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MAR: All directors listed above serve at our state association as well as our President, President-elect, Treasurer and Tom Marino is currently serving as our District's Vice President at MAR.

Education class information

nmar.com/education

Northwest Montana Association of REALTORS

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ETHICS ANYONE?

All who have joined NMAR have pledged to abide by the NAR Code of Ethics. It doesn't seem that difficult to do until you get into specifics of each article. Let's look at Article 12, which had verbiage change in the 2008 version. *Realtors shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations. (1st sentence only.)*

Just looking at the first half of this article brings us to examine things like an advertisement that calls a property "waterfront" that happens to be 1/4 of a mile away from any water other than what comes from the well. True picture?

What about a website that shows "Our featured listings" and we see a listing featured that is the listing of another firm without that Firm's name mentioned. True picture?

Then there is the little ad in the classified section of the paper that shows information about a home for sale and nowhere does it disclose that the owner is a MT real estate licensee.

Let's not forget MLS data that shows a three bedroom home as such and does not bother to disclose that the septic is only approved for a two bedroom home and fails to mention all the septic problems that have been occurring. True picture?

How about a listing in the MLS showing "active" that has disputed earnest money being held and a potential specific performance issue pending? Truly active?

"Paint a true picture" whenever you are engaged in licensed activities. Your reputation precedes you and follows you and is remembered. Make it good. Only you can raise the standard of practice in our communities.

PROCURING CAUSE CONCERNS

What is procuring cause? Who procured the buyer? Who showed the property first? Who wrote the buy/sell? Who sent a buyer the first email or weblink about the property? Who knew the buyer first?

"The cause originating a series of events which, without break in their continuity, result in the accomplishment of the prime object." A broker will be regarded as the "procuring cause" of a sale if his/her efforts are the foundation on which the negotiations resulting in a sale are begun."

All ascertainable facts have to be heard by a tribunal in order to arrive at a determination. There are many factors to be considered when establishing who set the foundation. But some things we know do NOT set the foundation. Let's look at some examples of things that do not establish procuring cause.

- Finding out your friend or neighbor has made an offer to purchase property and letting them know that you could get it for them for less if they end their current relationship.
- Writing up an offer on a property because you have scared the buyer out of working with the licensee that has been representing them because they should never purchase from a "dual agent."
- Writing up an offer on a property that already has an offer pending from the same buyers through another licensee, when you yourself have never worked the property with the buyer.
- Interfering with a current legal contractual relationship because you honestly can do a better job for the buyer.