



Official Publication of the Newport Beach Association of REALTORS®



OCTOBER 2017

V22 N10

ANNUAL CHARITY *Fashion Show*

Wednesday
October 4, 2017

Proceeds Benefit:
Orange County Youth Sports Foundation



President's Message



Kemble Spyro
2017
President

Recently I logged onto an on line shopping website and before checking out, I was directed to a box that asked me to verify that I was not a robot. This got me thinking about the strange competition we real-life realtors are now encountering since Zillow literally moved into our neighborhoods.

There's no doubt that our industry has become more and more automated. For example, at a click-of-a-button Zipform fills-in by default, many of our negotiated / assumed time tables without us giving it much of a thought. Then add to the equation people's desire for a tech-easy life, not to mention the ever-present debate that realtors get paid too much "for nothing", it's almost as though real-life realtors are becoming something of the past.

However, I am not the least bit worried about it.

Don't get me wrong. There's no doubt that products like Zipform and similar programs have made our life much easier as professionals. And, there's no question that Zillow does step on our earning potential toes. But in my 30 years in Real Estate, I've learned that at the end of the

☐ **Click Here if You are Not a Robot** (Raising The Bar on Our Relatability)

day, not every decision by a buyer or seller is made strictly on dollars and cents, or objective data alone. The truth of the matter is that the purchase of a home is still grounded in emotion. And last I checked, Siri cannot find that information in her database.

Meaning, she cannot convey why there is value in location. Or understand the history of a home. Or convey the subjective reason why a purchase might be a good fit, even if the comps don't substantiate it. Siri cannot tell your client which local team's coaches are the best. Or what growing old might feel like in the home of their dreams. Or where the Christmas tree will fit perfectly in the house.

In the day of robot competition, it is important to remember that not a single computer or software can create emotion or comprehend the needs of your clients.

But you, as a non-robot realtor, can. You can empathize with the needs of your client. You can find the creative ways to close the deal. You can seek and find the house with the exact nuances your special clients need.

But you (in the day of complacency), must make the commitment to click the box and not act like a human robot. Instead, put your real-life human personality on and continue to perform like the passionate realtor you are, selling your clients the house of their dreams. Flaws and all, real-life realtors are still the best deal in town.

The Six Things to Remain a Real-Life Realtor, Not a Robot

COMPENSATION – Though commission makes our human heart pound, it is important that you take that pulse out of the equation. Your sole focus is what's best for your client, and how can you accomplish that task. You must trust that the compensation will take care of itself,

as long as you do your job.

BE THOROUGH – In the day and age of click and submit, your real-life element is to approach each aspect of the deal with thoroughness. Meaning don't rely on "autofill", but instead take the time to insert every date, data and detail of the offer yourself, to ensure that it accurately reflects every aspect of your clients intent, and offers all the protection your client deserves.

NO AMBIGUITY – As all programs have a back button for review, we real-life realtors must not be embarrassed of redundancies. It is better to confirm a contingency removal, or an inclusion of a personal property, or an inspection aspect more than once, rather than not at all.

VALUATION – The number one value-for-money that we agents have over computers is that we can look, evaluate and feel the needs of our clients and their properties. Therefore, look for the intangible aspects of the property and merge that with your client's perception of value.

HONESTY – A computer can perhaps list a fact. But a real-life realtor is able to provide an honest opinion. When it comes to deficiencies of a potential listing, don't be shy. An accurate list price can make all the difference between a sale versus an expired listing, and in the trust between you and your client.

RELATIONSHIP – At the end of the day, people want to do business with people. Nothing replaces a strong hand shake and an eye-to-eye dialogue. The human element, or the real-life Realtor will never go out of fashion. No matter how quickly technology advances.

In a world that is rapidly embracing artificial intelligence, never underestimate the value of a soul connection. After all, even Alexa is limited by programming.

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Official Publication of the Newport Beach Association of REALTORS®

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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.

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4675 Mac Arthur Court, Ste 1400
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Annual Charity Fashion Show Luncheon

Wednesday, October 4, 2017



11:00am Registration/Silent Auction,
12:00 noon Luncheon

The Island Hotel
690 Newport Center Dr., Newport Beach



\$95 per person - Early Bird
\$115 per person after September 22nd

Proceeds Benefit:
Orange County Youth Sports Foundation
Federal Tax ID # 07-471251

Silent and Live Auctions
Fashion Boutique

Names of the Models to Follow Soon....

Please Register Me for the 2017 Charity Fashion Show Luncheon

Name(s): _____

Company: _____ Phone: _____

Reservations by payment - \$95/\$115 per person - Sorry No Refunds Tables of 10 Available - \$950/\$1150

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CVC #: _____ Signature: _____

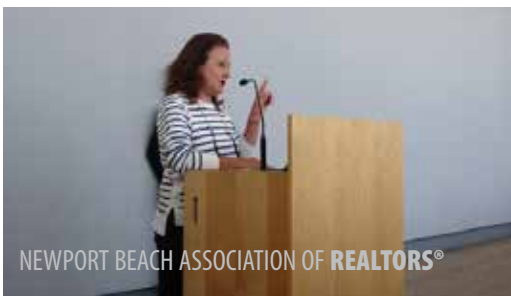
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(949) 642-4105 Attn: Kimberly Foreman

LEGAL UPDATE & RISK MANAGEMENT LUNCHEON



C.A.R. Assistant General Counsel Gov Hutchinson gave a wonderful presentation to members of the Laguna and Newport Beach Association's of REALTORS®. Special thanks to Roberta Curlender, First American Home Warranty and Candy Babock and Rosie Poole, First American Natural Hazard Disclosures for providing a wonderful lunch. Thank you to our wonderful event sponsors Vaughan Edwards, ACI Insurance, Paul Wirth, Chase Home Mortgage, Scott Singer, iTrip Vacations and Steve Glass, Wells Fargo Bank.





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² Minimum down payment requirements vary by property type and location; ask for details.

³ If applicant's employment does not commence until after closing, sufficient reserves to handle all debt obligations between closing and employment start date +30 days must be verified.

⁴ Additional documentation is required.

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NATIONAL BREAST CANCER AWARENESS



Breast cancer is the second most common kind of cancer in women. About 1 in 8 women born today in the United States will get breast cancer at some point.

The good news is that most women can survive breast cancer if it's found and treated early. A mammogram – the screening test for breast cancer – can help find breast cancer early when it's easier to treat.

National Breast Cancer Awareness Month is a chance to raise awareness about the importance of early detection of breast cancer. Make a difference! Spread the word about mammograms and encourage communities, organizations, families, and individuals to get involved.

FOR OCTOBER: HERE ARE 31 FACTS (ONE A DAY) ABOUT BREAST CANCER

September 30, 2014 | by Nicole White

Beyond the pink ribbons, special product fundraisers, and the pastel sea of color that marks October, Breast Cancer Awareness Month offers a reason to celebrate and to reflect.

Breast Cancer Awareness Month celebrates the 2.8 million survivors of breast cancer, and emphasizes the need to continue research to cure the disease.

More than 2.8 million breast cancer survivors live in the U.S. They are survivors of the second most-common cancer in women, behind skin cancer, and survival rates continue to climb due to better treatments and increased screening that finds cancers when they are most treat-

able.

Another reason credited for the increased survival rates: Awareness. With women more knowledgeable about warning signs, the importance of self-exams, treatment options and second opinions, they are better prepared than ever before to confront a breast cancer diagnosis – something an estimated one in eight women will do in her lifetime.

But breast cancer remains a leading cause of cancer death in women, second only to lung cancer.

In the spirit of heightening awareness – and screening, we offer one fact about breast cancer for every day in October:

1. The leading risk factor for breast cancer is simply being a woman. Though breast cancer does occur in men, the disease is 100 times more common in women than in men and women are at 200 times the risk of developing the disease compared to risk in men.

2. Most breast cancer – about 85 percent – occurs in women who have no family history of breast cancer.

3. About 5 to 10 percent of breast cancers can be traced to specific, inherited gene mutations, such as the BRCA1 and BRCA2 gene mutations.

4. Men can also get breast cancer. About 2,150 are diagnosed annually – or about 1 in 1,000 men.

5. A woman born today has about a one in eight chance of being diagnosed with breast cancer in her lifetime, according to the National Cancer Institute.

6. The American Cancer Society esti-

mates about 2.8 million women with a history of breast cancer live in the U.S.

7. While much progress has been made in breast cancer treatment and research, more work remains: Breast cancer remains the second-leading cause of cancer death after lung cancer. Overall, cancer deaths are the second most-common cause of death for U.S. women, after heart disease.

8. Another top risk factor for breast cancer: Simply getting older – 79 percent of new cases and 88 percent of deaths occurred in women age 50 and older, according to the American Cancer Society. Just fewer than 11,000 invasive cases occurred in women younger than 40, and just under 49,000 in women under 50. In women ages 50 to 64, invasive breast cancer was even more prevalent with more than 84,000 cases. Women over age 65 accounted for more than 99,000 cases last year.

9. According to the American Cancer Society, breast cancer accounts for 29 percent of newly diagnosed cancers.

10. In the 1970s, breast cancer lifetime risk was one in 11 – compared to today's one in eight. The good news is part of the reason is due to longer life expectancy and more detection through screening. Other factors include menopausal hormone use, changes in reproductive patterns and the increased prevalence of obesity.

11. The oft-repeated one in eight statistic may mean something different than you think. The lifetime risk for women born today of being diagnosed with breast cancer is one in eight. But lifetime risk reflects an average woman's risk over her entire lifetime, including the possibility that she may die from another cause before she would have been diagnosed with breast cancer.

12. While non-Hispanic white women have higher rates of breast cancer incidence, African-American women have a higher incidence rate before age 40 and are more likely to die from breast cancer at every age.

13. Women who are diagnosed with cancer before age 40 have a nearly 4.5-fold increased risk of developing another breast cancer.

14. Women of Ashkenazi Jewish heritage are at higher risk of having BRCA mutation. The U.S. Preventive Services Task Force recommends testing for BRCA mutations for Ashkenazi Jewish women if they have a first-degree relative with breast or ovarian cancer or two second-degree relatives on the same side of the family with breast or ovarian cancer.

15. Not everyone needs genetic screening for breast cancer. Only about 2 percent of women meet the guidelines for screening.

16. Fewer than 1 percent of the general population have a BRCA mutation.

17. Research suggests breastfeeding for a year or more slightly reduces overall risk of breast cancer – about a 4.3 percent reduction for every 12 months of breastfeeding. Why? One possible explanation: Breastfeeding often interrupts periods, meaning fewer menstrual cycles and less estrogen exposure. Others suggest that the reduced risk can be credited to structural changes in the breast after lactation and weaning.

18. The risk of overweight women developing breast cancer after menopause is 1.5 times higher than in lean women. Obese women are at twice the risk of lean women.

19. Herceptin, a breast cancer “smart drug,” can trace its roots to City of Hope: Scientists here developed engineered human proteins that led to monoclonal antibodies, the basis of multiple cancer drugs.

20. The movement away from one-size-fits all screening doesn’t mean you should skip your mammogram. Talk with your physician to evaluate your personal risk of breast cancer. The American Cancer Society continues to recommend yearly mammograms beginning at age 40.

21. Exercise reduces breast cancer risk for women of all body types – even lean women, according to Leslie Bernstein, Ph.D., director of cancer etiology at City of Hope.

22. While the American Cancer Society recommends 150 minutes of moderate intensity exercise per week to manage risk, for some, even 30 minutes per week has been found to be beneficial, Bernstein’s research has found.

23. Minimize alcohol intake to control risk. That means one glass of wine, one beer or one hard liquor drink per day. (Drinking seven drinks in one day and none the rest of the week is not OK.)

24. The discovery of the BRCA mutation and its link to breast cancer celebrates its 20th anniversary this year – the same year scientists reported in the New England Journal of Medicine the PALB2 mutation and its link to breast cancer.

25. Only about 42 percent of women who undergo mastectomy choose to have reconstructive surgery, according to a recent JAMA Surgery study.

26. With eight out of 10 breast lumps discovered by women themselves, don’t underestimate the importance of a monthly breast self-exam. By becoming more familiar with your breast tissue and appearance, you will be more likely to notice changes should they occur. City of Hope recommends these tips for conducting a breast self-exam.

27. If you’ve been diagnosed with breast cancer, you’re up to four times more likely to develop a new cancer in the same breast or in the other breast.

28. Quit smoking to control risk of many diseases, including breast cancer. Younger women who smoke have a higher risk of breast cancer than their nonsmoking peers.

29. According to the National Institutes for Health, breast cancer survivors are at an increased risk of osteoporosis. Estrogen has a protective effect on bones, and reduced estrogen levels can trigger bone loss.

30. Exercise is beneficial to breast cancer survivors. A June study in Cancer found only a third of survivors meet recommended activity levels.

31. If you are diagnosed with breast cancer, a second opinion could save your life. NCI-designated comprehensive cancer centers, such as City of Hope, have higher rates of survival for breast cancer.

- Lump or thickening in or near the breast or in the underarm that persists through the menstrual cycle.
- A mass or lump, which may feel as small as a pea.
- A change in the size, shape, or contour of the breast.
- A blood-stained or clear fluid discharge from the nipple.
- A change in the feel or appearance of the skin on the breast or nipple (dimpled, puckered, scaly, or inflamed).
- Redness of the skin on the breast or nipple.
- A change in shape or position of the nipple
- An area that is distinctly different from any other area on either breast.
- A marble-like hardened area under the skin.

<http://www.nationalbreastcancer.org/breast-cancer-awareness-month>

<http://www.nationalbreastcancer.org/>

<https://healthfinder.gov/NHO/OctoberToolkit.aspx>

<http://www.cancer.net/research-and-advocacy/cancer-awareness-dates>

Facts:

<https://www.cityofhope.org/blog/31-facts-about-breast-cancer>

www.everydayhealth.com/breast-cancer-pictures/breast-cancer-facts-you-may-not-know.aspx

<http://www.webmd.com/breast-cancer/breast-cancer-arm-yourself-with-facts#1>

https://www.worldwidebreastcancer.org/?gclid=EAlaIqobChMizleB5YWR1glVINpCh2IMgp7EAMYASAAEgK_DvD_BwE

http://www.nationalbreastcancer.org/what-is-breast-cancer?gclid=EAlaIqobChMlJavi5oaR1glVVrnACH2GXQmfEAAyAAEgJYaPD_BwE

https://www.bcrf.org/breast-cancer-statistics?gclid=EAlaIqobChMlJavi5oaR1glVVrnACH2GXQmfEAAyBCAAEgLm3vD_BwE

<http://www.nationalbreastcancer.org/breast-cancer-facts>

<http://www5.komen.org/BreastCancer/FactsandStatistics.html>

What Are the Symptoms of Breast Cancer?

The symptoms of breast cancer include:

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EARTHQUAKE SAFETY

GREAT CALIFORNIA SHAKEOUT

The Great California “Shake-out” will occur at 10:19 AM on October 19th.

This event now draws millions of participants from the Western US and around the world. More than 9 million Californians have already registered on-line, have you?

What we do now will determine our quality of life after our next big earthquake.

Are you prepared to survive and recover quickly?

Participating is a great way for your family or organization to be prepared to survive and recover quickly from big earthquakes-wherever you live, work or travel. “ShakeOut” is also a major activity of America’s PrepareAthon!

Protect yourself – Spread the Word, Official Rescue Teams who have been dispatched to the scene of earthquakes and other disasters around the world continue to advocate use of the internationally recognized “Drop, Cover and Hold On” protocol to protect lives during earthquakes. <http://www.shakeout.org/california/dropcoverholdon/>

- 1) DROP to the ground (before the earthquake drops you!)
- 2) Take COVER by getting under a sturdy desk or table.
- 3) HOLD ON to it until the shaking stops.

The main point is to not try to move but to immediately protect yourself as best as possible where you are. Earthquakes occur without any warning and may be so violent that you cannot run or crawl, you therefore will most likely be knocked to the ground where you happen to be. You will never know if the initial jolt will turn out to be the start of the big one. You should Drop, Cover and Hold On immediately!

Note: if there isn’t a table or desk near you, drop to the ground inside of a corner of the building and cover your head and neck with your hands and arms. Do not try to run to another room just to get under a table.

Your family may not be together when disaster strikes, so it is important to plan in advance; how you will contact one another, how you will get back together and what will you do in different situations.

A “Family Emergency Plan” should be part of your preparation.

- 1) Identify an “out-of-town” contact. It may be easier to make a long-distance call than to call across town. The contact can act as a communication coordinator for your family.

- 2) Make sure each family member knows the contact number and has a way to contact them by cell phone or prepaid phone card. Don’t forget to program your cell phones with the contact’s number.
- 3) Teach family members to text messages (if they do not know how to do so already) as the Short Message Service (or SMS) used for text messaging is often more reliable in an emergency than the wireless or ground based telephone system.
- 4) Subscribe to “Alert Services” that send instant text alerts or emails about bad weather, road closing, local emergencies

For more information on this important annual event for earthquake preparedness, please visit:

<http://www.shakeout.org/california/>

<http://shakeout.org/california/whyparticipate/>

<http://earthquakes.usgs.gov/regional/nca/maps/index.php>

http://www.conservation.ca.gov/cgs/geologic_hazards/earthquakes/Pages/index.aspx#Faults

Guides

<https://www.interstaterestoration.com/blog/severe-weather-preparedness-schedule-guide>

<http://www.redcross.org/get-help/how-to-prepare-for-emergencies/types-of-emergencies/earthquake>

Facts

<http://www.sciencekids.co.nz/sciencefacts/earth/earthquakes.html>

<https://earthquake.usgs.gov/learn/facts.php>

<https://www.factretriever.com/earthquake-facts>

<https://www.dosomething.org/us/facts/11-facts-about-earthquakes>

<http://www.nationalgeographic.com/environment/natural-disasters/earthquakes/>

<https://www.livescience.com/6187-13-crazy-earthquake-facts.html>

<http://factslegend.org/30-interesting-earthquake-facts/>

<http://easyscienceforkids.com/all-about-earthquakes/>



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Cocktail Mixer on
August 23rd at
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to Surterre Properties*

RoGene Clark

*from The Ballast Group
to Cartier Properties*

Constance Esposito

*from C. Esposito
to First Team Estates*

Dani Gold

*from First Team Estates
to Coldwell Banker*

Ian Hazelhurst

*from HOM Sotheby's
to McMonigle Group*

Dean Ledger

*from HOM Sotheby's
to Emerald Bay Real Estate*

Deborah Linden

*from Realty One Group
to McMonigle Group*

Courtney Lucas

*from Lucas Real Estate
to Villa Real Estate*

Devin Lucas

*from Lucas Real Estate
to Villa Real Estate*

Alwin Morgenstern

*from Engel & Volkers
to Teles Properties*

Sharon Reed

*from Villa Real Estate
to Abrams Coastal*

Gary Sibbald

*from Coldwell Banker
to REMAX Evolution*

John Sledge

*from Bella Terra
to Balboa Real Estate*

Bob Small

*from Corona del Mar Prop
to Robert Small, Broker*

Shan Vincent

*from Berkshire Hathaway
to HomeSmart Evergreen*

Ingrid Yankauskas

*from First Team Estates
to Coldwell Banker*



WELCOME NEW MEMBERS

Agent Visual Inspection & Disclosure Forms

It's the law! Agent Duty to Inspect and Disclose

- When: Sale of residential property with one-to-four units
- Who: Brokers representing buyers and sellers
- What:
 - Must conduct a reasonably competent and diligent visual inspection of the accessible areas of the property offered for sale
 - Must disclose to the prospective buyer material facts and defects that should have been discovered during the inspection
- How: An agent completes the TDS and/or the AVID form on behalf of the broker

Forms TDS and AVID

Even though the law that created this obligation did not create a separate form upon which to make the disclosure, a sister law created the Real Estate Transfer Disclosure Statement (Form TDS). Although most of that form concerns seller disclosures, sections III and IV can be used for the agent to make disclosures. C.A.R. created the Agent Visual Inspection Disclosure (AVID), that alternatively, may be used to document the agent's inspection.

Advantages of the AVID

There are several advantages to using the AVID rather than the TDS. First, the AVID offers much more space to disclose and room by room sections that guide an agent through the inspection process. If the AVID is used, the applicable box should be checked on the TDS. Another advantage of using the AVID is that the broker's inspection and disclosure obligations apply even when the seller is exempt from completing a TDS form. Using the AVID gets agents in the habit of always conducting inspections and making disclosures of residential one to four properties without being dependent on the TDS.

Disclosures made after an inspection should be specific, but not speculative. Agents should identify only what can be seen. Agents should not guess as to causation, degree of danger, cost of remedial activity, or identify any technical terms.

The AVID aids agents in making the legally required disclosures, but also specifies what is outside the scope of the agents' duty. For example, there is no statutorily required obligation to search off-site records such as permits, inspect common areas, or gain access to inaccessible areas such as attics or crawlspaces, or look under furniture or carpet, open locked doors or climb onto roofs or into chimneys.

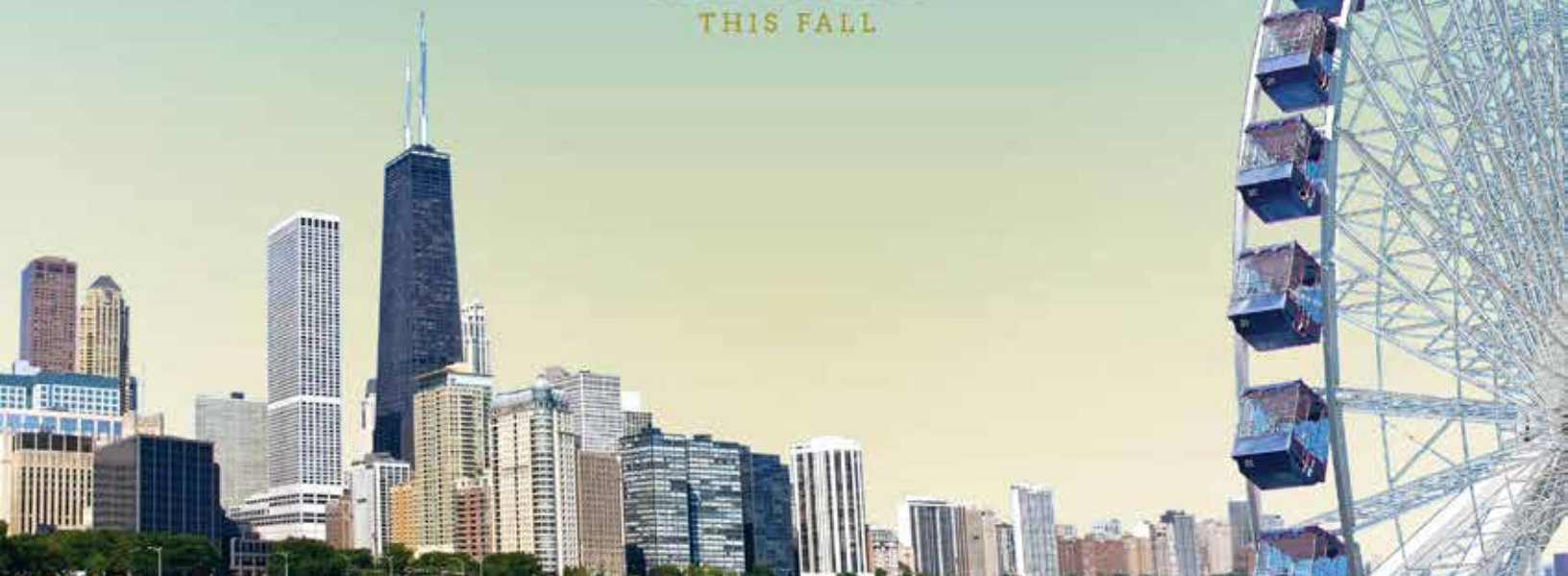


THE SKY'S THE LIMIT

REALTORS' CONFERENCE & EXPO

CHICAGO 2017

RISE HIGHER
THIS FALL



Buyer & Seller Guide to Navigating Square Footage

Issues relating to the actual size or square footage of a property can be of great importance to both buyers and sellers. Sellers want to portray their property in an accurate-yet-favorable light, and Buyers want to make sure they are getting a true picture of the property they are purchasing. Below are some “**Dos** and **Don’ts**” for both sides of a transaction when it comes to dealing with square footage issues.

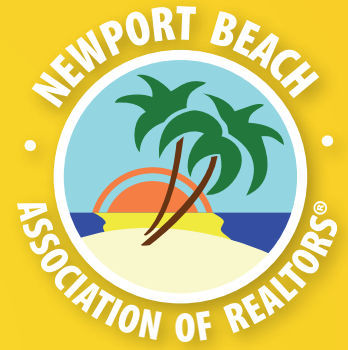
What Buyers Need to Know

- If it is important to you to know the precise square footage, **DO** hire a professional, such as an appraiser, to verify the square footage.
- **DON’T** rely on representations from others, such as the County Assessor, permit agency, prior lenders, or even the seller or your current lender.
- **DO** remember that property value is determined by many factors besides square footage, such as location, time on market, other properties available at that time, and added features such as pool, spa, solar and landscaping.

What Sellers Need to Know

- **DON’T** cross the line between “puffery” and misrepresentation. It is understandable to want to portray your property in the best possible light, but it is important not to exaggerate or cross the line into providing inaccurate information.
- **DO** express facts and avoid speculation. Only convey to a buyer what you actually know, not what you think or hope might be true.
- **DON’T** affirmatively state “the property is this many square feet” as if that is a precise fact.
- **DO** attribute the information to an outside source and provide back-up documentation. You can say that the lender’s appraisal states the house is a certain square footage, or that the County Assessor’s statement shows the property is a certain number of square feet.
- If you have more than one source, **DON’T** pick and choose only those that make your property seem largest.
- **DO** provide all sources you have.

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Wed, Oct 4th – 11:00 AM – Charity Fashion Show Luncheon at the Island Hotel

Thu, Oct 5th – 9:30 AM – Young Professional Network Core Meeting

Wed, Oct 11th – 9:00 AM – Affiliate Committee Meeting

Thu, Oct 12th – 9:00 AM – Government/ Political Affairs Meeting

Wed, Oct 25th – CRMLS Matrix Training

10:00am - 11:00am: Agent 101

11:00am - 12:00pm: Matrix Time-Saving Tips

1:00pm - 2:00pm: ShowingTime

2:00pm - 3:00pm: Infosparks Market Statistics

Wed, Oct 25th – 9:00 AM – Risk Management with Robert Brand

Thu, Oct 26th – 9:00 AM – Board of Directors Meeting

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



OCTOBER 2017