

BOARD BRIEFS

Your Voice for Real Estate In Lebanon County

1300 Florence Street, Lebanon, PA 17042

January 2009

WELCOME TO 2009!



From the President—Joseph Wentzel.

Let me begin by saying what an honor it is to be your association president for 2009. I look forward to the challenges that arise and I am anxious to continue the traditions of our past presidents who have helped make this association as successful as it is today.

Association presidents come and go and their time to 'lead' is very short-lived. However, there is one person in this association that makes the president's position very manageable. Mary Rakow has been keeping the engine of this organization fine tuned for many years. As the Executive Officer, she makes the board of directors' responsibilities seem very easy at times by putting in a lot of time and effort for the good of every member of this association. And, I have never heard her complain about how much work she has to do.

Many of you know Mary, some of you do not. If you are one of the unfortunate members who do not know Mary personally, make a point to stop in her office and introduce yourself. You will be glad you did. I for one am happy that she is here to help me make 2009 another successful year for LCAR.

I wish everyone a very happy, healthy, and prosperous 2009!

As with any association...Its success depends on its members. Do yourself a favor....volunteer.

Joseph Wentzel

On behalf of the
2009 Association, MLS Leadership,
and the Board staff:

Happy New Year!!

Inside This Issue

- Real Estate News, Do's & Don'ts.....Page 2
- Home Inspector.....Page 3
- Holiday PartyPage 4
- 2009 Officers.....Page 5
- Surviving & Thriving in '09..... Page 6
- Association News.....Page 7
- Statistics.....Page 8
- Statistics, cont'd.....Page 9
- Ask the Attorney, MLS News.....Page 10
- Winner Circle App., CN Changes.....Page 11
- Member Corner.....Page 12
- This-n-That.....Page 13
- Calendar.....Page 14

Dates To Remember...

January:

- 1 ASSOCIATION OFFICE CLOSED
- 5 Luncheon Meeting, Quality Inn - Noon
- 9 Finance Friday, Quality Inn 8:30am
- 19 ASSOCIATION OFFICE CLOSED
- 23 Finance Friday, Quality Inn 8:30am
- 25-28 PAR Quarterly Meetings, Hbg.

February:

- 2 Luncheon Meeting, Quality Inn - Noon
- 6 Finance Friday, Quality Inn 8:30am
Winner's Circle Deadline
- 16 ASSOCIATION OFFICE CLOSED
- 20 Finance Friday, Quality Inn 8:30am

March:

- 2 Luncheon Meeting, Quality Inn - Noon
- 19 MCE Classes, Quality Inn



The Four Point Plan

The most recent economic stimulus bill, the Emergency Economic Stabilization Act, was a good first step towards stabilizing our nation's economy. Unfortunately, a number of the Act's provisions have not proven to be as useful at stabilizing the nation's housing markets as was first thought.

Congress may consider a second economic stimulus bill this month. If they do, there are a number of changes that could help to provide more stability to the nation's real estate markets which most agree is a necessary step towards recovery.

NAR has urged Congress to include the following provisions in any future legislation:



- **Make the \$7500 tax credit available to all purchasers and eliminate the repayment requirement.** The credit's limited availability and required repayment terms have severely limited the credit's appeal to potential homebuyers. As a result, the credit has not been widely used or

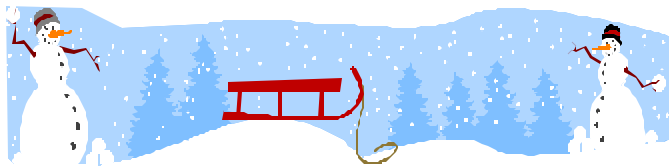
proven effective at stimulating sales.

- **Make the 2008 FHA, Fannie Mae and Freddie Mac loan limits permanent.** New rules for 2009 would significantly reduce the FHA, Fannie Mae and Freddie Mac loan limit from their 2008 levels. Now is not the time to limit the availability of affordable mortgages.

- **Get the Emergency Treasury bank relief program back on track** by targeting more funds to mortgage relief efforts and increasing efforts to mitigate foreclosures. Don't just give the banks unrestricted cash. Make the program work to improve mortgage and housing markets as it was originally intended.

Permanently bar banks and banking conglomerates from engaging in real estate brokerage and management. The banks have proven they have enough to do to simply properly manage their current lines of business. Do we really want them to manage the home buying process? Imagine what could have been the situation now if they already had the added ability to engage in real estate sales. [Take action now!](#)

For more information on each of these ideas, visit Realtor.org.



5 "Do's" to Build Your Career:

Spend some time creating a written business plan.

This should include both short term and long term goals. Decide whether you are more driven by a specific number of sales or a desired income. Don't worry that you don't know all the skills yet to achieve your goals. You will learn as you go. Like the old saying goes, "If you don't know where you're going, how will you know when you're there?"

Make Mistakes! That's right; you are encouraged to make mistakes. That is how you will learn. Agents that are too afraid to make mistakes rarely get anything accomplished. The key to making mistakes is to use them as a learning experience. Remember what Winston Churchill said, "Success is the ability to go from failure to failure without the loss of enthusiasm."

Add everyone you know to your data base – and then contact them. Having names in your data base doesn't mean a thing if they don't hear from you on a consistent basis. The key is having a reason to contact them. Birthdays, anniversaries, sales in their neighborhood, community activities and charity events can all be a motive to touch base. They may not need your services now. You just want them to think of you when they, or someone they know, does.

Practice your scripts and dialogues. It might not sound glamorous but the sooner you know what to say, the sooner you will be comfortable in a sales situation. Tiger Woods still goes to the driving range before he tees off in a tournament and major league baseball players still spend February and March in Basic Training. The more they can rehearse their "scripts" the more they will be able to rely on them when they are "in action."

Role Play – Not many people like to role play but even fewer people enjoy messing up a great opportunity because he or she didn't know what to say or how to say it. You can practice all day long in front of a mirror but until you try it with a real live person, it's not the same. Pair up with a fellow new agent or a manager and have fun.

Take time for personal and family enjoyment. It will be hard to take time off because you won't want to miss any opportunities but think about this – if you don't learn to take time off now, when you're not busy, how will you ever make time when you actually have business. Besides, when you are relaxed and doing the things you enjoy most, you'll be surprised how much business will come to you when you're not even looking for it. That's what is called a "win-win" situation.

5 "Don'ts" to Build Your Career:

Don't fear negotiation, welcome it. If people are willing to negotiate, that usually means they have some interest in what it is you are offering. Take a negotiation class, read books on negotiation and study your own habits and styles of negotiation. Why do you seem to "give in" or "give up" when you are negotiating for something? Remember, nobody likes to feel like they have lost so seek common ground and work towards it.

(Cont'd. pg. 3)

DO'S & DON'T'S, CONT'D...

Don't forget this is a "No" business. Welcome to the world of sales. This job isn't about houses; it's about people and their wants, needs and dreams. We can't help everyone and we can't expect everyone to want to work with us. Don't take it personally if people tell you no. Thank them and move on to the next person.

Don't expect to have all the answers right away – This job is always changing so even the top agents are learning something new every day. The fact that you have your license means that you know more than the average person. If you don't know the answer to someone's question, admit it, tell them you will find the answer out and get back to them in a timely manner. They will appreciate your honesty.

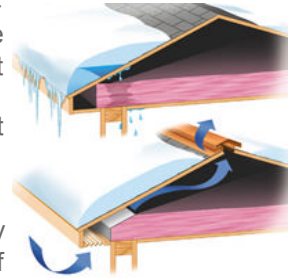
Don't act like you know everything already. People don't like know-it-alls or name droppers. You probably don't either. There is a fine line between being confident and being cocky.

Don't think the leads are going to come to you. You must actively pursue any and all leads you may get. That means adding them to a data base and scheduling follow up consistently. Some may come to fruition quickly, some in due time and some not at all. You just want to position yourself for the moment when the prospect is ready, willing and able to proceed.

Don't skip steps. You cannot get to a paycheck until you have had a closing. You cannot have a closing until you have made a sale. You can't make a sale before you have a seller or buyer. You cannot get a seller or buyer without an appointment. You cannot schedule appointments if you are not talking to people. If you're long term goal is earning a comfortable income, your short term goals must be to talk to people and schedule appointments. - [Sean Carpenter](#)

THE HOME INSPECTOR REPORTS...

That impressive formation of ice along the roof edge of a house after a snow storm may seem to be a unique form of nature's artistry; however, most people never stop to think about the causes of ice formations. Nor do most people, except those that regularly experience ice dams, know what damage the ice can cause.



Ice dams occur when heat escaping through an under insulated and poorly ventilated attic melts the layer of snow resting on the roof. Water flows down the roof beneath the snow layers and remains insulated by the snow until it reaches the lower areas of the roof where it re-freezes. As the cycle repeats itself, the ice at the eaves builds to form a dam that prevents the water from draining off the roof. Eventually the water backs up under the shingles and can seep through the roof deck and attic into the rooms below. As a result, insulation material becomes soaked and anything susceptible to water damage including wallboard, paint and wallpaper is potentially ruined. Long-term moisture conditions can also lead to mold concerns.

What can help prevent these problems? At one time, attempting to melt the ice along the eaves using electric heating coils was thought to be the answer for ice dams. However, subsequent studies and long-term experience with the use of heating cables, indicates that maintaining a cold roof deck often is the most effective way to prevent ice dams and the resultant damage. By improving insulation and ventilation, heat from the house that could contribute to rapid snow melt doesn't make its way to the attic. Having good air flow from the outside helps move out any heat that does build up, so that the underside of the roof stays cold and the snow melts very slowly and uniformly.

To reduce the possibility of ice dams forming:

- ✦ Clean all leaves and other debris from roof valleys, gutters and downspouts before the first snowfall.
- ✦ Install additional attic insulation so the thermal resistance or R-value matches that recommended by the local utility or required in new energy codes. Homes built before 1970, where the insulation has not been upgraded to appropriate levels or was not properly installed, are prime candidates for the formation of ice dams.
- ✦ Consider attic ventilation provisions. If necessary, add more ventilation to keep the underside of the roof deck (sheathing) cool and dry to reduce the rate of snow melting from the roof. Vents may be needed at the lower edges of the roof (eave area) and at the roof ridge for optimum air circulation.

If this does not correct your ice dam problems, consult with a reputable roofing and/or insulation contractor about making improvements. Remember, these tips are only general guidelines. Since each situation is different, contact a professional if you have questions about a specific issue. More home safety and maintenance information is available online at www.housemaster.com.—Courtesy of Chuck Berthoud

MORTGAGE COMPANY OR BANK?

WHY NOT BOTH?



Brenda Herring-Ferrebee
Mortgage Loan Officer
717.274.6881



Craig Gates
Mortgage Loan Officer
717.274.6981

Fulton Bank's products, such as swing loans, home equity loans, and lot loans, can be used in conjunction with Fulton Mortgage Company's products to meet your individual needs.

Fulton Bank
LISTENING.
fultonbank.com

Fulton Mortgage Company
A Division of
Fulton Bank
No Surprises.
fultonmortgagecompany.com

Equal Opportunity Lender Member FDIC

ASSOCIATION NEWS...

HOLIDAY PARTY TIME!...

One hundred twenty Association members gathered at the Quality Inn on December 5, 2008 to celebrate the season. Beautiful centerpiece dressed each table with Holiday colors & spirit, and with the abundance of hors d'oeuvres, carafes of wine, cheese & crackers, assorted fruit, and holiday conversations, there was plenty to keep everyone in the ballroom of the Quality Inn happy and entertained!

After a dinner of either Chicken Breast & Filet Mignon, Crab Cakes, or Horseradish Crusted Salmon, "2008 REALTOR® Of The Year", and 2008 REALTOR® Scholarship winners were announced. Announcements were followed by door prize drawings, centerpiece winners, an evening full of dancing to great hits by "The Uptown Band", laughing, and plenty of wonderful holiday cheer!

We offer many "Thanks" to the following Affiliate Members and businesses for their contributions & support of this year's Christmas party! Edge Abstract donated the grand prize, a 26" FLAT SCREEN, HD TELEVISION. The lucky winner was Mr. Gring, Tina Gring's husband.

Door Prizes, compliments of:

Edge Abstract of Pennsylvania
 Ist National Bank of Fredericksburg
 Jonestown Bank & Trust Company
 Lebanon Co. Assoc. of Realtors®
 Lebanon County Builders Assoc.
 Maxim Home Mortgage
 Sovereign Bank



"The Uptown Band" did a fantastic job and kept everyone dancing 'till the very end.



Everyone looked fabulous, dressed in their holiday best.

Professional Home Inspection, LLC

Holiday Centerpieces, compliments of:
 Lebanon Land Transfer



Kris Mease 'kept us in stitches' as the MC of the door prizes. She could take that act on the road! (But don't...we want you here)



Joe Wentzel and Brenda Henning—Show us your pearly whites!



Our 2009 president, Joe Wentzel tells us to get ready for a great year!



Irene Pickett ends her year as President and goes out with a bang; showing us her moves along with Melissa McBride.



Don Griffith was the surprise of the night. He entertained us with his rendition of "My Funny Valentine"!

Holiday smiles from Wendy Donmoyer, Kelly Woefling, & Lori Kahl. Wendy really shook things up this year!



ASSOCIATION NEWS...

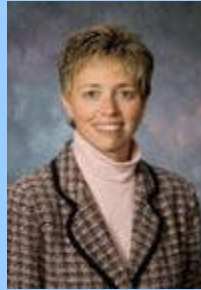
MEET THE 2009 OFFICERS



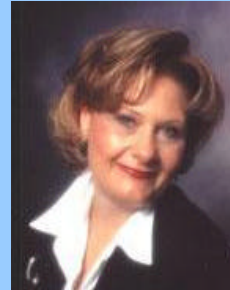
Joseph Wentzel
President



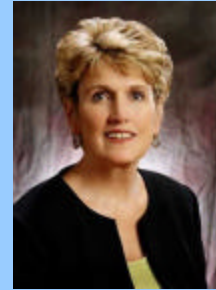
Melissa MacBride
President Elect



Amy Dellinger
Secretary



Tracey Wilson
Treasurer



Sally Weise
1 Year Director



Jim Hostetter
2 Year Director



Sherri Killinger
3 Year Director



Ricardo Ramos
Member at Large



Duane Zehring
MLS President

ASSOCIATION OFFICERS

President: Joe Wentzel, Penn Realty, LTD.
President Elect: Melissa MacBride, Century 21 Krall
Secretary: Amy Dellinger, Brownstone Real Estate
Treasurer: Tracey Wilson, Brownstone Real Estate

Past President: Irene Pickett, C21 Krall

DIRECTORS

1 Year Director: Sally Weise, Re/Max of Lebanon County
2 Year Director: James Hostetter, Prudential HSG
3 Year Director: Sherri Killinger, Suburban Realty

MEMBERS AT LARGE

Ricardo Ramos, Brownstone Real Estate

MLS OFFICERS

President: Duane Zehring, Rauch Real Estate
Vice-President: Nelson Ebersole, Suburban Realty
Secretary-Treasurer: John Tice, Jack Gaughen, ERA

DIRECTORS:

MaryAnn Gacono, Prudential Gacono Real Estate
Holly Krall-Heft, Century 21 Krall Real Estate

STAFF

Mary Rakow, Executive Officer
Julie Osborne, Executive Assistant



Left: Past President Irene Pickett passes the torch to '09 President Joe Wentzel



Above: Irene Pickett, Duane Zehring, Joe Wentzel, Amy Dellinger, Mayor Trish Ward, Jim Hostetter, Melissa MacBride, & Tracey Wilson at the Installation luncheon on Jan. 5, 2009.

Right: Joe Wentzel presents the mayor with a gift bag and a 'thank you'.



Right: This year LCAR was honored to have Mayor Trish Ward swear in the 2009 officers.



Left: 2009 Officers are being sworn in at the Jan. 5, 2009 luncheon at the Lebanon Quality Inn.

SURVIVING & THRIVING IN 2009

Will the market in 2009 be "Good" or "Bad?"

by *Carmel Streater*; www.brokeragentsocial.com

It simply doesn't matter! Salespersons and brokers who survive this and any market are those who are willing to go out and make **any deal that can be made** in prevailing market conditions, and make no mistake, there are always deals being made.

One problem is that the deals are being made by go-getters who are out working, not by the hangers-on who stay in the office (home or otherwise) and wrap themselves in a warm blanket of defeatism. Therefore your role models for success are conspicuous by their absence from your lives.

The other problem is that you can't make deals in today's market using strategies that worked in a boom market. Scavenger buyers who choose to capitalize on the mistakes made by individuals who bought at the top of the market ARE NOT stealing.

They are, instead, astute students of market conditions who deserve to be treated as though they are saving your bacon, mainly because they might well be. Don't hate them because they're better at reading business situations than the comparatively "nice" folks you sold to during boom times.

Yes, they will work you harder than your boom buyers, and yes, they will actually negotiate far beyond the normal offer-counter offer-meet in the middle norm. Most of all, yes, they will take a lot of your time. If you are too busy to help them, get out of the way and let someone interested in learning from actual business-minded buyers while earning money help them out.

You say you just HATE dealing with banks on repos because they don't offer the safety nets of inspections, repairs, etc. to which you have become accustomed? Either learn to work without them or find more acceptable employment until boom times return.

Boom times always return, but would you really want to wait to make a sale until they do? This is a time when you can learn more in six months about what makes the real estate sales and finance businesses work than you can in six years in a boom market.

What you learn in hard times you can use to good advantage in the good times that are sure to follow. You just have to put yourself in the way of the learning.

Vince Lombardi taught his players that luck is what happens when preparation meets opportunity, an excellent axiom. Our job is a little more difficult than that of Mr. Lombardi's scholar athletes. We can't wait for opportunity to meet us, we have to go out and hunt it down! Get prepared to work in today's market, get out and work and you will find opportunity.



FHA Toolkit

Today there is a shortage of credit across the country and many lenders are requiring excellent credit and down payments of 5 percent or more.

However, there are products available ideally suited for first-time home buyers, those with less than perfect credit, or those with little money available for a down payment. The Federal Housing Administration's (FHA) mortgage insurance programs are filling a void left vacant by the evaporation of the subprime market. FHA now accounts for almost 15 percent of the mortgage market compared to fewer than 5 percent two years ago. In 2009, FHA's market share is expected to increase to over 30 percent.

The National Association of REALTORS® is proud to offer the FHA Toolkit, and interactive publication providing valuable information on the use of FHA for financing mortgages.

The *FHA Toolkit* is an interactive education piece designed for REALTOR® members with little previous experience in using products offered by FHA or members who have not utilized FHA products in recent years. The toolkit provides an overview of FHA, detailed information on FHA products, and resources to address common misconceptions about FHA mortgage insurance programs.

Using the toolkit, REALTORS® will understand how FHA's mortgage insurance programs help low- and moderate-income families become homeowners by lowering some of the costs of their mortgage loans.

The components of the toolkit allow the user to learn how FHA has become easier to use and why FHA is a great option for clients. The toolkit has several components including the FHA brochure, interactive CD, program booklet, quick reference guide, and two pullouts.

FHA Toolkit Information Available Free Online

<http://www.realtor.org/prodser.nsf/products/166-155?OpenDocument>

— Source: NAR, Realtor.org

Finance Fridays!

Dates: Jan.23, Feb.6, and Feb.20, 2009

Quality Inn, Lebanon 8:30am—Free Breakfast

Topics: 1/23: PHFA, FHA, & 203K

2/6: USDA, Risk Based PMI, VA

2/20: Reverse Mortgages, Installment Agreement of Sale, & Short Sales

Reservation Forms on Website

AND THE WINNER IS...

As the audience at the recent Association Christmas Party pondered the clues given to them to try and guess this year's recipient, the 2008 REALTOR® of The Year, Amy Dellinger, last year's recipient slowly peeled open the sealed envelope to reveal the 2008 REALTOR® of The Year...

Brenda Henning, Penn Realty, Ltd.

Every year a recipient is chosen who meets the criteria established by the Association, and is awarded this prestigious title based on their work, both in and outside the real estate field. Congratulations to Brenda on this great accomplishment, and we wish her the same good fortune in 2009, and in years to come!



*CONGRATULATIONS
To Brenda Henning,
2008 REALTOR® of the Year!*

Right: Amy Dellinger, 2007 Realtor of the Year, presents Brenda Henning the 2008 Realtor of the Year plaque at the Jan. 5, 2009 luncheon at the Quality Inn, Lebanon.



Left: Mary Ann Gacono opens her gift bag at the Jan. 5, 2009 luncheon. Mary Ann was the top blood donor in 2008. Way to help out our community....great job Mary Ann!

AND THE WINNERS ARE...



Sarah Conville

Laura Kapp, Prudential Homesale Services Group, and
Sarah Conville, Prudential Gacono Real Estate
for being our 2009 REALTOR® Scholarship winners!

Each winner receives a \$250 scholarship which can be used any time in 2009 to further her real estate education.

The winners were presented their scholarships at the Jan. 5, 2009 luncheon.



Laura Kapp

2008 SPECIAL EVENTS COMMITTEE...

Congratulations to all the Committee Members who did a wonderful job at working together to give us another great Christmas Party!

Chairpersons: Melissa MacBride

Committee: Wendi Donmoyer
Tina Gring
Kris Mease
Stephanie Olson
Lori Kahl

MILESTONES...

There are many milestones we as REALTORS® come to celebrate. Among the top on the list are passing the licensing test, selling the first home, and staying active for 25 continuous years... WOW, 25 years! That may seem long for most people, but when you enjoy your job as much as this year's honorees, it's not that tough.

Nancy Smeltzer, ReMax of Lebanon Co, Rick Clay, Clay Realty, and Lee Reddinger, Reddinger Appraisals, all 25 year members, were recognized, and received a 25 year Member pin from 2009 Association President Joe Wentzel at the recent luncheon meeting.

We wish you well for another 25 successful years!



All three 25yr. members were added to the plaque of distinguished members who have served the Association for 25 continuous years. Pictured above: Pres. Joe Wentzel and Nancy Smeltzer. Congratulations!

LEBANON COUNTY SOLD STATISTICS 2008

JANUARY 1 – DECEMBER 31

	<u># Active</u>	<u>\$ Volume</u>	<u># Sold</u>	<u>Sold Avg</u>	<u>ADOM</u>
<u>Residential/Farms</u>	2,798	\$571,996,080	1,226	\$ 168,329	84
Annville-Cleona	140	\$ 39,076,097	61	\$ 187,632	63
Cornwall-Lebanon	853	\$196,029,891	354	\$ 197,034	94
Eastern Lebanon	370	\$ 76,767,175	165	\$ 177,281	95
Lebanon City	566	\$ 54,646,543	268	\$ 87,001	83
Northern Lebanon	395	\$ 87,269,360	171	\$ 174,796	77
Palmyra	472	\$117,827,144	206	\$ 206,662	70
<u>Multi-Family</u>	173	\$ 27,049,109	70	\$ 118,477	113
<u>Lots</u>	379	\$ 66,926,995	38	\$ 104,474	249
<u>C/I/B Sale</u>	121	\$ 63,643,549	22	\$ 215,300	107
<u>C/I/B Lease</u>	9	\$ 510,019	1	\$ 315,000	21
County Total	3,480	\$730,125,752	1,357	\$ 164,839	91

These figures are based on data supplied by the Keystone Multi-List, Inc.

Neither the Lebanon County Association of REALTORS® nor the MLS guarantees its accuracy.
Data maintained by the MLS may not reflect all real estate activity in the market area of Lebanon County.



LEBANON COUNTY SOLD STATISTICS

DECEMBER 1-30, 2008

	<u># Active</u>	<u>\$ Volume</u>	<u># Sold</u>	<u>Sold Avg</u>	<u>ADOM</u>
<u>Residential/Farms</u>	877	\$194,911,868	85	\$ 141,191	87
Annville-Cleona	41	\$ 11,699,400	5	\$ 142,600	75
Cornwall-Lebanon	285	\$ 71,958,051	21	\$ 195,598	103
Eastern Lebanon	139	\$ 31,009,170	7	\$ 149,000	104
Lebanon City	154	\$ 16,263,100	27	\$ 73,200	86
Northern Lebanon	120	\$ 28,358,676	13	\$ 154,991	83
Palmyra	138	\$ 35,623,471	12	\$ 178,864	62
<u>Multi-Family</u>	59	\$ 10,378,950	9	\$ 92,000	95
<u>Lots</u>	192	\$ 34,998,345	2	\$ 58,500	504
<u>C/I/B Sale</u>	49	\$ 33,672,750	2	\$ 248,000	0
<u>C/I/B Lease</u>	4	\$ 140,619	0	\$ 0	0
County Total	1,181	\$274,102,532	98	\$ 137,165	95

These figures are based on data supplied by the Keystone MLS Network, Inc.

Neither the Lebanon County Association of REALTORS® nor the MLS guarantees its accuracy.
Data maintained by the MLS may not reflect all real estate activity in the market area of Lebanon County.

LEBANON COUNTY SOLD STATISTICS 2007 JANUARY 1 – DECEMBER 31

	<u># Active</u>	<u>\$ Volume</u>	<u># Sold</u>	<u>Sold Avg</u>	<u>ADOM</u>
<u>Residential/Farms</u>	2,815	\$573,380,404	1,515	\$ 177,532	60
Annville-Cleona	132	\$ 29,646,044	77	\$ 169,905	56
Cornwall-Lebanon	790	\$179,907,772	410	\$ 203,186	68
Eastern Lebanon	343	\$ 78,311,380	223	\$ 182,779	56
Lebanon City	649	\$ 57,741,406	318	\$ 83,560	67
Northern Lebanon	403	\$ 97,460,154	203	\$ 209,197	52
Palmyra	487	\$123,405,048	279	\$ 222,522	50
<u>Multi-Family</u>	217	\$ 31,970,510	85	\$ 124,127	105
<u>Lots</u>	349	\$ 64,002,334	48	\$ 113,423	240
<u>C/I/B Sale</u>	107	\$ 58,450,493	20	\$ 373,895	114
<u>C/I/B Lease</u>	19	\$ 3,145,538	1	\$ 9,000	150
County Total	3,507	\$730,949,278	1,669	\$ 175,221	68

These figures are based on data supplied by the Keystone Multi-List, Inc.

Neither the Lebanon County Association of REALTORS® nor the MLS guarantees its accuracy.

Data maintained by the MLS may not reflect all real estate activity in the market area of Lebanon County.



PROFESSIONAL HOME INSPECTION

| HOME INSPECTIONS | RADON TESTING |
| TERMITE INSPECTIONS | WATER QUALITY ANALYSIS |
| WELL PERFORMANCE INSPECTIONS | MOLD SCREENING & SAMPLING

YOUR FIRST CHOICE IN HOME INSPECTIONS ~ PROVIDING EXCEPTIONAL CLIENT SATISFACTION

PROFESSIONAL HOME INSPECTION is locally owned and operated
and believes in building business relationships one inspection at a time.
Inspection reports that are TRULY easy to read and understandable.

- Inspections performed using the National Standards of Practice & Code of Ethics
- Follow up Consultations and Re-inspects - No charge
 - Fully insured - Errors & Omissions - Liability
 - National Society of Home Inspectors
- National Association of Certified Home Inspectors
 - Lebanon County Association of Realtors
- Pennsylvania D.E.P. Radon certification #2527

DAVID C. MULL—CERTIFIED INSPECTOR



www.professionalthomeinspect.com

PHONE: 717-808-4668 • TOLL FREE: 866-504-4668 • FAX: 717-569-3608

E-mail: phihome@verizon.net



ASK THE ATTORNEY...

Is It Zoned For That Use?

MLS descriptions abound with representations to the effect that the property “has income-producing potential”, “in-law quarters”, is “perfect for small horse farm”, and so on. Can the buyer rely on these representations without verifying the zoning status with the municipality? Is the seller or listing agent responsible when, after settlement, the new owner receives a “Cease and Desist” order demanding that the rental or other activity end?

All too often a buyer learns of use restrictions or the true zoning classification of a property following settlement, and not before. Does the buyer have recourse, and if so, against whom? The buyer likely believes that the seller and/or listing agent is responsible for making a substantial misrepresentation upon which the buyer relied. The buyer is probably right: the seller misrepresented a material fact and that misrepresentation may have been repeated by the listing agent. Recovery via a lawsuit, however, is unlikely.

The first problem with holding the seller responsible is that the MLS description and the erroneous statement are not guarantees, warranties, or even representations upon which the buyer is permitted to rely. At the bottom of each MLS page is the somewhat contradictory language we all know that says the information is deemed reliable, but is not guaranteed. More importantly, the Agreement of Sale excludes representations, such as the MLS description, marketing brochures or other statements and claims made by the seller and listing broker, unless those representations are repeated in the Agreement of Sale. The integration clause of our *Standard Agreement* (paragraph 28, entitled “REPRESENTATIONS”) clearly states:

(A) All representations, claims, advertising, promotional activities, brochures or plans of any kind made by Seller, Brokers, their licensees, employees, officers or partners are not a part of this Agreement **unless expressly incorporated or stated in this Agreement**. This Agreement contains the **whole agreement** . . .

This provision makes out-of-contract representations unenforceable (at least those representations that can be verified by going to the municipality, checking public records, recorded restrictions, etc.). It’s as though the false statement was never made or the advertisement never existed; therefore it cannot be the basis of a lawsuit.

You may expect that the buyer will next turn his attention to his buyer agent. Did the agent tell her buyer that they could not rely on those statements unless they verify the truth of the representation by contacting the municipality, engaging counsel, or by some other reasonable means? While a buyer agent may not be responsible for verifying promised uses, a buyer agent is responsible for advising their client of those representations for which the seller remains liable and those that are not a part of the Agreement of Sale. Further, the buyer agent must underscore for the buyer that seller’s misrepresentations, if any, may not be redressable by a court if they are not included in the agreement. While it may seem unfair to relieve a misrepresenting seller from liability, our courts have been fairly consistent in upholding the meaning of this clause of our *Standard Agreement*.

Whether you verify the accuracy of seller’s representations or merely advise your client that he/she cannot assume that these statements are accurate, is up to you. As long as your client understands that publicly available information must be verified, you have taken a great step in limiting your own liability. Advising your client that they need to verify such representations should be made in writing. An alternative rarely employed by real estate licensees is to incorporate all seller representations into the Agreement of Sale. An addendum stating that “seller represents and warrants that the property may lawfully be used as a horse farm with up to five horses (this representation to survive settlement)” transfers the risk that the property is not so zoned from the buyer to the seller. Should a difficulty arise after settlement, the buyer has every right to look to the seller, and not to you, his buyer agent. Get those seller representations in writing!

Copyright © James L. Goldsmith, Esquire, CALDWELL & KEARNS, P.C., 2008
All Rights Reserved

KEYSTONE MLS NEWS...

Are your listings being deleted? If so, take a close look at your ‘projected settlement date’. Is it expired? Notifications are sent via email prior to any deletion allowing members to have ample time to update the listing. Below are the email notifications sent:

Listing Agent : Days 7 Through 30— *“Be advised that the Projected Settlement Date on this listing has expired. Please ‘close’ the sale, or ‘revise’ the date.”*

Broker: **Days 20 and 25**— *“The following message has been sent to the listing associate for several weeks. Please see that one of the requested actions is taken to assure that this sale remains part of your company’s record: Be advised that the Projected Settlement Date on this listing has expired. Please ‘close’ the sale, or ‘revise’ the date.*

Unless one of these actions is taken, the listing will be deleted from the system on the 30th day past the current Projected Settlement Date. “

EXTRA! EXTRA!

LEBANON, PA — Winner's Circle Awards Winners Circle Awards will be presented for 2008 settled sales transactions and Gross Commission Dollars.

Recipients will be recognized in the Top 10% and 5%. Everyone submitting an application meeting minimum criteria who may not be in the Top 5-10% will receive recognition as general Winners Circle recipient. To determine the Top % of recipients, your total Gross Commission Dollars will be ranked with all other submissions and will be awarded based on percentages indicated from our total membership.

Awards shall be based on Gross Commission Dollars received by the company attributed to the agent applying. List address and gross commission received by company. If any of the commission is shared with another agent, assistant, or team member, that amount may not be claimed by applicant.

Application forms are available for downloading from the Association website at: www.lebanon-realtors.com. You can also pick one up at the Association Office.

2008 Winners' Circle Application Forms Ready Now!

*Winner's Circle Awards will be
presented
at the March 2, 2009 Luncheon!*

Deadline:

February 6, 2009

Lebanon County Association of REALTORS®, Inc.
1300 Florence Street, Lebanon, PA, 717-272-6126

Changes to the Consumer Notice - December 2008

The State Real Estate Commission recently updated the Consumer Notice in response to feedback it has received over the years. The new Consumer Notice provides additional clarification of the roles and responsibilities of licensees. The purpose of the form remains the same, but the text and format have been modified to improve readability. PAR released a new version of the Consumer Notice last month as a result of changes made by the State Real Estate Commission. Licensees can continue to use the previous Consumer Notice or can begin using the current Consumer Notice between now and June 13, 2009. After that date, by law, the new Consumer Notice must be used. The new form can be viewed on the PAR website.

MEMBER CORNER...



Happy Birthday To...

January

- 1 Richard Reich, Reich Realty
- 1 Virginia Centini, Help-U-Sell of Lebanon
- 2 Melodie Brown, Griffith Group Realty
- 2 Diane Griffiths, Brownstone Real Estate
- 9 Bill Thomas, Century 21 Krall Real Estate
- 10 John Watson, Penn Realty, LTD
- 11 Joseph Urban, J.A. Urban Real Estate
- 13 Mary Marinkov, Prudential Gacono Real Estate
- 14 Anita Esler, Century 21 Krall Real Estate
- 16 Ted Hummel, Re/Max Cornerstone
- 17 Cliff Berger, Century 21 Krall Real Estate
- 17 Kathe Morrissey, Century 21 Krall Real Estate
- 18 Stuart Hanford, Re/Max Cornerstone
- 20 Michael Gordon, Rauch Real Estate
- 21 Jean Rowe, Custom Real Estate
- 23 Sue Richards, Century 21 Krall Real Estate
- 24 Susan Clark, Lighthouse Realty Group, Inc.
- 25 Doris Ulrich, Ulrich Professionals Realty
- 25 Tiffany Weimer, Integrity 1st Real Estate
- 26 Robert Deck, Brownstone Real Estate
- 28 Bryce Hoch, Realty World Associates
- 28 Diane Sirriannia, Re/Max of Lebanon Co.
- 30 John Miller, Suburban Realty

COMINGS & GOINGS...

New REALTOR® Members:
Patience O’Rawe, Prudential HSG
Ellen Blair, Prudential Gacono

REALTOR® Member Escrows:
David Dugan, Brownstone Real Estate
George Hartsock, Ulrich Professionals Realty
Nicole Enck, Brownstone Real Estate
Tammy Miller, Prudential HSG
Larry Zeiset, C21 Krall

REALTOR® Member Transfers:
Peter Weatherby, Help-U-Sell
Diane Sirriannia, Re/Max of Lebanon County

New Affiliate Members:
Peter Jones, Suntrust Mortgage
Jennifer Rogoze, Sisco Appraisal
Lee Reddinger, Reddinger Appraisals

Affiliate Non-Renewals:
John Rothermel, Countrywide
Edward Jenkins, GMAC Premier
John Loehr, Land Settlement Services

Member Updates

Congratulations...

- **Bobby Bering**, Realty World Associates, got married in December!
- **Cheri Wright**, C21 Krall, has 2 new grandbabies as of last month—1 on the east coast, 1 on the west coast.
- **Wendy Wills**, Re/Max Cornerstone, earned her ABR (Accredited Buyer Representative) Designation of the NAR.

“I’d like to extend my sincerest thanks to the Assoc. members for all the kindness extended to me & my family. The cards, flowers, & contributions were greatly appreciated! My father was a true testament to the type of person I want to be and I thank him for all he gave me! Thank you all again for your thoughts and prayers.” — Lori Kahl & Family

Lori’s father, **John M. Peiffer**, passed away 12/24/08. We offer her and her family our sympathy and best wishes for the new year.

THIS 'N' THAT...

Get the JBT mortgage advantage:

- ✓ Free pre-approval on home purchases
- ✓ You have the option of local loan servicing
- ✓ 1-settlement closing on new construction
- ✓ Competitive fixed and adjustable rates
- ✓ PLUS, we'll attend the settlement with you!



Quentin Road	717-279-7720
Jonestown	717-865-2112
Ebenezer	717-274-5421
Lebanon	717-273-0405
Newmanstown	610-589-1234
Cleona	717-279-7655
Grantville	717-469-0623
Palmyra	717-641-0032

Jonestown Bank & Trust Co.

Member FDIC



LEBANON COUNTY AFFORDABLE HOUSING COUNCIL HOMEBUYER'S EDUCATION CLASS...

39 N. 12th St. Lebanon, PA 17046
Jan. 21, Feb. 4, 11, & 18 (Wednesday Evenings)
6:00 p.m. – 9:00 p.m.

Attendance is limited, so registration is required by contacting the Lebanon County Redevelopment Authority at: (717) 273-9326.

After completing all sessions, each participant receives a letter of completion. This may entitle you to special opportunities with reduced fees and rates with most council member financial institutions for certain mortgage products.

LUNCHEON & MEETING INFORMATION...

Since winter weather sometimes forces the local schools to close or delay, we follow this policy for winter luncheons and meetings:

If a luncheon or meeting scheduled falls on a day that the LEBANON SCHOOL DISTRICT is closed due to inclement weather, the luncheon or meeting will be cancelled. If there is a delay, morning meetings will also be delayed, luncheon times remain the same.

With fore-warning of bad weather, the luncheon maybe rescheduled at the discretion of the Association Board. In this case, you will be notified, and prior reservations will stand for the rescheduled date UNLESS you call to tell us otherwise. ***There is no need to RE-reserve.***

Thank you!

Pennsylvania REALTORS® PRI Institute & the Lebanon County Association of REALTORS® present two MCE classes: 'Pricing in a Competitive Market' and 'Introduction to Short Sales'.

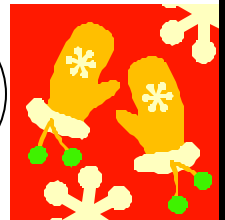
Thursday, March 19, 2009
\$50 Advanced Registration, \$75 walk-in
Quality Inn, Lebanon, PA
(Approved for 3.5 hrs. of CE, Reg. Forms on LCAR website)

Newsletter Committee

*Debbie Carroll	Century 21 Krall Real Estate	273-1631
*Brenda Miller	Re/Max Cornerstone	273-5501
Craig Gates	Fulton Mortgage Company	274-6981
Kris Mease	Edge Abstract of Pennsylvania	228-0870
Brenda Wurges	Re/Max Cornerstone	273-5501



The Newsletter Committee welcomes any ideas, comments, cartoons, recipes, stories etc.



Newsletter articles or questions? Feel free to contact any of the above referenced committee members or email Julie Osborne secretary@lebanon-realtors.com.

The Home Inspector Inc.



2861 Karbrook Rd.
Lebanon, PA 17046
www.thehomeinspectorinc.com

David E. Olick

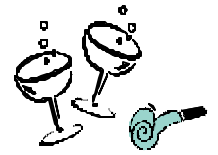
Call: 717-924-1204
Office: 717-845-0222
Toll Free: 1-888-311-0222
dew@thehomeinspectorinc.com



Home Inspections • Termites • Radon • Water • Septic



JANUARY 2009



Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 Office Closed	2	3
4	5 Installation Luncheon	6	7	8 Art Auction Mtg.	9	10
11	12	13	14 MLS Directors Mtg.	15 Newslet- ter Mtg. & Program Mtg.	16	17
18	19	20 KMLS Mtg. Lancaster	21 PR Mtg. & MLS Train- ing	22 Christmas Party Mtg.	23 Finance Friday	24
25 PAR Quar- terly Mtg. In Hbg.	26 PAR Quar- terly Mtg. In Hbg.	27 PAR Quar- terly Mtg. In Hbg.	28 Exec. BOD Mtg. & PAR Quar- terly Mtg. in Hbg.	29	30	31

Mark Your Calendars:

February 6, and 20th—**Finance Fridays**—Reservation Form on Website
 March 19th—**MCE Classes**—Quality Inn, Lebanon—Reservation Forms on Website

LCAR MISSION STATEMENT:

The Lebanon County Association of REALTORS® (LCAR) actively serves its' members needs by providing programs, products, and services to enhance ethical and successful business conduct; and, through collective action, advocating private property rights.