



TALKING POINTS MAY 2021

ALEXA

The association is now offering a new communications feature to share the latest news and information from Arizona REALTORS®. Alexa's Flash Briefing will give members updates about forms and business tools, as well as events and classes!

For information on how to download the Flash Briefing go to aaronline.com and type "Alexa" in the search bar, it should be the first search result listed "Alexa Joins the AZ REALTORS Team".

CODE OF ETHICS DEADLINE

The National Association of REALTORS® requires members to complete ethics training of not less than 2 1/2 hours of instructional time within a three-year cycle. The current cycle ends on **December 31, 2021**.

PRIMARY COMMITTEE APPLICATION DEADLINE

The deadline to submit your application to serve on an Arizona REALTORS® Committee or Workgroup is September 1, 2021. The application can be found at:
<https://www.aaronline.com/about-us/leadership-and-volunteers/>

ARIZONA HOUSING FUND

CONSUMER FLYER: A consumer directed flyer is available on aaronline.com. To make it easier for consumers to understand what the Arizona Housing Fund is and how it works, we now offer two flyers, including a "client match" flyer stating, "**Your agent will match your contribution to the Arizona Housing Fund at closing.**" Both flyers give agents the opportunity to upload their logo.

- The goal of the Arizona REALTORS® is to give every buyer and seller the opportunity to voluntarily donate \$25 (or more) to the Arizona Housing Fund at close of escrow to help the homeless.
- Rental communities are actively promoting the Rental Application Program.
- Two Minute Video:
<https://drive.google.com/file/d/1BQf449zmVOU56uQ2tImJOTF-5-Pw7sIS/view>
- A simple one-page Escrow Donation Form, which can be branded with your logo: <https://arizonahousingfund.org/join-us/>
- Numerous brokerage firms and title companies have become Fund partners: <https://arizonahousingfund.org/>

100% of every dollar in the Fund goes directly to the qualifying nonprofits.

LEGISLATIVE & POLITICAL AFFAIRS

RAPAC REMINDER: “RPAC’s mission is to identify candidates for elected office on the local, state, and national levels who will work with REALTORS® to promote and protect the American Dream of property ownership. Candidates who receive support from RPAC ***are not selected based on their political party or ideology, but solely on their support of real estate issues.***”

TOUR OF THE STATE CAPITOL: Government Affairs Director Matt Contorelli’s video gives members a unique glimpse behind the scenes of the state capitol. You will be able to see where the laws affecting our industry are made and hear about how the Arizona REALTORS® are working with elected leaders from across the state to advance and defend REALTOR® Party Issues.

The video can be found on the Arizona REALTORS YouTube channel.

***If there is time you may want to play the video during the meeting/event it is 3:10 minutes long:** <https://www.youtube.com/watch?v=2eUJJsJPaQ&t=2s>

LEGISLATIVE SESSION: This legislative session the Arizona REALTORS® Legislative agenda will be focused on furthering legislative policies and ensuring that landlords, tenants, and private property owners are protected when COVID-19 relief legislation is drafted.

So, what are the REALTORS® doing for you?

- [HB2085](#) (Chaplik) *real estate; employees; rent collection*: Codifies state law to allow a person who is not a real estate licensee to collect in-person rent for the use of real estate and related fees as part of the person's clerical duties if the person works for a real estate broker or real estate salesperson, the rent collection is on behalf of the licensee, and the person provides a receipt when rent is paid. **Signed by the Governor 2/12.**
- [SB1310](#) (Shope) *Special Plates; Real Estate*: Establishes a REALTOR® Specialty License Plate, that will also support affordable housing efforts in the state. **Signed by the Governor.**
- [SB1377](#) (Leach) *Civil Liability; Public Health Pandemic*: If the Governor declares a state of emergency for a public health pandemic, a person or "provider" (defined) that acts in good faith to protect a person or the public from injury from the pandemic is not liable for damages in any civil action for any injury, death or loss to person or property that is based on a claim that the person or provider failed to protect the person or the public from the effects of the pandemic, unless it is proven by clear and convincing evidence that the person or provider failed to act or acted with willful misconduct or gross negligence. The Arizona REALTORS® ensured REALTORS® are protected under the definition of Providers. **Signed by the Governor 4/5.**

We may not always agree with legislators, but your investment in RAPAC has allowed us to foster long-lasting relationships with elected leaders and find solutions when we do disagree. For more information on bills visit www.AZleg.gov.

RISK MANAGEMENT

****RVPs, please ask if there are any Risk Management concerns in the region****

Please notify General Counsel Scott Drucker of any risk management issues your members are experiencing in your region.

FORMS:

Additional Clause Addendum: Buyers are increasingly electing to waive the Arizona REALTORS® Residential Resale Real Estate Purchase Contract's (the "Contract") appraisal contingency due in large part to the fact that appraisal values are being returned lower than the parties' agreed upon purchase price. In waiving the appraisal contingency, buyers are further agreeing to submit additional funds to address the gap between the purchase price and the appraised value. To reduce members' risk resulting from drafting their own appraisal waiver verbiage, a new provision titled "Appraisal Shortfall" has been added to this form at lines 37-44. Read the [FAQs](#) for more information.

Counter Offer: This form has been revised at lines 22-24 to address: (1) all other terms and conditions remain the same except as modified by the Counter Offer; and (2) until the Counter Offer has been accepted, the party originating the Counter Offer may withdraw the offer to buy, sell, or lease the Premises. For more information, see the article [here](#).

Listing Agreements: The following three NEW forms were provided to each Arizona MLS on February 1, 2021:

- (1) [Residential Listing Contract Exclusive Right to Sell/Rent](#);
- (2) [Residential Listing Contract Exclusive Agency](#) (collectively "Listing Agreements"); and
- (3) [Listing Contract Addendum](#).

Use of the forms is **not** mandatory, each MLS can decide if they will adopt the forms. Members should contact their MLS to confirm whether it has elected to adopt the new forms.

Current Revision Workgroups: One form is currently being revised by a workgroup - the Residential BINSR. Two additional workgroups are in the process of being formed - (i) the Solar Lease/Loan Assumption Addendum; and (ii) Vacant Land/Lot Listing Agreement. Pending approval by the Executive Committee, the following forms could be released on or about October 1st: (i) Vacant Land/Lot SPDS; (ii) HOA Condominium Addendum; and (iii) the Residential BINSR.

AIR/CRE Forms Update: The Arizona REALTORS® maintains an agreement with the AIR Commercial Real Estate Association which gives members the ability to purchase AIR commercial real estate forms at a discount. In September 2020, AIR released new commercial forms that have been "localized" for Arizona and reflect Arizona law. These revised forms have been well received by the Association's commercial practitioners.

PROFESSIONAL STANDARDS:

For the first quarter of 2021, our Professional Standards program received 51 ethics complaints and held 14 ethics hearings. We also received 5 arbitration requests in the first quarter and held 3 arbitration hearings.

PROFESSIONAL & BUSINESS DEVELOPMENT

PROFESSIONALISM: We are rolling out a new professionalism campaign: *Professionals. . . That Is Who We “R”* in the coming weeks. The campaign will consist of a series of articles and video snippets. <https://www.aaronline.com/professionalsthats-who-we-r/>.

FORUMS: The Arizona REALTORS offer two monthly virtual forums –

- **Broker-to-Broker Forum** which is scheduled for the 2nd Wednesday of each month from 10:00 a.m. – 11:15 a.m. **and the**
- **Property Management Forum** which is scheduled for the 2nd Thursday of each month from 12:30 p.m. – 1:30 p.m.

Both forums provide an opportunity to stay abreast of hot topics and issues pertaining to legal/regulatory and industry updates.

- Attendance at these forums is free.
- Registration links can be found on the Arizona REALTORS® events calendar.

BUSINESS SERVICES & TECHNOLOGY

HOUSING REPORTS: Arizona REALTORS® was the first state association to gain access to the RPR to create a Housing Report of market activity. This was accomplished through cooperation with all of Arizona’s MLS boards. **Our website now includes an Arizona Housing Report button on the homepage so members can access the latest report, updated monthly.**

Additionally, NAR will use these reports for policy and advocacy activities before Congress. The up-to-date, targeted information will allow NAR staff, FPCs and Arizona REALTORS® staff to provide real-time examples of market activity, helping to enhance NAR and Arizona REALTORS® policy positions and priorities.

ESIGN: As of May 1st, 2021, the Arizona REALTORS® eSign member benefit program made the following changes.

- Accounts used by members were be converted to **free, limited use** accounts, which will continue to allow members to access all of their files and current signing sessions.
- The free plan offers 5 signing sessions per month; however, each session will only allow 1 document and 1 signer per session.

- Discounted rates for unlimited use access for Arizona REALTORS® members will be available starting at \$120 per year for individual users. Bulk and Broker accounts will also be available.
- **Arizona REALTORS® will continue to provide unlimited use of the Lone Wolf Transactions – Authentisign program as a member benefit.**

TRANSACTION DESK TRAINING: The state association offers various training options:

- **Live In-Person classes –**
Due to COVID-19 concerns, live classes have been canceled to ensure the health and safety of Arizona REALTORS® members and staff. For information on alternative training email support@aaronline.com.
- **Live/Recorded webinars –**
Classes are scheduled every Thursday at 10:00 a.m. OR Noon (start times alternate weekly). Call 480-304-8930 to register.
Visit www.aaronline.com/efficient-business-tools/transactiondesk/ to view our recorded webinars and tutorials.

The TransactionDesk webpage has more details. Additionally, there is a Project page (<https://www.aaronline.com/transactiondesk-projects/>) which lists the current issues that are being addressed by TransactionDesk and/or the association.

DIVERSITY/EQUITY/INCLUSION & FAIR HOUSING

Local Associations can contact ChristinaSmalls@aaronline.com for assistance with forming a Diversity Committee, scheduling events, and applying for NAR grants.

NEW MEMBER RESOURCE GUIDE

Have you seen this year's Arizona REALTORS® Membership Guide?

The annual guide provides an update of the services and resources available to members. You can access the guide at: <https://www.aaronline.com/about-us/benefits/>

REALTOR® VALUE FLYER

The Professional & Business Development and Business Services & Technology Committees collaborated to create an online tool that can be used by members to articulate the REALTOR® Value to the consumer.

- The new value proposition flyer, "**A REALTORS® Value To You**," can be found on the "Business Tools" tab at the top of the www.aaronline.com homepage.
- Members can use the Arizona REALTORS® branded version or follow the directions on the webpage to upload their brokerage logo.

MEDIA

REALTORS IN THE MEDIA: Arizona REALTORS® are featured in news stories around the state. Go to <https://www.aaronline.com/media-contacts-coverage/> for articles, interviews and videos.

COVID-19

The state association continues to make sure that members around the state have the information they need during the COVID-19 pandemic.

- **Information:** a webpage <https://www.aaronline.com/covid-19/> dedicated to compiling the most up-to-date information on the pandemic and how to continue conducting business while safeguarding your health and the health of your clients.
- **Transactional documents:** [COVID Addendum](https://www.aaronline.com/2020/03/25/arizona-realtors-coronavirus-covid-19-addendum-released/) or (<https://www.aaronline.com/2020/03/25/arizona-realtors-coronavirus-covid-19-addendum-released/>) and a [Model certification for Property Access form](#) are available for member use.

Additionally, a "How Arizona REALTORS are Taking Precautions to Protect Buyers/Sellers During Pandemic" [flyer](#) is available in a printable format. Both the Addendum and Flyer are translated into Spanish.

- **Governmental:** The Arizona REALTORS® were instrumental in the Governor classifying real estate as an "**essential service**" and moving up the effective date of the Remote Online Notarization statute to April 10th. Additionally, the Arizona REALTORS® have been a leading voice at the table as the state develops and enacts liability policies as they pertain to COVID-19.

***Please check the COVID-19 page regularly for updates.**

REMINDERS

MEETING/EVENT SPEAKERS

The state association has compiled a list of speakers which includes leadership and staff. The list is posted on the association website's Staff Directory page and Leadership & Volunteers page.

Attendees:

If you wish to have a member of leadership speak at your association/brokerage please contact them directly.

2021 STATE ASSOCIATION EVENTS - SAVE THE DATE

AUGUST

Monday, 30th

REALTOR® Party Training

Scottsdale Plaza Resort – Phoenix/Scottsdale

Tuesday, 31st

Arizona REALTOR® Caucus

Scottsdale Plaza Resort – Phoenix/Scottsdale

Tuesday, 31st -

Arizona REALTORS® “All In” Success Summit (immediately following the REALTOR® Caucus)

Scottsdale Plaza Resort – Phoenix/Scottsdale

SEPTEMBER

Wednesday, 1st

Arizona REALTORS® “All In” Success Summit

Scottsdale Plaza Resort – Scottsdale

OCTOBER

Wednesday, 13th -

Arizona REALTORS Leadership Conference

Embassy Suites by Hilton Phoenix/Scottsdale

Friday, 15th

13th – Executive Committee Meeting

14th – Leadership Conference

15th – Regional Caucuses and Board of Directors Meeting