. Thus, it is not necessary to register a team name as a DBA at the county recorder. (Cal. Bus. & Prof. Code 10159.7).

## Q 7. Previously, the BRE allowed the approval of team names that were recorded with the county clerk and submitted to the BRE per their Spring 2013 Real Estate Bulletin even though the team name included the name of a sales agent. Will the BRE continue to approve team names in this way?

**A** No. The BRE has issued an advisory stating that they will no longer implement this policy. (See the BRE’s “Advisory and Guidance to Licensees Regarding Senate Bill 146” <http://www.dre.ca.gov/files/pdf/adv/SB146%20Advisory%20about%20fictitious%20business%20and%20team%20names.pdf> )

## Q 8. May a broker prohibit her or his salespersons from using a team name?

**A** Yes, the broker retains the right to prohibit her or his salespersons from using team names.

## Q 9. What are the broker’s responsibility for teams?

**A** As stated above, the broker may completely prohibit the use of team names by agents in his or her brokerage. If the broker permits agents to use team names that does not change the broker’s duty to supervise the activities of his or her salespersons. (Cal. Bus & Prof Code § 10159.7).

## Q 10. Can I use the words “realty,” or “real estate” as part of my team name?

**A** Because the law does not prohibit such words, the answer is yes, provided you include the surname of at least one team member, and include the words “group,” “team,” or “associates.” For example, the “Smith Real Estate Team” would be allowed as an acceptable. (From CalBRE’s Frequently Asked Questions Regarding “Team Names.”)

## Q 11. I am a salesperson. Do I need to include my license number on my team name advertising?

**A** Advertising and solicitation materials must include in a conspicuous and prominent manner, the team name, and the surname and license number of at least one member of the licensed members of the team.

### Q 12. Do I need to include my responsible broker's license number on my team name advertising?

**A** You must have your responsible broker's name in your advertising. However, the broker's license identification number is optional.

### Q 13. I know I have to display my responsible broker's identity in my team name advertising prominently and conspicuously. Can you give me an example of what that means?

**A** Yes. As an example, if the font size on your team name advertising is in a 12-point font, then your responsible broker's name should be in an equal or greater font size. (From CalBRE's Frequently Asked Questions Regarding "Team Names.")

### Q 14. What do you mean by the term "responsible broker identity?"

**A** The term "responsible broker identity" is defined in Business and Professions Code Section 10159.7 (a) (1). It means the name under which the responsible broker is currently licensed by the bureau and conducts business in general or is a substantial division of the real estate firm, or both the name and the associated license identification number. Responsible broker's identity does not include a fictitious business name obtained pursuant to paragraph (2) of subdivision (a) of Section 10159.5 or the use of a team name pursuant to Section 10159.6. (From CalBRE's Frequently Asked Questions Regarding "Team Names.")

### Q 15. I am working as a broker associate for another broker. Can I advertise and operate on behalf of a "team name"?

**A** Yes, if you are a broker working in the capacity of a salesperson for another broker or corporation, you can advertise and operate on behalf of a "team name" as long as all of the team name requirements have been met. (From CalBRE's Frequently Asked Questions Regarding "Team Names.")

### Q 16 Can real estate brokers who operate as brokers and not broker associates use a "team name?"

**A** No. Brokers who operate as brokers and not broker associates are precluded from using a "team name" as defined in Business and Professions Code Section 10159.7(a)(5). Instead, they would be required to file and obtain a fictitious business name pursuant to Business and Professions Code Section 10159.5. (From CalBRE's Frequently Asked Questions Regarding "Team Names.")

### Q 17. Can you summarize the special requirements when using a team name in advertising?

**A** Yes. If a team name is used in advertising, all the following rules apply:

- All advertising and solicitation materials which include the team name including print or electronic media and "for sale" signs, must also include the license number of at least one of the licensed members of the team, all of which must be displayed in a conspicuous and prominent manner.
- The name of the responsible broker under which the members of the team are working, must be displayed as prominently and conspicuously as the team name in all advertising and solicitation materials. Effective August 28, 2016, the license number is no longer required to be displayed.
- The name of the responsible broker must be the name that the broker uses to conduct business in general or a substantial division of the firm – and it cannot be another team name or an agent owned fictitious business name. For example, if John Alvarado is the broker of an office but business is generally conducted under the DBA of "Wonder Brokerage", that is the name that should appear on the sign. However, if "Wonder Brokerage" was an agent owned DBA that would not be acceptable.
- The advertising and solicitation material must not contain any terms that imply the team is a real estate entity independent of the responsible broker.

(Cal. Bus & Prof. Code § 10159.6).

### Q 18. What is an example of a for sale sign that would comply with the law?

**A** The above sign is in compliance. Note the following points:

- The team name and agent's name and license number are conspicuously displayed. The name is clear and obvious not hidden away or in small print.
- The Broker name is displayed just as prominently and conspicuously as the team name. The CalBRE license number of the broker is included here but it is optional. Remember also that the name has to be the one that the broker uses to conduct business in general or a substantial division of the firm and cannot be a salesperson owned DBA.
- There is nothing in the team name to suggest that the team is an independent entity from the brokerage.

### Q 19. Where can I find a copy of CalBRE's Frequently Asked Questions Regarding "Team Names?"

**A** You can find a copy at this link: <http://www.dre.ca.gov/files/pdf/faqs/Team%20Name%20FAQs.pdf>



**Wed, June 7th** – 9:00 AM – Affiliate Committee Meeting

**Thu, June 8th** – 9:00 AM – Gov't/Political Affairs Meeting

**Thu, June 8th** – 4:30 PM-6:30 PM – Summer Kick-Off Cocktail Mixer

**Mon, June 12th** – 9:30 AM – 12:00 PM – Business Tax Strategies Workshop

**Wed, June 28th** – CRMLS Matrix Training

10:00am - 11:00am: Searching 101

11:00am - 12:00pm: Cloud CMA

1:00pm - 2:00pm: CRMLS Mobile Solutions

2:00pm - 3:00pm: Matrix Time-Saving Tips

**Fri, June 30th** – 9:00 AM – Duane Gomer 45 Hour License Renewal Workshop

# JUNE 2017

MON TUE WED THU FRI SAT SUN

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## EVERY THURSDAY

11:00 am - 2:00 pm  
Broker Open House,  
areas 9, 11, 12, 25-27

## EVERY FRIDAY

11:00 am - 2:00 pm  
Broker Open House,  
areas 1-8, 10, 14-17

