# BINCHMARK ENCHMARK ENCHMENT ENCHM

A publication by the Iowa Association of REALTORS® Fall 2018

### **WHAT'S INSIDE:**

**CONVENTION RECAP** 

LEGISLATIVE UPDATE

STAFF UPDATES

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ON THE COVER: "Quiet Fields" PHOTO BY: Travis Essinger

### IAR OFFICERS

John Goede, President **Scott Wend!** President-Elect Jennifer Burkamper, Vice President Byron Menke, Treasurer Mark Kamps, Past President

#### IAR STAFF

Gavin Blair, CEO Paul McLaughlin, Legal Counsel Cindy Pelz, Board Services Executive Officer Terry Ottum, Bookkeeper/Membership Judy Bookwalter, Board Services Coordinator **Amanda Nagle**, Director of Industry Relations Kris Brend, Director of Professional Development **Dotty Schimmels**, Education Coordinator Mark Gavin, Director of Communications Grace McNamara, Marketing Project Manager Nick Allen, Technology Coordinator Jennifer Kingland, Contract Lobbyist Jamie Rix, REALTOR® Party Advocacy Coordinator **Allison Ayres**, Administrative Assistant

For more information about The Benchmark contact Grace McNamara 800-532-1515 EXT 332.











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# vision statement "We are the trusted voice in real estate for information, advocacy and professionalism."

Gavin Blair, CEO



From the CEO's Desk

### The Future of the Iowa Association of REALTORS®

After three very quick and fast paced years of my tenure in Iowa, I feel our Association continues on its path to a bright future. Dave Bert and Marty Lee set this association on a great path before me and left a fantastic organization behind to manage and run.

In February we will be moving into our new headquarters in West Des Moines. We are proud new owners! After 20 years of leasing our current space, we will be practicing what we preach. The new space will allow us to better serve our 7.500 members across the state. We will have state of the art classrooms and meeting space. The space is roughly 5,000 more square feet for us to continue to grow our staff and offerings.

We have had some staff changes around the Iowa Association of REALTORS® as well this past month. Amanda Nagle, our Professional Development Director, is moving to a new title inside the organization, Director of Industry Relations. In this new role, Amanda will handle all of our events, 3rd party vendor relationships, and broker relationships. This is a new position and this area has been under served for many years.

Our new Education Director is Kris Brend (formerly CEO of Central lowa and Heart of Iowa local REALTOR® boards). Kris brings over 25 years of REALTOR® Association experience with her and looks to arow this department forward!

One of our top issues we will be addressing next year is trying to set up an Association Health Plan. With the new rules released from D.C., we are meeting with multiple providers to attempt to set one up. Please stay tuned for these developments over the upcoming year, and if you have interest in this type of a plan please email Jesse Patton at jpatton@amgi-dsm.com.



Our upcoming location

5950 Village View Drive Suite 100 West Des Moines, IA 50266



Amanda Nagle



Kris Brend

## John Goede, 2019 President

## President's Message



### It's Showtime!

We are celebrating our 100th year as the lowa Association of REALTORS®. We enjoy a great history with thousands of agents helping millions of lowans to obtain their dream of home ownership or acquiring agricultural, commercial or investment property.

In September, a dozen of our fellow Realtors were installed as IAR officers and Regional Vice Presidents. Local board officers will be installed in each of our 17 Boards this fall. Hundreds of fellow volunteers will participate throughout the year, at the local, state or national level. Over 30 of our members are on national committees of NAR.

This year's "It's Showtime" theme is an easy reference to one of our almost daily tasks of showing properties to clients. In fact, there are many parallels when it comes to producing a show and running a successful personal business or having a dynamic Association. You must show up and know your lines. You must learn to cooperate and coordinate with others. And you must try to have fun in the process!

Our 100th year promises to be another great year:

**Leadership Academy:** 12 graduated from the IAR Leadership Academy in 2018. **Broker Summit:** Brokers listen to national speakers and exchange best practices.

**New Headquarters:** In February, we are moving to our new headquarters. This is a exciting new chapter for IAR. The new space offers the opportunities for even better service to our members.

**IAR Education:** offerings will be greatly enhanced. New facilities will be added for both classroom and distance learning.



**Legislation:** The legislative committee is meeting to plan strategy and establish priorities for the next three years. Topics that may come up include Team Legislation, Real Estate Firm Ownership, Health Insurance, Environmental Concerns, and Coming Soon guidelines.

**MLS Consolidation:** Several MLS borders have been erased through local board efforts. IAR is providing tools, materials and assets to boards that are interested in merging data with neighboring boards.

**Auditions:** The 100th Act of the production "lowa Association of Realtors" begins soon. I ask you to consider contributing some time and effort towards your local, state or national Association. There are large roles, small roles, either on stage or off stage. There are no unimportant roles. We are in a wonderful and rewarding industry. Be a part of it by being active in your Association.

My fellow REALTORS®, it's your industry, livelihood, and association. Get involved, you'll be glad you did. Try it, you'll like it!





### Legal News





The law has all sorts of time frames and deadlines for differing things. Keep the following as a partial list of friendly reminders and peruse the Code and Administrative rules for your favorite time requirements.

"Timely" is defined in the Iowa Administrative rules as being done or occurring at a reasonable time, under the circumstances.

A "time of the essence" is normally in a later paragraph of a purchase contract, but permeates the entire consummation of the transaction. This clause behooves both the seller and the buyer, and their agents, to keep things on a reasonable track and moving along. It's always better to discover issues early on in a process than to be blindsided at the last stages of completion.

An "hour" of instruction is 50 minutes of instruction.

The time allowed to turn in real estate license to the commission: it must be received by the IREC within 72 hours after termination.

How to count days, for example: many inspection clauses have 10 days to inspect, tomorrow is day one. A "day" is 24 hours commencing at midnight. Weekends and holidays are included and count as days, unless they are expressly written in as excluded.

The time to present any written offer is promptly.

This varies by differing locations and standards of practice in the state, but for urban, "hip" areas, to me, promptly means within a couple hours. For rural areas, this may be up to a day later.

The time to make an application for a loan is *immediately* or within a specified time frames.

The time for the buyer to inquire about property insurance is IMMEDIATELY after acceptance of the offer.

The best time to take real estate course is January, February, or March as it's generally when the market is slow, there is snow on the ground, and classes are less full, allowing greater participation and learning! The worst time to take continuing education is November-December when people panic and classes fill up.

The time to apply for your renewal of your license is prior to Dec 31. The time to really start thinking about getting your final courses to renew is July 4th.

The time to make sure you have Errors and Omissions Insurance is today! (If you have an active real estate license.)

A 72 hour clause, without further clarification is straight 72 hours calendar hours. No breaks, no holidays, no weekend.

5 banking days to have earnest money deposited. In the age of online banking 24/7, what is a banking day? The rule of thumb has been to refer back to where a mortgage company is traditionally open – and those days are Mon-Fri.

How do we account for holidays, local, state or national and other days? There is no requirement for any business to recognize a federal holiday.

Federal holidays are for Federal Government employees.

The same can be said for state and local holidays – it would only be for those municipal workers in that locality.

The time to remove signage and advertising when a listing expires is *immediate*. Make every reasonable effort to remove website and yard signs as quickly as possible. The time to remove signs when the transaction closes at that date, with all reasonable effort shall be exerted.

The time a listing expires is any time, but there must be a definite time in the future when it does expire. No open ended listings. The same goes for a Protection Clause after a listing expires.

The time required to elapse prior to obtaining a Broker's license is two years, unless granted a waiver by the lowa Real Estate Commission.

The time to verbally present your Agency relationships is prior to providing "specific assistance". The time to get written Agency disclosures confirmed is *prior to* any written offer.

The time to balance your Trust Account is by the end of each month.

The time to send earnest money back (without the parties signature/express consent): to buyer – 30 days after the date of dispute, certified letter to both parties, then 30 days thereafter that; to seller – 6 months after the date of dispute, certified letter to both parties, then 30 days thereafter.

The time you must keep a complete file on each transaction is five years.

The time which must elapse prior to commencing an Adverse Possession claims is 10 years.

The time limit you can sue/be sued for just about anything is two years after the date of discovery. The time for something in an unwritten contract is five years. The time for something within a written contract is 10 years.

Therefore, there is *plenty* of time to worry about real estate contract issues!



# **GET INVOLVED**

# **Upcoming Events**



Iowa Realtor® Ring Day

December 7th



This holiday season, over 100 REALTOR® associations will be supporting the Salvation Army on Friday, December 7. Iowa REALTORS® are teaming up with colleagues throughout the nation to ring the bell. Kettles in many areas across the country will be hosted by local REALTOR® members and affiliates on this special Ring Day. This idea came from a REALTOR® member in Fargo, N.D., who wanted to give real estate professionals an opportunity to support a cause familiar to them - housing. The Salvation Army was the perfect fit because it offers so many housing-related programs. This is IAR's seventh year participating in this great event joining over 26 other states ringing the bell for the Salvation Army.

Each year, more than 300 lowa REALTORS® representing all 17 local boards participate in this event and typically raise between \$20,000 - \$30,000. It's easy to volunteer, as shifts are only 2 - 3 hours long! Help us make a bigger impact this year! It promises to be an exciting and rewarding day! Contact your local board and your company to get a group of REALTOR® colleagues signed up for lowa REALTOR® Ring Day.

Please share and post photos on Facebook, Instagram, Twitter and other social media channels when you Ring! Just use the hashtag #lowaRealtorRingDay.

# Legislative Days

February 5th - 7th, 2019

This year we will be combining our typical December Winter Meetings, YPN events, and RPAC events with the traditional Legislative Bus-In Day.

We will host committees meetings on Tuesday February, 5th, and our legislative day will be Wednesday at a new venue downtown, The River Center, which has a great view of the capitol. We will finish up our business meetings on Thursday.





# 7 CE'S FOR REALTORS | 7 GUEST SPEAKERS TAKE YOUR BUSINESS TO THE NEXT LEVEL

At the Ignite Success Conference, The Iowa City Area Association of REALTORS® is bringing industry leaders to share their secrets to success, as well as insiders who will give attendees the first look into big changes that will affect the real estate industry come next year. Surrounded by REALTORS® and affiliates from across the Midwest, this event, worth 7 CE's, this will be a once in a life time career opportunity that you won't want to miss!

COST: \$300

DATE: MONDAY, DECEMBER 3, 2018
CORALVILLE MARRIOTT, CORALVILLE IA

CALL OR EMAIL FOR MORE INFO 319-338-6460 | MEGAN@ICAAR.ORG REGISTER NOW AT ICAAR.ORG

# REALTOR® Political Action Committee

## RPAC, it's what we do!

Did you know RPAC is the number one protector of our profession? Thanks to RPAC, the First Time Home Buyer Program was implemented and legislation banning local time of transfer mandates was enacted. Because of RPAC, the possibilities to continue to drive our profession forward are endless.

Year after year, we have continued to build the RPAC culture and raise more funds than ever before. We are currently \$40,000 shy of our goal, so get your investments in! Better yet, if you invest prior to November 1st you will be entered into a drawing for a \$250 and \$150 Visa gift card! (A minimum investment of \$25 is required to be eligible to win a gift card.)

One of these could be yours! To invest, please visit our website at iowarealtors.com --> Political Affairs --> Make a Contribution.



Disclaimer: This personalized gift card will make perfect sense once you watch our new RPAC videos that feature Mayhem & Uncle Sam who fight to take your hard earned commission checks!

Email jamie@iowarealtors.com to watch the video.

### How do I become a Major Investor?

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 Rix at jamie@iowarealtors.com.









## STAFF UPDATES



### Welcome Nick Allen as our new Technology Coordinator!

Nick studied computer science at DMAAC and Iowa State University before joining IAR this August. He chose web development because it gave him the best chance at a career that would last and be the most fulfilling.

At IAR, Nick has many responsibilities when it comes to technology. He helps out around the office trouble-shooting any issues with computers, printers, phones, and more. He works with the MLS making sure listings are correct and serving as the first point of contact. Nick also assists with the IAR and DMAAR websites, keeping them updated and working properly.

When asked what he enjoys most about his position so far, Nick says it's the challenge. "I learned a lot in school, but it seems like there is something new I learn each day. Everyone in the office has been very helpful too, which makes it easier to learn," he says.



Grace recently graduated from the University of Northern Iowa with Bachelor's degrees in Digital Journalism and Public Relations. During her time there, she served as Vice President of Communications for UNI's Public Relations organization and was the Social Media Coordinator for UNI Student Wellness Services, where she promoted health and wellness to students through events and outreach.

In her position at IAR, Grace is excited to amp up social media efforts, experiment with producing videos, and get to know everyone better!

This past summer, she studied abroad in Spain, exploring Barcelona and learning more about Catalan culture. In her free time, you'll find Grace cheering on the Panthers, playing volleyball, and watching movies with friends.

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# Legislative Update

he lowa Association of REALTORS®
Legislative Committee met during the state convention in Ames. The committee discussed potential issues for the 2019 Legislative Session including E-notarization legislation. The IAR will work with a coalition of bankers, mortgage closers, abstractors, attorneys, and others to address laws that pertain to remote and electronic notary procedures. As technology becomes the norm for closing and real estate documents, it will be necessary to have legislation dealing with E-notarization to ensure the security of closing documents and to protect from fraudulent practices.

The committee also reviewed service animal legislation that was introduced last year, and will continue to work on legislation in 2019 to establish definitions and standards for service animals in rental situations.

Other issues that will continue to be discussed for 2019 are restrictions on rentals and landlord rental caps; rural workforce housing needs; team broker definitions; homeowners association regulations; and child support lien satisfaction notifications.

The IAR Legislative Committee will continue to work on these and other issues in the coming months to establish the legislative agenda for 2019. Please contact IAR if you have questions, concerns, or other issues you would like the IAR to research from a legislative perspective. The legislation IAR promotes is to help your business and homeowners!

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Why should you care about politics? You are in the business of home ownership. Somebody has to fight for the rights of home owners. Your business and your clients are counting on you to make sure local, state, and federal government know what homeowners need.



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### Waited until last minute to get CE?

There's still time!

December 27



December 28







Thank you to those who donated to RFI in memory of others in 2018.

**Quad Cities Area REALTOR® Association** on behalf of Harvey Swaine, Geraldine Thomas, and Ruben Wienke

Community Foundation of Northeast Iowa on behalf of Valentina K. Martin

Ray Osthus on behalf of Marlene Hargwig and Bev Hanson

**Scott Case** on behalf of Susan Boeye, Tom Browner, Dennis Johnson, Ronald Ralfs, Robert Reinhart, David Timmerman, and Jeff Schafer

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# 2018

has been another successful year for your REALTOR® Foundation of lowa. Project Jack reached over 210 lowa school classes.

September 28, 2018 completed the open applications for membership to the RFI Board of Directors. Barb Kerr from Burlington is your Nomination Chairperson, Larry Pickering of Des Moines and Bob Hackney of Cedar Rapids complete the committee.

The Foundation is open to any Iowa REALTOR® to apply for a donation request for an Iowan in need. Each region has a budget for your regional donation. The RFI will grant donations approved by your regional representatives and approved by the 2018 budget.

In addition, many people and boards gave memorial donations in honor of past members.

Thanks to all who donated and purchased items in our 2018 Joan Ballantyne Auction. A special thanks to all 2018 Board of Director members!

Live Auction: \$12,575 Silent Auction: \$2,262

Total: 14,837



R. Scott Case, CRB, CRS

### **President**

**REALTOR Foundation of Iowa** 



### Thank you to the following individuals who purchased items at the auction.

Michael Allmon	Roger Flink	Don Marple	Margie Robinson
Joan Ballantyne	Bob Hackney	Krystal McClain	Marion Sharp
Susie Banks	Melissa Ihnen	Jesse Meyer	Mary Shileny
Lorraine Bowans	Jo Jenkins	Kathy Miller	Matt Sievers
Kris Brend	Regen Johnson	Nancy Miller	Katie Slater
Robert Brissey	Bruce Kalisek	Megan Hill Mitchum	Lori Stewart
Travis Bushaw	Mark Kamps	Bill Pankonin	Diana Symonds
Ken Clark	Jen Kingland	Larry Pickering	Rich Vogelzang
Rhonda Clark	Sally Lovig	Michelle Polder	Ben Watt
Caren Clevenger	Anna Mack	Jenn Pratt	Scott Wendl
Karen Converse	Shaner Magalhaes	Donna Pudenz	Jon Yocum
Paula Danker			

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

Joan Ballantyne Lana Baldus Travis Bushaw Scott & Nancy Case Ken Clark Deb Fowler Jo Jenkins	Don Marple Julie McQuaid Byron Menke Kathy Miller Scott Olson Larry Pickering Gale Shinkle	Gary & Judy Stevens Scott Wendl Jon Yocum
	Gale Shinkle	
Mark Kamps	Katie Slater	

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

Central Iowa Board of REALTORS®
Cedar Rapids Area Association of REALTORS®
Cornerstone REALTORS®
Des Moines Area Association of REALTORS®
East Central Iowa Board of REALTORS®
Greater Mason City Board of REALTORS®
Iowa City Area Association of REALTORS®
Iowa Great Lakes Board of REALTORS®
Mid-Iowa Regional Board of REALTORS®

North Iowa Regional Board of REALTORS®

Northeast Iowa Regional Board of REALTORS®

Northwest Iowa Regional Board of REALTORS®

Quad City Area REALTOR® Association

RE/MAX Real Estate Center

Southwest Iowa Board of REALTORS®

West Central Iowa Board of REALTORS®

United Country Menke Auction & Realty

Zillow Group



It was "Showtime" this year in Ames as over 550 Realtors® and affiliates attended the 2018 Annual IAR Convention. Kicking off with a Pricing Strategies class on Tuesday, the event continued with seven teams testing their furniture building skills at the YPN Kickoff event sponsored by University of Iowa Community Credit Union. The team from the Cedar Rapids Area Association defended their title.

Some of our energetic members had a lot of fun showing off their soccer skills at Bubble Soccer during our Fun Night sponsored by Veridian Credit Union. As the players soon found out, running, kicking and getting back up in those bubbles is tougher than it looks!

Hundreds of attendees earned continuing education credit in some of our 24 one-hour sessions during the event. Bobbi Howe kicked things off as our Keynote and gave a touching story about how real estate can consume you and encouraged everyone to take time to balance their life and time with family and friends vs. their career. We heard a lot of great testimonials from REALTORS® attending other sessions from our lineup of national speakers, which included Holly Mabery, Doug Devitre, Carrie Little and Kyle Killebrew.







The new Idea Exchange Luncheon was a big hit, with over 140 Realtors statewide gathering to share successes and failures on a variety of topics in a rotating roundtable format.

The REALTOR® Foundation of Iowa (RFI) raised nearly \$15,000 during the Joan Ballantyne Live and Silent Auctions. The Cyclone and Hawkeye rivalry was on full display as many bidders went against each other for game tickets for football and basketball. Special thanks to Byron Menke, our longtime auctioneer, that donates his time and expertise to RFI. All the money raised goes to help Iowans in need.



During the IAR Inaugural Gala, almost 200 guests enjoyed the Showtime theme and a musical performance by Chad Elliott and the Redemptions.



2018 President Mark Kamps gave a heartfelt speech on this past year and his thanks for all of the state and local leaders in our industry.

John Goede from Spencer, lowa was installed as the 2019 IAR President.





### Iowa Association of REALTORS®





**Don Wagner**, longtime IAR Educator and course writer, was recognized with the Excellence in Education Award.

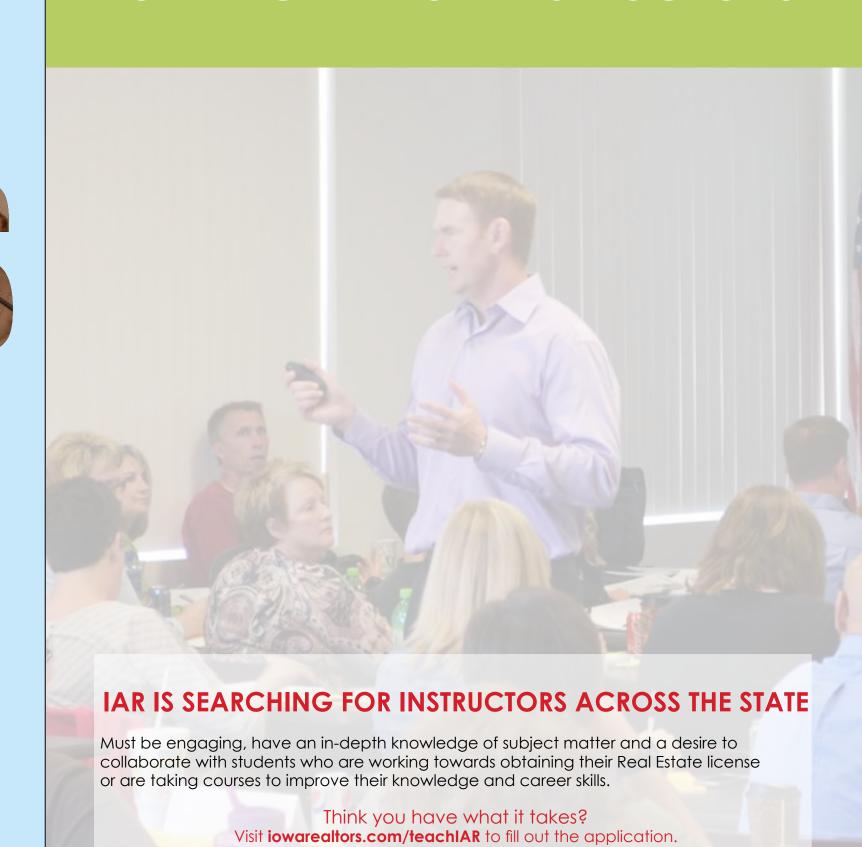
**Jess Patton**, CEO of Association Marketing Group, was bestowed with the L. Martin Lee Political Involvement Award.

**Travis Bushaw**, a REALTOR® and Broker/Owner from Oelwein and the Northeast lowa Regional Board of REALTORS®, was honored with the REALTOR® of the Year award.

**Julie McQuaid** was recognized for her years of service on numerous committees and work groups at the local and state level and received the O.G. Powell/Joan Ballantyne Distinguished Service Award. McQuaid is from Clear Lake and is a member of both Greater Mason City Board of REALTORS® and the North Iowa Regional Board of REALTORS®.



# **OPEN CALL FOR INSTRUCTORS**



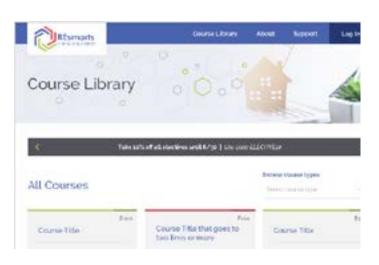
Questions? Contact Amanda Nagle: amanda@iowarealtors.com

# Coming Soon!



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-STEVE MORRIS, Founder & Chairman, EXIT Realty Corp. Intl.

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## REALTORS® IN THE COMMUNITY



"The community response was overwhelming."



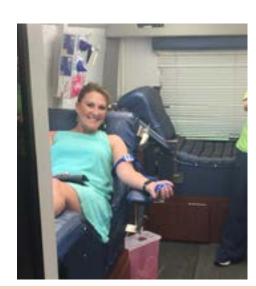
The East Central Iowa Association of REALTORS® (ECIAR) held a "Fill the Need" food drive in August to benefit the Dubuque Food Pantry. REALTORS® asked community members for donations at grocery stores in Dubuque. Through their generosity, enough food was donated to fill the shelves of the food pantry with additional cash contributions totaling \$582.39 and \$110 in HyVee gift cards.



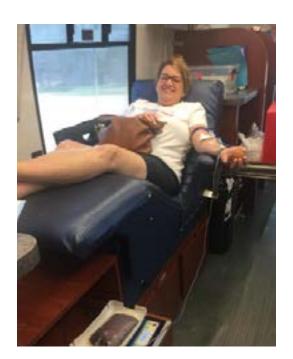
Over the past 4 years, one of the many ways the Northeast lowa Regional Board of REAL-TORS® gives back is by partnering with Cedar Valley Promise. They help by financially assisting kids in the foster care system and supplying them with either a computer, books, or a microwave, depending on their future plans after graduating. The Indian Creek Nature Center was awarded a \$2000 grant from the Cedar Rapids Area Association of REALTORS® and the REALTOR® Foundation of Iowa. This money will offset the cost for area school children to visit the center.



Their funds will help support bringing out over 130 kids for high quality environmental education field trips!



The Northwest Iowa Board of REALTORS® took time out of their very busy schedule this past June to give back to the community by donating blood to their local blood bank.





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### A COUNCIL MEMBERSHIP IS SIMPLY THE BEST WAY TO BUILD YOUR BUSINESS

Get best-in-class training with your choice of classroom courses, e-learning, webinars and events. CRS Designees also get exclusive listing in the CRS Referral Network, including our "Find A CRS" online directory and the new *Qualified Consumer Leads* program.

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**

Erika Hansen, CRSWest Des MoinesState Presidenterika.hansen@coldwellbankermag.comJoni Eubank, CRSlowa CityEducation Leaderjoni.eubank@gmail.comMike Franey, CRSCarrollFinance Leadermike@mikefraney.com

### Congratulations to the following new CRS Designees

Elizabeth Firmstone, CRS | Keller Williams Legacy Group | Coralville Kelly Kohlhaas, CRS | Ruhl & Ruhl Realtors | Dubuque Mark Signs, CRS | Ruhl & Ruhl Realtors | Coralville

Katie Slater, CRS | Next Home at the Lakes | Spirit Lake Sarah Vaillancourt, CRS | Oakridge Realtors | Cedar Falls

### Thank You

Thank you for stopping by our booth at the IAR State Convention. We were able to donate \$1,000 to the Pinky Swear Foundation through RRC with a Heart. Congratulations to Traci Jennings of Ames - our Apple Watch raffle winner.

Did we see you at our Central Iowa CRS Week Networking event at Smash Park in West Des Moines? Check out Iowa RRC on Facebook to see photos.

f Like us on Facebook — Search "lowa RRC" Check out the lowa RRC website at iowa.crs.com

