



TALKING POINTS

MAY 2019

LEGISLATIVE

Passed: HB 2569 - License Reciprocity legislation: Under current law the ADRE can “waive all or a portion of the prelicensure course requirement, other than the 27-hour Arizona-specific course, for an applicant who holds a current real estate license in another state.” Through the passage of this legislation, an individual must:

- (1) establish residency in Arizona
- (2) apply with ADRE
- (3) take the state specific portion of the exam at the Commissioner’s discretion
- (4) pass a background check (verifying that their license is in good standing in their previous state)
- (5) obtain a fingerprint clearance card and pay licensing fees.

Defeated - DNA Bill: This bill would have required a DNA sample to be provided by **anyone** that was required to submit a fingerprint clearance card as part of their application for. Under the bill applicants would have had to submit a DNA sample to the Department of Public Safety at the cost of \$250. The association’s lobbying team reached out to the sponsor of the bill with its concerns and he amended the bill to only require sexual assault kits to be processed by rapid DNA identification systems.

Passed - HB 2371 Nickname Legislation: At the beginning of this year’s legislative session the Arizona REALTORS® asked fellow REALTOR® member and state legislator, Representative Ben Toma, to sponsor our legislation to allow for the use of a name other than an individual’s legal name, which has been interpreted to mean full first name, for the purposes of advertising. With the passage of this legislation REALTORS® in Arizona will be legally allowed to use the name they are commonly known by for business and marketing purposes. The legislation requires applicants for licensure as a real estate broker or salesperson to include any derivative of the following that the applicant regularly uses:

- a. The applicant’s first name;
- b. The applicants middle name; or
- c. The applicants nickname that is regularly used.

This change will also be applicable when obtaining a license renewal.

Passed - HB 2318 Cell Phone legislation: The new state cell phone legislation was signed into law on April 22, 2019 by Governor Doug Ducey. The new law prohibits a person, from driving if the person is physically holding or supporting a cell phone with any part of the person’s body **while the vehicle is in motion** except when used with an earpiece, headphone, or wrist-worn device to conduct voice-based communication. Also, drivers are prohibited from writing, sending or reading any text-based communication, **while the vehicle is in motion**. The use of a

cell phone in a hands-free manner, use of a global positioning system, or obtaining motor vehicle information is permitted.

Penalties for Violation

Though the legislation became effective upon signature of the governor, the penalties for a violation have a delayed effective date. A peace officer who stops a motor vehicle for an alleged violation is prohibited from issuing a citation for a violation before January 1, 2021 and may only issue a warning from the effective date of the legislation through December 31, 2020.

Once the penalties become effective on January 1, 2021, violations are imposed as follows:

- At least \$75, but not more than \$149, for an initial violation;
- At least \$150, but not more than \$250, for a second or subsequent violation.

ASSOCIATION HEALTH PLANS

The state association has been evaluating different options for offering an Association Health Plan to the membership. Current Arizona law prohibits sole proprietors from participating in an Association Health Plan as a “small business.” The state association has been monitoring Senate Bill 1085 which is an Association Health Plan bill.

The passage of this bill would give associations the ability to band together for more substantial purchasing power, also allowing sole proprietors and their families to benefit from the substantial savings offered under an Association Health Plan.

On May 1st, the bill went before the Committee of the Whole (COW) and then the bill was immediately placed on a Third Read calendar which doesn’t usually happen. The bill was voted out with 38 ayes, 21 no votes, and one abstention. The bill, which had bipartisan support, was transmitted to the Governor on May 2nd. The governor had five days to either sign the bill, let it go into law without his signature (accomplished by letting the bill sit on his desk and the five days expiring) or veto the bill. On Wednesday, May 8th the governor signed the bill!

The Arizona REALTORS® association continues to gather information, and proposals from Health Insurance Providers in an effort to come up with the best and most affordable plan for the membership throughout the state. We will keep you posted on the progress in the coming months.

****RVPs, please ask the attendees if they have any Risk Management concerns for your region.****

RISK MANAGEMENT

Message to RVPs from General Counsel Scott Drucker:

“As you know, the Risk Management Committee implements and oversees programs designed to mitigate risk for consumers, as well as all Arizona REALTORS®. To achieve its goal, the Committee tries to stay abreast of risk management issues that members are experiencing across the state. I therefore wanted to reach out to the five of you and welcome you to share with me and Committee Chair, Lisa Paffrath, any risk management issues members are experiencing in your respective region.”

Additionally, if there is any action your region would like the Risk Management Committee to consider taking, please don’t hesitate to share that as well. If there are

issues you would like the Committee to consider at an upcoming meeting, please be sure to provide those to us.

Thank you and please don't hesitate to contact me with any questions. Have a great day!"

FORMS

The following forms will be released on **June 1, 2019**:

New form:

1. Notice / Disclosure

Revised forms:

1. Residential Resale Real Estate Purchase Contract Buyer Attachment Page
2. Agreement Notice Pursuant to The Short Sale Addendum to The Purchase Contract
3. Residential Seller Disclosure Advisory Page

TRANSACTION DESK TRAINING

RVPs please encourage the attendees to sign up for Transaction Desk Training

The state association is currently scheduling trainings which consist of one of the following:

- **Live Webinars** – Every Wednesday at 10:00 there will be a live webinar for members to attend. Registration for these webinars can be found at:
<https://attendee.gotowebinar.com/rt/8918817608694097155>
- **Live In-Person classes** –
 - Every two weeks the state association will have in-house training sessions held in the Meeting Center, training room #1. Dates are still being worked on.
 - Local associations who ask for live training for their members are being scheduled **now**; the first training sessions started the week of March 18th. The state association will try to accommodate all travel requests when possible, alternatively offering live streaming when necessary.
- **Recorded Webinars** – each of the webinars will be recorded and will be made available on an “at-will” basis.
- **Bite-Size Recordings** – the trainings will be segmented into 3 - 5 minute pieces; allowing members to learn what they want/need without having to spend an hour at a time listening to the recordings.

The TransactionDesk® webpage is up and can be found at: www.aarforms.com The page also has details and links to registration and support.

ZIPFORM – TRANSACTION DESK

The state association understands that members must have easy and reliable access to their forms in order to conduct business. Let's clarify some misconceptions about zipForm® and the new forms provider, TransactionDesk® by Lone Wolf Technologies.

zipForm® Standard (the offline/desktop version) - The contract between Arizona REALTORS® and zipForm® Standard was not renewed at the end of 2018. While you may still be able to use it, zipLogix® may discontinue the product at any time since they are no longer contractually obligated to provide the product to Arizona REALTORS® members. We have been told they will likely discontinue zipForm® Standard at the renewal period in May.

zipForm® Plus - zipForm® Plus is a member benefit from NAR. zipForm® Plus will continue to service Arizona REALTORS® members with Arizona forms through the end of 2019 when they will need to license Arizona REALTORS® forms to be able to continue providing forms services to Arizona members. zipLogix® has expressed a desire to license Arizona REALTORS® forms into 2020, should they do so, Arizona REALTORS® members will continue to have the option to use zipForm® Plus as a forms provider option.

zipForm® Mobile and MLS Connect, which are provided by **the Arizona REALTORS**, **Please make sure to emphasize that:** The state association will ensure that members have plenty of time to learn TransactionDesk® before zipForm® Mobile is discontinued as an Arizona REALTORS® member benefit.

If you are asked how this decision was made:

The state association is constantly working to provide members with the best business tools, and no changes in services are ever made unless the service program is fully vetted by members and staff.

The state association had been paying a significant amount for zipForm® Standard, a risky and outdated program, which unfortunately allowed users to access incorrect versions of the Residential Purchase Contract in more than 20,000 instances in the past few years!

In 2018, after discussing their issues and concerns with zipForm®, the Arizona REALTORS® Business Services & Technology (BS&T) Committee started the process of evaluating other nationally known forms providers, including surveying other associations regarding their members' experiences with these forms providers.

After vetting a number of providers, the Committee recommended a new forms provider and a workgroup was formed in conjunction with the Risk Management Committee to evaluate the recommendation. More than 35 brokers and agents from across the state participated and were unanimous in their recommendation. Please be assured that this change has been carefully thought-out to ensure a smooth transition.

2019 Arizona REALTORS® President Patrick Lewis filmed a video in which he explains the forms provider decision-making process. The video, titled "**Arizona REALTORS 2019 President Introduces Transaction Desk**" can be found on the association's YouTube channel "AAR Editor." If you have any additional questions, please do not hesitate to contact the association.

TECH HELPLINE

Tech Helpline is a member benefit included in your association dues that provides general tech support for computers, tablets, printers, scanners, smartphones, and more. To use Tech Helpline, simply call and provide the support analyst with your NRDS number and they will assist you. The Top 10 Reasons members called Tech Helpline in 2018 were:

Hardware related issues	Email related issues	General questions
Browser issues	Operating system issues	Software: Other Applications
Viruses & Antivirus Software	Network issues	Slow computer
Websites (login, display problems)		

SINGLE SIGN-ON

Single sign-on gives members one central location in which they can access the websites and applications they use the most in their business every day, and you only need to use one password! Basically, the need to keep track of different passwords for each website or application has been eliminated! If you haven't signed up, please do so today!

****If there are members who have not enrolled yet, ask them to do it today. Even if they are not in front of a computer, they can do it on their phones!***

The easy enrollment steps:

1. Ask them to open a web browser and go to **dashboard.azrealtorsso.com**.
2. Their user name is their **NRDS ID** and their password is their **last name** (first letter is capitalized).
3. Three things will happen; they will be asked to:
 - a. agree to the user agreement
 - b. provide the answers to 3 security questions, and
 - c. create a new password.

That's it – they are enrolled!

Brokers can also have a presence on the Arizona REALTORS® SSO dashboard; there are three ways to participate, one of which is FREE!

For questions about Single Sign-on contact Nick at nickcatanesi@aaronline.com, or Michelle Kechely at michellekechely@aaronline.com.

TOTES FOR HOPE

The Totes for Hope Initiative, which helps the homeless by donating much needed personal care items, is going strong! Throughout the year Monica Schulik accepts donations from members throughout the state and periodically delivers them to organizations in Phoenix.

If you are interested in donating items Monica has put together an **Amazon Wish List**, items bought through this list will ship directly to the Arizona REALTORS® building and Monica will deliver it to the organizations in Phoenix. It's that simple!

During the summer months we'd like to get as many items ordered and donated as we can to help keep our homeless population protected from the heat and try keep them cool. If you are interested in learning more about this initiative or donating items, please contact Monica at monicaschulik@aaronline.com. Thank you!

REMINDERS

2020 Primary Committee Application deadline is September 1, 2019. Find information and application at: <https://www.aaronline.com/about-us/aar-committee-volunteer-info/>

UPCOMING STATE ASSOCIATION EVENTS

REALTOR® Caucus – Thursday, September 5th – Marriott Tempe at the Buttes

Industry Partners Conference – Thursday, September 12th – Embassy Suites Phoenix/Paradise Valley

Arizona REALTORS® Leadership Conference – October 17th & October 18th – Embassy Suites Phoenix/Paradise Valley

SAVE THE DATE! 2020 Arizona REALTORS® Convention – **March 23-March 26, 2020** – Glendale Renaissance Hotel