



# BENCHMARK

A publication by the Iowa Association of REALTORS®  
Fall 2019

Convention 2019 Recap

Capitol Conference Details

Realtors® in the Community



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For more information about *The Benchmark* contact Grace McNamara at 515-309-9332.  
 Cover photo by Kristian Seedorff on Unsplash.

@iowarealtors





## ***Performance Driven***

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What a great convention we had in Des Moines this year and what a fun Inaugural night it was. I would like to thank the IAR staff for putting together an excellent and memorable event. I am just coming off my Inaugural "high".

I would like to start off by saying that I am very excited to represent all of the members of the Iowa Association of Realtors®. We are going to have a busy year ahead of us! Make sure to save the dates for our Capitol Conference in February. This event combines our Legislative Bus-In Day with our Winter Meetings. Our visit to the Capitol will be February 12th this year and our business meetings will be held the 13th and 14th. We have also renamed this event that will go by "Capitol Conference". We have quite a few important items to get through this upcoming legislative session and I am confident we'll come out even more successful than last year. This is a great example of how productive RPAC dollars work in your favor!

Speaking of RPAC, we have a lot of exciting events coming up this year! NAR continues to raise the bar and I know that Iowa Realtors® will rise to the occasion. I am looking forward to our first RPAC Rally Ride on June 9th and 10th to be held in the scenic Northeast part of Iowa and ending at our summer meetings in Cedar Falls.

Don't be intimidated by this new event, everybody is welcome! Bring your moped, minivan, car or motorcycle, it doesn't matter. It will be a great time to get together with like-minded people and have a little fun on the way. One of my goals this year is to raise our RPAC participation rate, especially in some of those areas that need a little help.

Falling in line with our Convention theme this year of "Performance Driven", I want to remind you about all of the education and speaker opportunities that the state provides. What a great time to rev up your production and make more money by getting educated and bettering yourself. You're never too old to learn new things. There are a lot of alternative business models that are attacking our industry every day and we want you to stay ahead of the curve.

In closing, I can't wait to meet everybody throughout the state to share updates and the progress our association is making everyday. Happy Thanksgiving, Merry Christmas, and Happy New Year. Let's make 2020 the best year ever.

Scott Wendl, IAR President

A handwritten signature of Scott Wendl in blue ink.

# A Great Production

The theme for 2019 was "It's Show Time". A great production has many differing roles interacting seamlessly. Everyone associated with the production is essential. You learn the merits of preparation, caring, dependability, trusting, and having fun while doing it! A play, well-conceived, well directed, and presented with enthusiasm is a wonderful experience for those both on and off the stage.

So it is with a quality association. Hundreds of our members contributed in ways meaningful to them, working at the board, state or national level.

2019 was a great year and 2020 promises to be even better. A Presidential Advisory Group (PAG) has been studying all aspects of our association and will have a report of their findings by February. The fundamental questions addressed were "What are we doing? How are we doing? How can we do it better?"

An advisory group consisting of nine Realtor® State Executive Officers from across the country, visited IAR this fall. They made some great suggestions and gave our association facility, staff, and leadership top grades.

We have a new facility, new instructors, new additions to our staff, new legislation protecting property rights, great enthusiasm, energy and a commitment to excellence. IAR has always been a quality organization, but I feel that the best is yet to come.

I really encourage you to take part in some way this next year. It will be satisfying on so many levels.

It certainly has been a privilege to serve on the Leadership team and a pleasure to work with members and staff. Thank you for the opportunity!

See you next year in 2020, Performance Driven!



**John Goede, 2019 President**



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## Deck the Halls with CE!

Fill your stockings with renewal! Join us for a week of CE in December.  
10 classes, 36 hours mandatory or elective. Register: [iowarealtors.com/education](http://iowarealtors.com/education).

IAR Office, West Des Moines | December 16 - 20





# Trusts and Seller Property Disclosures: A Grey Area You Should Be Aware Of

by Gabe Walsh, Legal Counsel



A person transferring real property, or a broker or salesperson acting on their behalf, must deliver a written disclosure statement to the person interested in being transferred that property where the property has at least one but no more than four dwelling units. However, a written disclosure statement is not required when property is transferred by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.

When a homeowner dies and their assets are administered through their estate, they aren't here to make a written seller disclosure. If a homeowner becomes incapacitated and they have a guardian or conservator representing their interests well, that homeowner also does not have capacity to make a written seller disclosure. It makes sense why we don't require seller property disclosures in these circumstances.

The transfer exemption discussed above all makes sense until you start talking about trusts. If the person whose house is held in trust is deceased, no disclosure is required. But what if a homeowner has their house in a trust and sells it while they are alive? They live in the house and have lived in it for years. They would have just as much knowledge about important characteristics of the property as any other seller. They are fully capable of providing written disclosures. Are we really going to exempt them simply because their property is in a trust?

When the person whose house is held in trust is incapacitated or deceased, the exemption makes sense. But what if a bank is the trustee and the

person who lived in the house, which they put into their living trust, dies? Do you think the banker has enough knowledge to make all the required disclosures? Probably not. That appears to be the key reason to exempt trusts when they are administered after that person with knowledge has died. However, it is very difficult to see why a living and competent homeowner's property could be transferred through a trust without making written seller disclosures. It is hard to imagine that was the intent of the legislature.

The problem with this topic is that there isn't a clearly correct answer on whether a transfer of a property held in a trust, while the creator of the trust is still alive, is exempted. Next time you decide to list a house that is held in a trust where the person transferring the property is alive and well, stop and think about it. Don't assume that just because the property is in a trust that your property is automatically exempted from making a seller disclosure. A seller in such a situation may want to consider making the disclosure. Always seek counsel if you are unsure what you should do to get the legal advice you need when it comes to making a disclosure of this type.

Gabe Walsh grew up in Alta, Iowa. He received his Undergraduate Degree from Iowa State University and his Juris Doctorate from Drake University Law School. When he is not in the office or out working with our members, he enjoys playing golf, biking, boating, and spending time with his family. He would like to thank everyone who went out of their way to welcome him into his new role at IAR!

# Legislative Update

IAR proudly passed four bills in the 2019 session that banned local rental caps in neighborhoods, prohibited a filing fee of recorded groundwater hazard statements, allowed e-notarization for real estate documents, and also further defined service animals versus assistance animals as a solution for property owners and landlords.

The Legislative Committee will continue to work on these priorities and other issues in the coming months to establish the legislative agenda for 2020. Please contact the Government Affairs team if you have any questions or legislative topics of interest. Jen Kingland (jen@iowarealtors), Jamie Horbach (jamie@iowarealtors.com).

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# RING THE BELL

*for Salvation Army*

**Friday, December 6, 2020**

Each year, more than 300 Iowa REALTORS® representing all 17 local boards participate in this event to raise between \$20,000 - \$30,000 toward housing-related programs. It's easy to volunteer with shifts only 2 - 3 hours long. Help us make a bigger impact this year!

Contact your local board or your company to get a group of REALTOR® colleagues signed up for Iowa REALTOR® Ring Day. Use hashtag #IowaRealtorRingDay to send us photos!







# Save the date!

The Iowa Association of Realtors® Legislative Committee met during the 2019 IAR Convention. The committee discussed in depth potential legislative priorities for the 2020 Legislative Session. Areas of interest discussed included legislation regarding land banks, statute of limitations, and clean-up of the e-notarization bill.

For the second year in a row, we will be combining our typical Winter Meetings with our Bus-In Day to give you IAR's Capitol Conference!

Hill visits will take place February 12th. Buses will bring agents from all over the state to a luncheon with special guest speakers before storming the hill to discuss pressing issues with their legislators. February 13th and 14th will include committee meetings, YPN events, RPAC events, and more.

Registration opens early December.

## February 12th

Curate  
322 E Court Ave  
Des Moines, IA 50309

11 am arrival  
11:30 lunch begins  
1 pm head to Hill

4 pm evening reception  
9 pm event end

# 2020 EVENTS

## Capitol Conference

February 12 - 14 | Des Moines (Capitol, Curate)

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## NAR Legislative Meetings

May 13 - 18 | Washington, D.C.

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## IAR Summer Meetings

June 10 - 12 | Cedar Falls, IA

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## IAR Annual Convention

September 21 - 25 | Prairie Meadows, Des Moines

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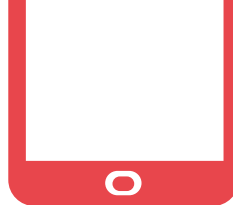
## NAR Conference & Expo

November 13 - 16 | New Orleans, Louisiana

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**Thank you to the following individuals who purchased items from the auction.**

Lana Baldus	Bob Hackney	Julie McQuaid
Joan Ballantyne	Rachael Harms	Jason Mickelson
Kim Bates	Jodie Hawley	Mindy Perdue
Betsy Breeding	Megan Hill Mitchum	Jon Salvador
Tracy Brus	Jodi Ingham	Lyndsay Schaben
Travis Bushaw	Melissa Ihnen	Dotty Schimmels
Cary & Tammy Claiborne	Jo Jenkins	Ben Sexton
Ken Clark	Regen Johnson	Sharon Smith
Geri Doyle	Mark Kamps	Gerald Sorensen
Cal Ernst	Jen Kingland	Susie Stortenbecker
Deb Fowler	Gary LaChapelle	Heidi Sunkle
Mike Franey	Shaner Magalhães	Rich Vogelzang
Brad Gehring	Don Marple	Jon Yocum
Beth Gilbreath	Teresa McCall	

**Thank you to the following individual donors for your contributions to the auction.**

Travis Bushaw	Don Marple
Scott & Nancy Case	Julie McQuaid
Ken Clark	Byron Menke
Krista Clark	Kathy Miller
Deb Fowler	Jon Salvador
Bob Hackney	Katie Slater
Tracy Jennings	Marcy Vogt
Mark Kamps	Scott Wendl

**Thank you to the following boards, associations, and businesses for your generous donations.**

Central Iowa Board of REALTORS®	North Iowa Regional Board of REALTORS®
Cedar Rapids Area Association of REALTORS®	Northeast Iowa Regional Board of REALTORS®
Des Moines Area Association of REALTORS®	Northwest Iowa Regional Board of REALTORS®
East Central Iowa Association of REALTORS®	Quad City Area REALTOR® Association
Greater Mason City Board of REALTORS®	Southeast Iowa Regional Board of REALTORS®
Iowa City Area Association of REALTORS®	Southwest Iowa Board of REALTORS®
Iowa Great Lakes Board of REALTORS®	West Central Iowa Board of REALTORS®
Mid-Iowa Regional Board of REALTORS®	Hometeam Inspections

# IAR Convention

Downtown Des Moines Marriott | October 8 - 11, 2019



*Over 575 Realtors® and industry professionals attended this year's Performance Driven themed annual Convention. Our Crawl for Cause kicked off the event as we visited downtown bars while raising money for the Ronald McDonald House of Des Moines.*



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*Lots of knowledge and CE were gained during our full education sessions with national speakers. Attendees enjoyed learning from Trista Curzydlo, Jeremias Maneiro, Pam Ermen, Paula Monthofer, and Leigh Brown.*

## education



*The Casino Fun Night brought many laughs at the Vegas costumes and characters. Attendees enjoyed winning big with their fun money and networking with REALTOR® friends from around the state*

# events



*John Smaby, the President of the National Association of REALTORS discussed what is new at NAR during our first-ever IAR 360. "Iowa Nice Guy" Scott Siepker entertained the crowd of 300 during his Keynote presentation.*

*Carl Carter, Jr. and Jen Stanbrough spoke to a crowd of 250 at Thursday's Safety Breakfast: Legacies to Keep You Safe. Their heartfelt stories and tips reminded us all to keep safety at the forefront of our business.*

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*Jo Jenkins*



*Dotty Schimmels*



*Jen Kingland*



*Jon Yocum*

# awards

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IAR's Inaugural Gala started with a bang as the Isiserettes Drill & Drum Corp showed their impressive skills. John Goede thanked everyone for their part in making 2019 a successful year at the association. Leigh Brown installed Scott Wendl as the 2020 IAR President. The Brazillian Twins entertained everyone with their musical talents.

Jen Kingland was recognized for her years of service as the IAR Lobbyist and received the O.G. Powell/Joan Ballantyne Distinguished Service Award.

Jon Yocum, a Realtor® from Bettendorf, Iowa was honored with the Realtor® of the Year Award.

Jo Jenkins of Newton was bestowed with the L. Martin Lee Political Involvement Award.

Dotty Schimmels was recognized for her years of dedication in Education by John Goede. She received the President's Special Recognition Award.

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The REALTOR Foundation of Iowa's Joan Ballantyne Live and Silent Auction raised more than they have in several years. Our auctioneer, Byron Menke, kept the crowd on their toes while helping raise over \$20,000. A special thanks to all that donated or purchased items!

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# auction



Live:	\$19,075
Silent:	\$1,927
<b>Total:</b>	<b>\$21,002</b>

# Iowans Serving on National



**JOAN BALLANTYNE**  
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Consumer Advocacy Outreach  
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Leading Edge Advisory Board



**RAND**  
Board of D  
C



**DICK KOESTNER**  
Real Property Valuation



**ANNA MACK**  
Membership Policy and  
Board Jurisdiction



**SHANER MAGALHAES**  
RPAC Trustees Fundraising



**DON**  
Membersh  
Board J



**AMY SCHAFER**  
Leading Edge Advisory Board



**SHARON SMITH**  
Commercial Federal Policy



**JOHN STARK**  
Professional Standards



**LES**  
P



# onal Committees in 2020



**BUSHAW**  
Management Issues



**KEN CLARK**  
Membership Policy and  
Board Jurisdiction



**KRISTA CLARK**  
RPAC Major Investor Council



**JOHN C DUNN**  
Federal Financing & Housing  
Policy



**DALL HERTZ**  
Directors | Executive  
Committee



**JAMIE HORBACH**  
REALTOR® Party Member  
Involvement Committee



**JO JENKINS**  
Broker Engagement  
Committee



**MARK KAMPS**  
Broker Engagement Council



**MARPLE**  
Membership Policy and  
Jurisdiction



**BYRON MENKE**  
Research



**KATHY MILLER**  
Multiple Listing Issues  
and Policies



**AMANDA NAGLE**  
Meeting and Conference



**SULGROVE**  
Research



**SCOTT WENDL**  
Board of Directors  
RPAC Major Investor Council



**LINDA WESTERGAARD**  
REALTOR® Party Member  
Involvement



**JON YOCUM**  
Housing Opportunity  
Committee

# REALTORS® in the community



## Central Iowa Board of Realtors®

The Central Iowa Board of REALTORS® does a Realtor Week of Caring each year. They volunteer in the community all week by picking up trash in local downtown districts, volunteering at the Boys & Girls Club and playing with the kids, and helping out at the Overflow Thrift Store.

Members of the East Central Iowa Association of REALTORS® helped local banks "Fill the Need" by conducting food drives in four area cities. "Our REALTOR® members live in the communities we serve and know the importance of giving back," said ECIAR President Fred Droste.



## East Central Iowa Association of Realtors®



## Mason City Board of Realtors®



The Mason City Board of REALTORS® recently did a week-long volunteer project here for Meals on Wheels deliveries October 14 - 18th. Over 20 local REALTORS® delivered meals to home bound residents in Mason City!

Members of the Mid Iowa Regional Board of REALTORS® recently did a blood drive. Earlier this year, they donated food, toys, and other supplies to a local animal shelter. This group also participated in an annual community cleanup program, Cleaniac.



## Mid Iowa Regional Board of Realtors®



REALTORS® from Atlantic, IA had a great time giving out yummy homemade ice cream at Produce in the Park in late August.

Three of the offices also participated in their annual REALTOR« donation to the Atlantic Food Pantry.

## West Central Iowa Regional Board of Realtors®



The Southwest Iowa Association of REALTORS raised over \$7,000.00 at their annual REALTOR® Golf Bash for the Salvation Army Flood Relief Fund.

They also had over 250 attendees at their Alumni and Friends Tailgate Party in collaboration with the Council Bluffs Schools Foundation.

## Southwest Iowa Association of Realtors®



## Cedar Rapids Area Association of Realtors®

Four times per year, CRAAR members prepare and serve food at the Mission of Hope Shelter in Cedar Rapids, serving over 150 each time.

With their Back Packs for Kids program, they donated 80 backpacks containing a cozy blanket and stuffed animal to be distributed to youth in the Four Oaks' Shelter and TotalChild programs.





## Iowa City Area Association of Realtors®

"ICAAR Brings Home the Holidays" is their charity event that works with brokerages to contribute \$15,000 to sponsor 12 families facing hardships who can't financially provide a holiday experience. The association provides gifts, a meal, and holiday decor.

In addition, ICAAR always sponsors a non-profit in the community by re-stocking their holiday decorations and providing them gift cards for a big meal!



## REALTOR® Political Action Committee

### Major Investor perks!

Major Investors contribute a minimum of \$1,000 per year to RPAC. You may invest at any time during the year online or at most of our annual events. For more information or to make a contribution, contact Jamie Horbach at [jamie@iowarealtors.com](mailto:jamie@iowarealtors.com).





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Not to mention, complimentary subscriptions to Inman Select (a \$199 value) and our award winning magazine, The Residential Specialist. And every RRC Member also has access to a State RRC for additional local events, classes, support and networking.

### Contact Us and get Involved:

**Mike Franey, CRS**  
**Joni Eubank, CRS**  
**Wanda Greif, CRS**  
**Donna Arnold, CRS**  
**Beth Gilbreath, CRS**

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**Education Leader**  
**Local Network Leader**  
**Local Network Leader**

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### Congratulations to the following new CRS Designees

**Tisha Boussetot, CRS** | RE/MAX River Cities| Bettendorf  
**Nancy Nolan, CRS** | Keller Williams Greater Quad CI Bettendorf  
**Ryan VanDaele, CRS** | eXp Realty| Davenport  
**Jennifer Kopriva, CRS** | Triad Realty| Clear Lake  
**Jacquelyn Duke, CRS** | RE/MAX Concepts| Ankeny  
**Steven Cameron, CRS** | Iowa Realty Beaverdale| Des Moines

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