

# NEW JERSEY REALTOR®

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## ADVOCACY IN NEW JERSEY REAL ESTATE

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NJREALTOR.COM



# New Jersey REALTOR®

A publication of the New Jersey REALTORS®



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# The Door is Open But the Ride Ain't Free

**R**PAC: Maybe all you know about these four letters is that every now and then someone in your office asks you for money and tells you that you need to give it. Some of you do because that person tells you that it's important. And some of you don't because you are already paying your dues and think, "Why should I give up more of my hard-earned cash for some political thing that I don't even care about?"

Well, if real estate is your profession, then politics is your business. You need to care.

Let me ask you a question ... when you are consulting with a seller on preparing their home for sale, do you recommend they spend some money to get it ready for market – maybe take down the hideous wallpaper and paint, or change out the green shag carpet for a natural berber? Spending that money is an investment in the sale of their property to realize a larger profit when the home is sold.

How about this ... if I told you I had an investment opportunity that would pay you a 7 percent return on your income every year, would you buy in? Well, maybe you don't know that one of the things RPAC investments have already done here in New Jersey, is prevent the state legislature from imposing a 7 percent tax

on your commissions. That's right, RPAC has kept 7 percent of every one of your commission checks in your pocket!

So when you hear someone asking you to make that RPAC investment, you need to know that it's not taking money out of your bank account – it's actually putting money in!

That's not enough, you say? Well RPAC also allows the Realtor® associations to have a voice at all levels of government. It allows the association to fight to make sure your clients are protected by preserving the mortgage interest deduction, making sure a 30-year fixed rate mortgage remains an option for your buyers, and even allows you to keep putting up your open house signs on Sundays. RPAC does all of that and more.

There are plenty of legislators and other special interest groups that want to make changes that will hurt your clients and your business. We can't leave this up to chance, and you can't figure to yourself, "Someone else will invest, so I don't have to!"

We're all on this road together. Step in and step up. The door is open, but the ride ain't free. Make your investment at [njrealtor.com](http://njrealtor.com) today! ■

Tg Glazer  
**PRESIDENT**





# Make Continuing Education a Priority

As the largest trade association in North America, the National Association of Realtors® prides itself on the high levels of expertise and professionalism its members exude. Being part of the association on the local, state, and national levels means you've made a commitment to yourself and your clients to provide a superior level of service.

One of the pillars of the association — and one of the distinguishing factors between a real estate licensee and a Realtor® — is the Code of Ethics you've subscribed to.

Realtors® are required to complete ethics training of at least two hours and 30 minutes of instructional time within four-year cycles.

**The current four-year cycle will end Dec. 31, 2016.**

Failure to complete training by this date will lead to suspension of membership for January and February immediately following the cycle deadline, with termination of membership starting March 1, 2017.

While December may seem like quite a ways away, it will be here before you know it. Doesn't it seem like just yesterday we were breaking ground on our new headquarters, gearing up for Triple Play 2015, and ushering in the New Year?

We want to make completing this requirement as seamless for you as possible. You can take the course online right now at [njrealtorsace.com](http://njrealtorsace.com). Once you've successfully logged in, you can

search for the course name, Realtor® Code of Ethics, via the course registration tab. Did I mention that this online class is free for members?

If you prefer in-person instruction, I encourage you to check with your local board or association about classes they may offer that fulfill this requirement. Realtor® Code of Ethics classes will also be available at this year's Realtors® Triple Play Convention & Trade Expo in Atlantic City, which kicks off on Dec. 5.

It's also important to note that following this year's deadline of Dec. 31, 2016, this requirement will become biennial. The next ethics deadline will be Dec. 31, 2018. This change comes from the national level and reflects a wide-ranging set of recommendations meant to raise the standard of real estate through increased training in the competencies that consumers value.

We'll be reminding you of the deadline via social media, email correspondence, website posts, and at meetings throughout the remainder of the year. But keep it in mind: Dec. 31, 2016. ■

Jarrod C. Grasso  
CHIEF EXECUTIVE OFFICER





# EVENTS & DEADLINES

**AUGUST 1, 2016 – OCTOBER 31, 2016**

**AUG. 22-23**

**2016 LEADERSHIP SUMMIT**

Chicago, Ill.

**SEPT. 5**

**NJ REALTORS® OFFICE CLOSED – LABOR DAY**

**SEPT. 13** 11:00 a.m.

**NJ REALTORS® EXECUTIVE COMMITTEE MEETING**

Edison, N.J.

**SEPT. 13** 1:00 p.m.

**NJ REALTORS® BOARD OF DIRECTORS MEETING**

Edison, N.J.

**SEPT. 15**

**TRIPLE PLAY REGISTRATION OPENS**

realtorstripleplay.com

**SEPT. 16**

**NJ REALTORS® GOOD NEIGHBOR AWARD APPLICATION DUE**

njrealtor.com/membership/awards

**OCT. 3**

**NJ REALTORS® CIRCLE OF EXCELLENCE® RPAC INVESTMENT DEADLINE**

njrealtor.com/account

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# How Student Loan Debt is Holding Back the Next Generation of Homebuyers

By Douglas M. Tomson

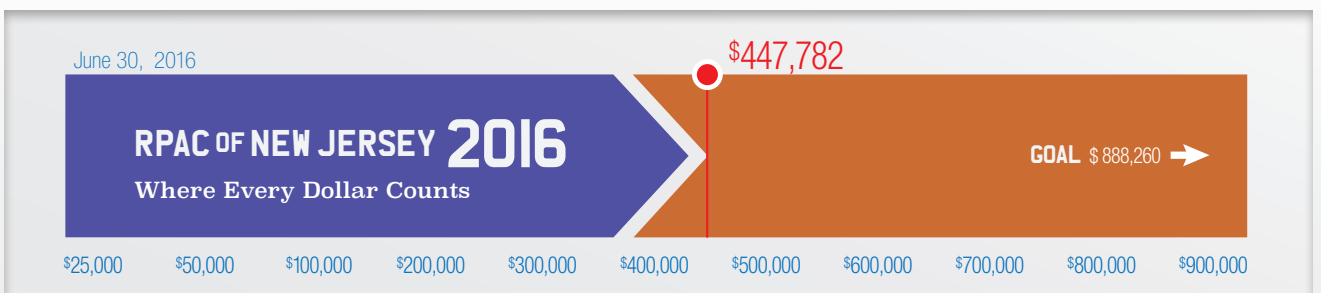
According to the National Association of Realtors® 2016 Student Loan Debt and Housing Report, the United States currently has a student debt load of \$1.3 trillion, accounting for 10 percent of all outstanding debt. As the debt continues to grow, the impact it has on the economy continues to stall economic growth amongst younger generations.

According to the 2015 National Association of Realtors® Buyer and Seller Profile, student loans were an obstacle to homeownership with 77 percent of people surveyed.

Among recent homebuyers, one-quarter have student loan debt and the typical national average is \$25,000. More specifically, the cost of education comes at a steeper price here, with the average New Jerseyan carrying \$29,287 in student loan debt – and that’s just for an undergraduate degree. While residents

of the Garden State had the highest median earnings of any state residents with a bachelor’s degree at \$59,550, 2012 graduates faced an average student debt burden that is 80% higher than those who graduated in 2004.

A *USA Today* article tracked the 10 states with the highest rate of student loan debt and New Jersey ranked number eight among them. The research found that in the Northeast, where a significant portion of higher student loan debt is held, there are more prestigious schools with higher tuition rates. Combined with the Northeast generally offering less aid to students, the explosion of student debt could not come at a worse time. Stagnant wages, even in a part of the country where one would assume employment opportunities are abundant, are making it difficult for borrowers to pay off their loans. We are seeing a rise in student



borrowing, causing students to owe more when they graduate and forgo saving for things like home purchases.

It is critical that we take a look at higher education funding. As federal and state funding sources diminish it becomes the students' responsibility to come up with funding the school's operational budget. ■



A few important statistics among non-homeowners and the reasons why student loan debt is delaying home purchase:

- 78%** Can't save for a down payment because of student debt
- 69%** Don't feel financially secure enough to buy a home because of existing student debt
- 63%** Can't qualify for a mortgage due to debt-to-income ratio
- 47%** Can't afford the preferred house or neighborhood
- 19%** Don't have the financial know-how to confidently navigate the housing market

Douglas M. Tomson is the Director of Government Affairs. He can be reached at 732-494-4720 or [dtomson@njrealtor.com](mailto:dtomson@njrealtor.com).



# NEW JERSEY LEGISLATIVE BILLS

## **A3294 – McKeon (D-27), Lagana (D-38)/ S1 – Sweeney (D-3), Kyrillos (R-130)**

Encourages sharing of services; makes appropriations.

### **New Jersey Realtors® Position: Support with amendment**

We support this bill with an amendment creating three pilot programs in each region of the state (northern, central and southern) as a way to give voters a say whether to approve consolidations of services or municipalities to reduce property taxes.

#### **Bill History:**

1/12/2016 – Introduced in Senate and referred to Senate Community and Urban Affairs Committee

2/22/2016 – Introduced in Assembly and referred to Assembly State and Local Government Committee

## **A3202 – McGuckin (R-10), Wolfe (R-10)/S1894 – Holzapfel (R-10)**

Requires explosive gas detectors to be installed in certain residential properties.

### **New Jersey Realtors® Position: Oppose**

We oppose this bill that requires one- and two-family homes to have an explosive gas detector before they can be sold or rented, increasing the cost to buy or rent a home in New Jersey and possibly delaying the change in occupancy.

#### **Bill History:**

2/22/2016 – Introduced in Assembly and referred to Assembly Housing and Community Development Committee

3/10/2016 – Introduced in Senate and referred to Senate Community and Urban Affairs Committee

## **A973 – Gove (R-9), Rumpf (R-9)/S904 – Connors (R-9), Ruiz (D-29)**

Permits conversion of fines for violation of certain municipal ordinances into tax liens.

### **New Jersey Realtors® Position: Strong Opposition**

We strongly oppose this bill over concerns that liens on a property may delay real estate transaction closings and that purchasers of residential properties may be held liable for the actions of a previous property owner.

#### **Bill History:**

1/27/2016 – Introduced in Assembly and referred to Assembly Housing and Community Development Committee

2/4/2016 – Introduced in Senate and referred to Senate Community and Urban Affairs Committee

6/16/2016 – Reported out of Senate committee, 2<sup>nd</sup> reading in Senate



SUPPORT



MONITOR



OPPOSE

# THANK YOU FOR YOUR RPAC SUPPORT IN 2016!

Investing in the Realtors® Political Action Committee is more important than ever. As one of the main methods of ensuring that Realtor® issues maintain relevancy, RPAC's nonpartisan efforts at all levels of government help achieve legislative outcomes that protect private property rights, as well as the livelihoods of Realtors® in New Jersey and across the United States. New Jersey Realtors® would like to recognize those members who have already invested in the future of the industry by supporting RPAC.

The following is a list of RPAC of New Jersey investors as of June 15, 2016 who have invested more than \$250 to help ensure that the Realtor® voice is heard.

For those who have not supported RPAC yet, there is still time to make a 2016 investment. Please visit [njrealtor.com/account](http://njrealtor.com/account) to invest today! ■

## **NAR RPAC Hall of Fame**

*(Lifetime contribution of over \$50,000)*

Christina P. Clemans

## **NAR RPAC Hall of Fame**

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 Randy L. Ketive  
 Angela Sicoli  
 Cindy L. Marsh-Tichy  
 Charles S. Oppler  
 Ned Ward

Robert White  
 Gloria Woodward

## **RPAC of New Jersey Hall of Fame Platinum Level**

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 Association of Realtors®  
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 Rose LaPira  
 Roger Love  
 Middlesex County MLS  
 Middlesex County  
 Association of Realtors®  
 Monmouth County  
 Association of Realtors®  
 North Central Jersey  
 Association of Realtors®



Ocean County Board  
of Realtors®  
Charles S. Oppler  
RealSource Association  
of Realtors®  
Ann Schuld  
Angela Sicoli  
Cindy L. Marsh-Tichy  
Douglas M. Tomson  
Diane S. Turton  
Ned Ward  
Robert White  
Gloria Woodward

### **RPAC of New Jersey Hall of Fame Gold Level**

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over \$10,000)*

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Anneke Brahver-Keely  
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Association of Realtors®  
Genette Falk  
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Barry S. Goodman  
Edith Josephson  
James W. Joeriman  
Ellen W. Kale  
David Malo  
Gloria Nilson  
Passaic County Board of Realtors®  
Andrea Schlosser  
Robert Southwick  
TREND MLS  
United Association of Realtors®

### **NAR President's Circle**

*(Annual contribution of \$2,000 to  
support federal candidates or a  
National Political Party Committee)*

Judy N. Appleby  
Christina J. Banasiak  
Eugenia K. Bonilla  
Sherry Chris  
Christina P. Clemans

Mary Davis  
Allan H. Dechert  
Drew S. Fishman  
William S. Flagg  
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Cindy L. Marsh-Tichy  
Charles S. Oppler  
Angela Sicoli  
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Robert White

### **Platinum "R"**

*(Annual Contributions of \$10,000)*

New Jersey Realtors®

### **Charter Golden "R"**

*(Annual Contributions of \$5,000)*

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### **Sustaining Golden "R"**

*(Annual Contribution of \$2,000)*

Christina J. Banasiak  
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and the Fuel Merchants Association of New Jersey

## **Sustaining Crystal “R”**

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Douglas M. Tomson  
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## **NJ Realtors® President’s Club**

*(Annual Contribution of \$500 - \$999)*

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Nina Eizikovitz  
Kenneth Freeman  
Linda Musser  
Miriam Lambert  
Min Lim  
Laura Rubinfeld  
Chandrika Singh  
Francis Torre  
Gloria Votta

## **NJ Realtors® Capitol Club**

*(Annual Contribution of \$250 - \$499)*

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Edward An  
James Arakelian  
Julia Bayci  
Anthony Belli  
Manuel Couto  
Larry DePalma  
Diane K. Disbrow  
Shani Dixon  
Jenny Durand  
Marie Episale  
John Falcone  
George Finelli  
David Foudy  
Myles Garvey  
Susan Giacchi  
Pamela Kotter  
Elizabeth Lambert  
Miriam Lambert  
Rebecca LaPira  
Jessica Lees  
Mary Licata  
William Linteris  
Kathleen McDonald  
Judith Mizzone  
Kathleen Morin  
Carlos Penalba  
John Reilly  
Brenda Richmond  
John Ryan  
Rose Marie Sinsi  
Justin Smith  
Patricia Tahan  
Nunzie Tatulli  
Christopher Tausch  
Felix Vargas  
JoAnn Vossler  
Dana Williams  
Wendy Wineburgh Dessanti

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# MEET YOUR GOVERNMENT AFFAIRS STAFF



**Name:** Jarrod C. Grasso

**Email:** ceo@njrealtor.com

**Title:** Chief Executive Officer

**About:** As chief executive officer, Jarrod leads the association in its mission to serve the professional needs of its members, develop programs and

services to conduct business successfully and ethically, and advocate for private property rights and the real estate industry. He joined the association in 1999 and was promoted to vice president of government affairs in 2002. For nine years, he served as NJ Realtors®' chief lobbyist before reaching his current role. In addition to his work in New Jersey, Jarrod has maintained an active role on the national association level, and served as a National Association of Realtors® Director and Chair of the Association Executives Committee in 2015.

**Hometown:** Toms River, NJ

**Education:** Castleton University

**Favorite part of the job:** Protecting private property rights while also protecting the Realtor® membership.

**If you could have dinner with anyone – dead or alive – who would it be?**

Ronald Reagan

**Favorite TV show:** Game of Thrones

**Fun fact:** While serving as student body president at my college, I had several meetings with Vermont Senator Bernie Sanders and Governor Howard Dean to discuss educational funding for college students.



**Name:** Douglas M. Tomson

**Email:** dtomson@njrealtor.com

**Title:** Director of Government Affairs

**About:** Doug came to NJ Realtors® in 2003 as a government affairs assistant. He was promoted to local government affairs coordinator in 2005 and director

in 2008. Prior to joining the association, he served as a grassroots coordinator for a government relations and management consulting firm.

As director, Doug is a lobbyist in Trenton where he is charged with following, analyzing and working with lawmakers to amend legislative and regulatory measures that have an impact on homeownership and the real estate industry.

**Hometown:** Hillsborough, N.J.

**Education:** Rider University

**Favorite part of the job:** Knowing that when we are successful in Trenton, we make it easier for people to achieve the American Dream.

**If you could have dinner with anyone – dead or alive – who would it be?**

Dwight D. Eisenhower

**Favorite TV show:** The Wire

**Fun fact:** Doug served two consecutive terms as Mayor of Hillsborough. The town was named the 30<sup>th</sup> best town in America during his term.



**Name:** Catherine Best

**Email:** cbest@njrealtor.com

**Title:** Grassroots and Legislative Affairs Coordinator

**About:** In addition to managing all the independent expenditure campaigns

throughout the state, she is an active lobbyist in Trenton on pivotal real estate issues. Catherine also serves as a resource for local associations looking for government affairs guidance. Before bringing her talents to NJ Realtors®, she was a staffer for U.S. Representative Steven Rothman and, most recently, U.S. Senator Robert Menendez, with much of her casework and outreach focused on housing.

**Board/Association Liaison to:** Atlantic City & County Board of Realtors®, Eastern Bergen County Board of Realtors®, RealSource Association of Realtors®, Warren County Board of Realtors®, and West Essex Board of Realtors®

**Hometown:** Dumont, N.J.

**Education:** St. Joseph's University

**Favorite part of the job:** Traveling to local boards and getting to know the members better.

**If you could have dinner with anyone – dead or alive – who would it be?** My maternal grandfather, who I never had the chance to meet.

**Favorite TV show:** The West Wing

**Fun fact:** Catherine served as a delegate for Hillary Clinton at the 2016 Democratic National Convention in Philadelphia.



**Name:** Christina Gordillo Farrell

**Email:** cfarrell@njrealtor.com

**Title:** Legislative and Political Advocacy Coordinator

**About:** She manages the state's political action committee and lobbies

on state issues affecting housing and private property rights. Christina also serves as the federal political representative. Prior to her work with the Realtors®, she worked on legislative and political affairs in the New Jersey Senate Republican Office, serving as the liaison for the Senate Environment and Energy Committee and the Community and Urban Affairs Committee, where most housing bills pass through.

**Board/Association Liaison to:** Burlington Camden County Association of Realtors®, Cumberland County Board of Realtors®, Ocean City Board of Realtors®, Ocean County Board of Realtors®, and Sussex County Association of Realtors®

**Hometown:** Vineland, N.J.

**Education:** Rutgers University

**Favorite part of the job:** Lobbying on state issues and going down to D.C. for congressional hill visits.

**If you could have dinner with anyone – dead or alive – who would it be?** Neil deGrasse Tyson

**Favorite TV show:** Vice

**Fun fact:** Christina is co-founder of State Street Young Professionals, a bipartisan networking organization for young professionals in government.



**Name:** Stephanie M. Forrest

**Email:** sforrest@njrealtor.com

**Title:** Legislative and Community Affairs Coordinator

**About:** Stephanie began her career in government affairs at the New Jersey Hospital Association. At NJHA Stephanie

served as an information liaison between the state’s hospitals and their representatives in Trenton and Washington, D.C. That eventually led to an opportunity at the New Jersey Department of Health where she worked in the Commissioner’s Office. She serves on the Hillsborough Township Planning Board and the Hillsborough Township Environmental Commission. In June 2016, Stephanie was elected into a County Committee seat within District 19 of Hillsborough. She is finishing a Master of Science in Jurisprudence from Seton Hall Law School.

**Board/Association Liaison to:** Cape May County Association of Realtors®, Hunterdon/Somerset Association of Realtors®, North Central Jersey Association of Realtors®, and Passaic County Board of Realtors®

**Hometown:** Totowa, N.J.

**Education:** University of Massachusetts Amherst

**Favorite part of the job:** Being an advocate for the industry, which allows me to represent our 45,000+ members by bringing their concerns and interests to elected officials on the local, state and federal level.

**If you could have dinner with anyone – dead or alive – who would it be?** Leonardo da Vinci because I’m fascinated with art history, especially the Renaissance.

**Favorite TV show:** Game of Thrones

**Fun fact:** Stephanie was on her collegiate dance team at the University of Massachusetts Amherst and competed in the National Dance Alliance competition in Daytona Beach, Fl., every year. Her team placed second in 2009.



**Name:** Bruce Shapiro

**Email:** bshapiro@njrealtor.com

**Title:** Local Government and Regulatory Affairs Coordinator

**About:** Bruce joined New Jersey Realtors® in 2008 after working in the

state legislature for four years and completing internships in the New Jersey Governor’s office and United States Senate. Since joining New Jersey Realtors®, Bruce has advocated for the rights of private property owners, the importance of homeownership and the real estate industry as a whole before our elected and appointed officials in Washington, Trenton, and local communities across the Garden State.

**Board/Association Liaison to:** Gloucester Salem Counties Board of Realtors®, Liberty Board of Realtors®, Mercer County Association of Realtors®, Middlesex County Association of Realtors®, and Monmouth County Association of Realtors®

**Hometown:** Brooklyn, N.Y.

**Education:** Bachelor’s Degree in Political Science from Kean University

**Favorite part of the job:** Meeting with Realtors® and elected officials across New Jersey to explain the federal, state and local policy issues currently being debated affecting real estate.

**If you could have dinner with anyone – dead or alive – who would it be?** Bruce Springsteen

**Favorite TV show:** M\*A\*S\*H

**Fun fact:** Bruce has traveled to 49 out of 50 states.

# BEWARE OF PATENT TROLLS

By John Shehata

**A**s a Realtor® you might not think your business falls in the technology category and therefore you may not believe you have to be worried about patent trolls. Unfortunately, because of how heavily Realtors® rely on technology and software products to market properties and manage aspects of business, it's a real concern.

Trolls buy questionable, overly vague patents, often by the hundreds or thousands, and then use them to demand organizations pay a licensing fee or face litigation. This is a gross misuse of the U.S. Patent System, which was created to protect inventors of novel ideas and to ensure there is an incentive to creating new products encouraging innovation. Over the last five to seven years, patent trolls have increasingly targeted Realtors®.

Often when a company is faced with demands for licensing fees or the alternative — an expensive lawsuit — they settle with the trolls to avoid accruing legal fees. A study from Boston University estimates that patent litigation destroys more than \$60 billion in firm wealth each year. This has become such an issue that both the White House and the Congressional Research Service cite research studies that suggest patent litigation harms innovation.

The National Associations of Realtors® is pushing for patent reform on the national level and has teamed up with United for Patent Reform, a coalition of organizations working to push legislation through

Congress. Additionally, New Jersey Realtors® has been lobbying on your behalf on Assembly Bill A310/S1696, a bill that prohibits bad faith assertion of patent infringement.

In May, NAR took a step against patent trolls by filing a Inter Partes Review petition with the U.S. Patent and Trademark Office, asking them to review the validity of a the specific patent of Data Distribution Technologies, LLC, of Suffern, N.Y., which has threatened several real estate companies with infringement lawsuits. A ruling on the petition is expected in early fall. ■



John Shehata is the Director of Technology. He can be reached at [jshehata@njrealtor.com](mailto:jshehata@njrealtor.com).

# NJ REALTORS®

## GOVERNMENT AFFAIRS STAFF AT WORK

**Bruce Shapiro:** Over the last year, I have worked with my local boards to help set up information sessions where Realtors® can meet with and ask questions of local officials. In Edison, working with the Middlesex County Association of Realtors®, the Code Enforcement Department gave a presentation regarding local inspection requirements. There was a presentation and a question-and-answer session where members could ask direct questions about the inspection process. I also attended an event in Gloucester Township, put together with the Burlington Camden County Association of Realtors® and Mayor David Mayer. I have two more planned sessions in Old Bridge and Deptford.

**Catherine M. Best:** On May 23, the RealSource Association of Realtors® hosted an RPAC Phone-a-Friend event. I worked with staff at RealSource to ensure the set-up went smoothly and on day of the event, I attended and assisted the volunteers in operating the phone bank system while communicating with NAR to verify all investments were processed correctly. Throughout the day, volunteers made calls to other NJ Realtors® and over \$600 dollars was raised. The government affairs staff at NJ Realtors® is available to assist local boards/associations with NAR's Phone-a-Friend initiative.

**Christina Gordillo Farrell:** I attended the Ocean County Board of Realtors® Fair Housing Seminar earlier this year along with Fred Underwood from the National Association of Realtors®, who was their speaker on key issues. Realtors® from around Ocean County attended the seminar, which addressed ways Realtors® can provide equal professional service without regard to race, color, religion, sex, handicap, familial status or national origin of any prospective client or resident of the community. Mr. Underwood also covered Fair Housing laws and provided ways for Realtors® to ensure they re abiding by those laws and acting in the best interest of the community, residents, and prospective buyers. This seminar was a great way for members to come together to learn more about the communities in which they practice their business.

**Stephanie Forrest:** Earlier this year I attended a meet-and-greet mayoral luncheon with the Passaic County Board of Realtors®. The board invited mayors from all over the county to their local office to discuss municipal and county issues and ways that the Realtor® community could engage. This also presented opportunity for the local board to discuss Realtor®-related issues that affect the industry and the homebuyers in their respective jurisdictions. This meeting allowed the local board to interact with the leadership in their county and provided excellent conversation and networking opportunities. ■



# NEW JERSEY REALTORS® TO THE RESCUE



**O**n July 14, New Jersey Realtors® was proud to present the Lavallette Beach Patrol with a brand new Hankins-style lifeguard boat ahead of their annual William Kemble Lifeguard Tournament. The boat was donated to the lifeguards as a gesture of support for the community.

Lavallette was one of the many communities directly and severely impacted by Superstorm Sandy. Although it's almost four years later, there is still much left to be done and the association acknowledges the disaster that Lavallette and its neighboring towns have endured.

"We are proud to be able to supply this community with a small token of our appreciation," said 2016 NJ Realtors® President Tg Glazer. "New Jersey Realtors® supports every community in the state with our

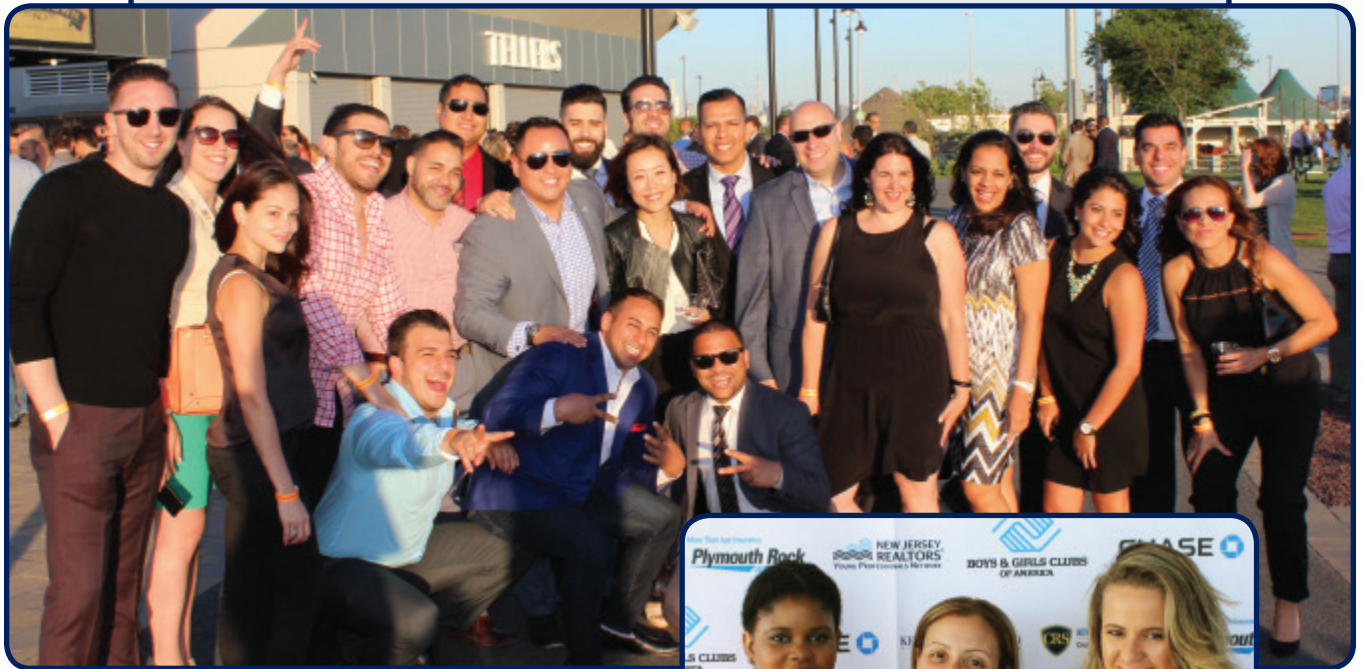
45,000-strong membership living, working and helping to sustain these vibrant neighborhoods."

This association is hopeful this will be the first of several other donations to other worthy communities throughout the state. ■



# REALTORS® RAISE THOUSANDS FOR BOYS & GIRLS CLUBS IN NJ

Over 350 Realtors® attended New Jersey Realtors® Young Professionals Network's first statewide event on June 9. Held at the Meadowlands Racetrack, the evening surpassed expectations and raised more than \$7,000 for the Boys & Girls Clubs in New Jersey, which supports more than 70,000 children at 67 sites throughout the state.





The evening gave Realtors® and industry professionals the opportunity to network while enjoying a BBQ-inspired menu, cocktails, music and entertainment.



“We can’t begin to express our appreciation for NJ Realtors’ support,” said Susan Haspel, State Director of the Boys & Girls Clubs in New Jersey. “Our clubs exist because of the tremendous generosity and support of the communities we serve. NJ Realtors’ donation will help provide the important programs and services for Club youth.”



## Sponsors



# A QUESTION OF SECURITY

By Barry S. Goodman, Esq.



**Y**ou have just listed a house for sale or lease that has a security camera or other video or audio taping equipment, often called “nanny cams.” What responsibility do you have to disclose the existence of the security camera system to potential buyers or tenants who lease the house? Can the seller record conversations between buyers and their agents when they walk through the house? Can the landlord have the security camera system working after the tenant has taken occupancy? Do the buyers and tenants have any right to an expectation of privacy not to be recorded?

It is extremely important for you and the property owner to know what can and cannot be done when there are security camera systems in the house. In deciding what to do, it is important to distinguish between potential buyers who are walking through the house and tenants who have moved in.

## **Potential Buyers Walking Through The House**

A seller who has a security camera system in the house likely would want to keep it on when potential buyers and buyer’s agents are walking through.

However, the security system may very well record conversations between a buyer and the buyer's agent about an interest in purchasing the house, including possibly how much the buyer would be willing to pay. The question therefore arises whether or not the security system has to be disclosed to the buyer and the buyer's agent.

The New Jersey Real Estate Commission informally has taken the position that the listing agent does not have a duty to disclose there is a security camera system in place. However, if the listing agent is asked about a security system, they must, of course, provide an honest response.

In addition, if the listing agent becomes a disclosed dual agent, the listing agent in all likelihood has a fiduciary duty to the buyer to disclose there is a security camera system that would be videotaping and/or recording conversations. As a result, if there is any possibility the listing agent will become a disclosed dual agent, the listing agent should discuss with the seller when the listing agent obtains informed consent to disclosed dual agency that the security system will have to be disclosed. In fact, it is recommended they discuss simply disclosing the use of the security camera system to all buyers as part of a marketing strategy since a security system likely would increase the value of the house.

### **Use Of Security Cameras Where the Property Is Leased To Tenants**

Although the same rules would apply to potential tenants who are walking through a property, once a tenant moves into the property, there are vastly different privacy expectations that the tenant understandably would have. Use by the landlord of a security camera system inside, and possibly outside, the house after the tenant has moved in likely would violate the tenant's privacy rights and subject the landlord to civil damages and possibly even criminal charges.

As a result, if there are security cameras on the property, they should be disabled and not used during the term of the tenancy, unless only the tenant has the use of the security system. In light of the potentially serious implications of improperly using a security camera during the tenancy, New Jersey Realtors® has added the following provision to its lease.

#### **SECURITY CAMERAS:**

**Applicable**  **Not Applicable**

*If there are any security cameras on the Property, including but not limited to what often are called "nanny cams" or other video or audio taping equipment, the Landlord represents that the security cameras will be disabled and not functioning during the Term of this Lease unless only the Tenant has the use of the security system and neither the Landlord nor any other party has access to or the use of it. The Landlord acknowledges that any use or access to the security system by the Landlord or any other party during the tenancy may constitute an invasion of privacy of the Tenant and subject the Landlord to civil damages and criminal charges.*

#### **What to Remember**

Although there typically does not appear to be a duty to disclose to buyers and buyer's agents that there is a security camera system in the house, it probably would be in your best interest and in the best interest of the seller to disclose its existence. However, when the property is being rented, care should be taken to ensure the security camera system is not improperly used by the landlord during the term of the tenancy. ■

Barry S. Goodman, Esq., a partner in the law firm of Greenbaum, Rowe, Smith & Davis, LLP, focuses his practice on real estate brokerage and other real estate-related matters, as well as antitrust suits and corporate shareholders' and partnership disputes. He is the General Counsel for New Jersey Realtors®.



# NJ REALTORS® EDUCATIONAL FOUNDATION AWARDS OVER \$50,000 IN SCHOLARSHIPS



The New Jersey Realtors® Educational Foundation was proud to award 41 deserving students a total of more than \$50,000 in scholarships at an NJ Realtors® board of directors meeting on Tuesday, June 7 at the Pines Manor in Edison.

“Every year, the trustees have the distinct pleasure of getting to know dozens of accomplished students through the application process,” said Judy Lewis, 2016 President of the NJ Realtors® Educational

Foundation. “When our biggest problem is having a hard time making scholarship selections, you know the pool of applicants is full of inspiring, intelligent students.”

Criteria for selection include academic achievements, financial need, interest in real estate endeavors, and contributions to family, school and communities. High school seniors who will be attending an undergraduate four-year institution, or students currently enrolled in an undergraduate four-year institution are eligible. In addition, they must be, or be related to, a New Jersey Realtor®.

“As an association, we look forward to recognizing these students every year and congratulating them on their educational path,” said Tg Glazer, 2016 President of New Jersey Realtors® ■





# BOARD / ASSOCIATION NEWS



## Realtors® participate in "A Brush of Kindness"

On May 12, the Ocean County Realtors® Community Service Committee volunteered with the North Ocean Habitat for Humanity. The committee participated in "A Brush of Kindness" where they sanded, repaired and painted a family's deck. With all hands on deck the committee made short work of the big project. "A Brush of Kindness" is Habitat's home preservation repair program, which helps low-income homeowners reclaim their home with pride and dignity while also revitalizing the neighborhood.



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