



Impact



Ann Peterson
NOCBOR President

Thank You...

As my year as your President comes to a close, I want to thank all of you who contributed your time volunteering to make NOCBOR the best association! An organization can only be successful when you have great volunteers willing to work hard and devote their time to it. NOCBOR is abundantly grateful to all of you. And it is no secret that Pat Jacobs, our Association Executive (who celebrated her 41st year at NOCBOR this year) and her amazing staff, Millie, Tonya, Kate and Janet, are by far the best in the industry. **Thank you, it has been an honor serving with all of you!**

NAR Convention 2022 Orlando

Now to recap and share some very important information from the National Association of Realtors® 2022 convention which was held in Orlando, Florida, November, 9-14.

We had the pleasure to attend the fireside chat with Venus Williams and NAR President Leslie Rouda Smith, which was a candid conversation of Venus's perseverance, hard work and determination to play and work her hardest and remain humble. She has been an amazing role model to many for fighting for equal pay for women athletes in the tennis world!

NAR Director Steve Stockton and I attended and represented NOCBOR at the Director's meeting. During the Delegate Body meeting the following items were discussed, voted and approved:

Items from the NAR Professional Standards Committee:

1. To replace the term "handicap" with "disability" in Article 10, the Standards of Practice, and in all corresponding references to the protected classes with NAR Policy and resources.

2. To amend Standard of Practice 3-9 to replace "the listing broker" with "the seller".

Riding With The Brand National Association of Realtors®

Check out the new campaign at <https://www.nar.realtor> and find more great information and resources like the NAR - *Our Shared Priorities for 2023*, and year end reports and statistics, as well as designations, certifications & much more!

Beverly Carter Foundation Your Safety Is Non-Negotiable

You may have heard a few years back a Realtor® member, Beverly Carter, was kidnapped and murdered while working. This scary and sad event prompted the creation of the Beverly Carter Foundation, a 501c3 non-profit, whose mission is to help keep agents safe. Every Realtor® member should check out www.BeverlyCarterFoundation.org which provides education and resources to help them learn how to protect themselves so they can get home to their families safely every day after working. Stay SAFE in 2023 and beyond.

Wow! 1,575,000 Trees

NAR and the National Forest Foundation worked together to negotiate the planting of 1,575,000 trees in the next two years, which is **1 (one) tree per member**. President Leslie Rouda Smith presented a check for \$1,575,000 to the National Forest Foundation. This is monumental to our environment because in the past couple of years there have been over 30

natural disaster events which have destroyed so many trees. We now need to rebuild our land back with trees all over the United States. From fires, floods and tornados, trees were lost and so this small step working together will give future generations the opportunity to see the beauty all species of trees bring. They say it is proven that neighborhoods with trees are more desirable. Trees also help with erosion. Let's spread the word that we, as the largest trade association, are helping to improve our environment one tree at a time.

Michigan Realtors® Realtor® Political Action Committee

The election is over and many ballot initiatives passed in municipalities across our area. Some of these may change affordability of homeownership with tax increases and some may affect private property rights. Please check your local municipalities for updates. Be Prepared!

NOCBOR RPAC Committee members deserve kudos for their continued hard work. We are now over \$80,000 in contributions and you still have time if you have not yet contributed. Contact NOCBOR to do so today.

Commitment to Excellence (C2EX)

It's been an incredible journey... let's keep the momentum going! The National Association of Realtors® empowers Realtors® to evaluate, enhance and showcase their highest levels of professionalism. It's not a course, class or designation—it's an Endorsement that Realtors® can promote when serving clients and other Realtors®. We are very proud to announce that there are now over 100,000 members participating in the NAR's Realtors® Commitment to Excellence (C2EX) program! This innovative engagement tool encourages participation at all levels of the Realtor® organization, and at no additional cost. Are you C2EX endorsed? My goal is to have all our membership endorsed with C2EX by 2024. You will be glad you did. I am proud to be C2EX endorsed! Don't forget to complete **Fairhaven** – This is a great program too!

Thank you for your support!
I was truly honored to be
your 2022 President!





2022 OFFICERS

President, Ann Peterson, ABR, GRI, SRES, e-PRO 495-8877
 President-Elect, Sally Bell, GRI 586-929-1114
 Treasurer Marcy Soufrine, GRI, 360-2900
 Secretary David Kimbrough 625-5700

BOARD OF DIRECTORS

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 Ray O' Neil, GAA, RAA 674-3333
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 Jason Sakis, JD 696-6000
 Steve Stockton 360-2900

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 Katie Balkwell Director, Special Projects
 Janet Sneckenberger Director, Finance
 Millie Traylor Director, Member Services
 Tonya Wilder Executive Assistant

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Budget & Finance Sally Bell, GRI
 Education/Technology/Diversity Rick Bailey, e-PRO
 Executive Ann Peterson, ABR, GRI, SRES, e-PRO
 Government Affairs Mary Rettig, ABR, GRI, MRP, SRES
 Membership Services David Niezgoda
 Nominating Steve Stockton
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 Ethics Mary Rettig, ABR, GRI, MRP, SRES
 Kathleen Sanchez
 Grievance Paul Carthew, JD

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 Ray O' Neil, GAA, RAA 674-3333

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Matt Diskin 228-4647
 Marcy Soufrine, GRI 360-2900

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NAR® DIRECTORS

Ann Peterson, ABR, GRI, SRES, e-PRO
 Steve Stockton

MR® DELEGATES

Sally Bell, GRI
 Ann Peterson, ABR, GRI, SRES, e-PRO

Board of Directors September, 2022

MOTION CARRIED to approve Two (2) Primary Designated Realtors®; Fifty-Eight (58) Primary Realtors® and One (1) Secondary Realtor®.

MOTION CARRIED to appoint **Ann Peterson** as Realcomp Alternate Designee at the Shareholders' special meeting on September 29, 2022.

MOTION CARRIED to contribute the amount of Ten Thousand (\$10,000) Dollars to the non-profit organization, Oakland Hope.

Board of Directors October, 2022

MOTION CARRIED to approve Four (4) Primary Designated Realtors®; Thirty-Eight (58) Primary Realtors®; Two (2) Secondary Designated Realtors®: One (1) Secondary Realtor® and One (1) Affiliate.

MOTION CARRIED to elect **Jason Sakis** for the position of NOCBOR 2023 President-Elect.

MOTION CARRIED to elect **David Kimbrough** for the position of NOCBOR 2023 Treasurer.

MOTION CARRIED to elect **Marcy Soufrine** for the position of NOCBOR 2023 Secretary.

Board of Directors November, 2022

MOTION CARRIED to approve Forty-Nine (49) Primary Realtors®; One (1) Secondary Realtor® and Two (2) Affiliates.

MISSION STATEMENT

The purpose of the North Oakland County Board of Realtors® is to enhance the ability and opportunity of its members to conduct their business successfully and ethically, and to promote the preservation of the right to own, transfer and use real property.

In Memoriam

NOCBOR member **Ronald Goode**, (Goode Real Estate), passed away on June 6, 2022. Deepest sympathy and many blessings to the Goode family.

NOCBOR also extends deepest sympathy to the friends and family of **Lawrence Juntti**, (CENTURY 21 Campbell Realty), who passed away on September 21, 2022.

Jeffrey Scott, beloved son of **Carolyn Leonard**, (Howard Hanna), passed away on September 21, 2022. NOCBOR members, Directors and staff extend their deepest sympathy to the Leonard family.

Charles Reaume, (CENTURY 21 AAA), long-time NOCBOR member, passed away on October 1, 2022. Sincere sympathy and blessings to the Reaume family.

Condolences to **Mark Boettcher**, (Lawyers Realty MI), for the loss of his father, Donald, who passed away on November 14, 2022.

Jenifer Rachel, (Keller Williams Premier) and **NOCBOR's 2018 President**, passed away Friday, November 25. NOCBOR members, Directors and staff extend their deepest sympathy to the Rachel family.

Annual Dues Invoice

Thanks so much to members who have paid their 2023 dues! Your annual dues invoice is available in your personal NOCBOR Portal.

The renewal fee of \$498, which includes NAR (\$195) MR (\$193) and NOCBOR (\$115), is due to be paid December 31, 2022. NOCBOR Bylaws allow for a grace period through Tuesday, January 31, 2023. **Your dues can be paid online or by check. For your convenience, an invoice is available at nocbor.com**



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 E-mail: info@nocbor.com
www.nocbor.com

2023 NOCBOR Officers

President

Sally Bell, GRI
Lawyers Realty MI



Longevity, experience, wisdom, knowledge, committed, loyal, dependable, words that easily describe **Sally Bell**. Licensed in 1974, Sally has served as NOCBOR Director since 2019. Sally is licensed with Lawyers Realty MI and enjoys her affiliation with attorney and broker, Mark Boettcher.

Sally served many years as member and Director of the Macomb Association of Realtors®. She was Chairman of the Government Affairs Committee and was appointed RPAC Trustee by the Michigan Association of Realtors®. A three-time RPAC Life Member, Sally also served as NAR Liaison for Congressman Dennis Hertel.

Certified as instructor for real estate pre-licensure and continuing education, Sally's current love is teaching and providing future real estate professionals an opportunity to earn a successful living. Her Emeritus status signifies over 45 years of her skills and her willingness to share.

Secretary

Marcy Soufrine, GRI
Keller Williams Showcase



Marcy Soufrine began her real estate professional career in Michigan in 2001. Over the years, she has learned a great deal about excelling in client service, communication, shifting markets, motivating people and moving into the digital age.

In 2006, Marcy pursued a lifelong dream of living in Los Angeles. While re-establishing herself as a Realtor® in a new marketplace, she became involved in the entertainment industry and created and produced HGTV's "Scoring the Deal." In 2015, Marcy returned to Michigan to fill a leadership role at KW Showcase Realty, Commerce. Her passion is to lead through helping people to grow professionally and personally. NOCBOR members elected Marcy to its Board of Directors in 2018, and she was appointed to the Realcomp User Group, serving as its Chairman since 2021. Marcy served on the Grievance Committee 2016-2019, and Vice Chairman in 2019. Loyal to the commitment of the Code of Ethics, Marcy believes Realtors® must constantly be reminded of their professional etiquette.

President-Elect

Jason Sakis
MI Town Realty



Jason Sakis will serve as NOCBOR 2023 President-Elect. A practicing attorney in Michigan and Georgia for 23 years, Jason is a licensed real estate broker and owner of MI Town Realty. Jason and his wife, Jennifer, who is also a NOCBOR member, live in Rochester Hills, with their son.

Sakis is a member of NOCBOR Education/Technology/Diversity Committee and offers his exceptional knowledge and practical experience in matters that benefit the membership. Jason also serves as a member of the Rochester Hills Board of Review and Zoning Board of Appeals.

Jason points out that his two primary goals in 2023 are to grow NOCBOR membership and to increase members' involvement. He is open to the members' viewpoints and pledges to honor NOCBOR's continued success by carrying out the directives given to him.

Treasurer

David Kimbrough
Berkshire Hathaway HomeService



David Kimbrough entered the real estate profession in 2014, which, according to him, was the best decision he has ever made.

David is affiliated with Berkshire Hathaway HomeServices Michigan Real Estate, Clarkston, and joined NOCBOR in 2015.

Elected in 2021 by the membership for a three-year term to the Board of Directors, David has served as a member of the Bylaws and Grievance Committees (2017-20) and is currently a member of the Government Affairs Committee. Elected as Secretary in 2022, David also serves on the NOCBOR Executive Committee.

David's belief and best practice is to always consider his clients number one. He demonstrates a great appreciation for everyone he meets and has great respect for the many Realtors® who demonstrate professional integrity and knowledge of the Realtors® Code of Ethics.

Meet Your New Elected Directors



Paul Carthew
Broker/Owner
Real Estate Matters



Rick Linnell
Affiliate
Linnell & Associates



Bob DeVore
Realtor®
Coldwell Banker Professional



David Niezgoda
Realtor®
Keller Williams Premier



Holly Rachel
Realtor®
Keller Williams Premier

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Association of Realtors

GMAR, NOCBOR, LCAR

Member Local Business Organizations to promote local communities

We print the report on site if the client would like a copy to walk away with in their hands.

We also email the report to the Client and Realtor®.

We make sure we have answered our client's and Realtor's questions.

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Jacob Aberlich

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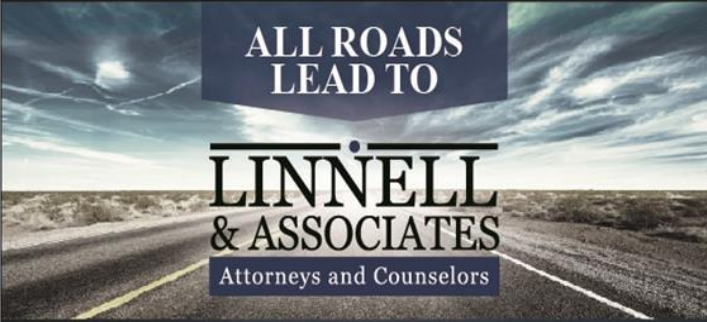
Members Elect Nominating Committee

Each year, the NOCBOR membership elects five Realtors® to serve on the Board's Nominating Committee, along with the two most current Past Presidents, who act as Chairman and Vice-Chairman of the Committee.

This Committee is responsible to interview member candidates seeking roles of leadership positions for recommendations to the Board of Directors and general membership. Members interested in serving a position on the Board of Directors or as a Board officer are requested to meet with the Nominating Committee.

On Tuesday, October 11, 2022, at NOCBOR Annual Membership meeting, the following Realtors® were elected to the 2022 Nominating Committee:

Brenda Davis	(CENTURY 21 Town & Country)
David Kimbrough	(Berkshire Hathaway HomeService)
David Niezgoda	(Keller Williams Premier)
Holly Rachel	(Keller Williams Premier)
Jamie Scheett	(Keller Williams Premier)



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Services

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Evictions	Land Use & Development
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Land Contracts	Quit Claim Deeds
Forfeiture/Foreclosure	Licensing Issues
Boundary/Survey Disputes	Estate Planning
Loss Mitigation/Short Sales	Certificates of Trust
Landlord/Tenant Issues	LLC Filings/Operating
Lady Bird Deeds	Agreements/Resolutions
EMD Disputes	Contract Disputes/
Investor Representation	Specific Performance
Commission Disputes	

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We're in this together. Your team and ours.

The Kiplinger Letter Never Fails!

The steady rise in mortgage rates is really dragging down home sales. Existing-home sales fell 5.9% in October, the ninth consecutive decline and the largest drop since February. Sales are down 28.4% from a year ago and continue to show the effects of cooling housing demand in recent months. The average 30-year fixed mortgage rate hit 7.8% at the beginning of November.

Sales will continue to fall in the coming months. Mortgage applications have been slipping since mid-April as elevated financing costs this year, on top of the steep rise in home prices over the past few years, pushed most home buyers to the sidelines. However, after mortgage rates dipped below 7% recently, applications for loans ticked up, showing that there is still a decent pool of eager home buyers. Banks will likely keep credit conditions tight, which will shut many buyers out of the market. And with the economy slowing down, most people will be cautious. One survey shows that just 16% of households say now is a good time to buy a home.

Inventories in the real estate market are still very limited. There were just 751,000 vacant homes for sale in the third quarter...about 1% of the total housing stock. There are signs that conditions are starting to ease. The homeowner vacancy rate has risen lately, after hitting a record low early this year. More owners will probably bring vacant homes to the market. As the economy heads into a period of higher interest rates over the next few years, the expense of owning non-income-producing assets will increase for property owners.

A small drop in house prices now looks likely, which may spur more owners to sell sooner than planned. If all vacant homes came to market, the current inventory of existing homes would rise more than 20%. Some will be rented and others will end up staying vacant, but many will get listed, increasing inventories in coming months. (*The Kiplinger Letter 11/22*)

Housing Forecasts		
	2022	2023
Single-family starts	-10.4%	-11.0%
Multifamily Starts	15.5%	-7.0%
New-home Sales	-15.8%	-10.0%
Existing – Home Sales	-15.1%	-10.0%
Year – End 30-Year Mortgage Rate	6.6%	5.5%
Year – End Price Change	7.0%	-3.0%

“We Are Where You Want To Be!”

2022 NOCBOR Leadership Team

Officers

Ann Peterson, President, Sally Bell, President-Elect, Marcy Soufrine, Treasurer, David Kimbrough, Secretary, Steve Stockton, Past President

Board Of Directors

Pamela Bradshaw, Brenda Davis, Madeline Dishon, Joan Falk, Cheryl Gates-Beers, Rick Linnell, Kristine McCarty, Christopher Mersino, David Niezgoda, Ray O'Neil, Mary Rettig, and Jason Sakis

Budget & Finance

Sally Bell, Chm., Marcy Soufrine, V.C., David Kimbrough, Ann Peterson and Steve Stockton

Education/Technology

Rick Bailey, Chm., Bob DeVore V.C., Marsha Armstrong, Mary Beckerman, Cheryl Bruce, Darwin Conley, Enid Fanfair, Dana Fox, Mark Gelbman, Lee Jaffke, Charles Laird, Cynthia Payton Hines, Evduza Ramaj, Jason Sakis, Jamie Scheett, Steve Stockton, Peter Toering, Paulette Walker and Cathy Weller

Government Affairs

Mary Rettig, Chm., Ann Peterson, V.C., Sally Bell, Eva Cantrella, Brenda Davis, Gerald Hoopfer, David Kimbrough, Darrell Hudiburgh, Jerry Khami, Harlen Lantz, Nick Najjar, Jamie Scheett, Grant Spencer, Steve Stockton and Joseph Tinpan

Grievance

Paul Carthew, Chm., Darwin Conley, V.C., Darrell Hudiburgh, Hollie Kotwicki, Harlen Lantz, Kristine McCarty, Christopher Mersino, Denise Misaras, Tom Nelson, Keith Reynolds, Charles Stoner, Lynn Swanson and Kim Yezbick

Membership Services

David Niezgoda, Chm., Mary Katsiroubas, V.C., Brenda Davis, James Gillen III, Brendan Hamlin, Stacey Kraft, Jennifer Rygalski, Jamie Scheett, Grant Spencer, Steve Stockton and Natalie Vaughn

Nominating

Steve Stockton, Chm., Maddy Dishon V.C., Rick Bailey, Brenda Davis, Lee Jaffke, Holly Rachel and Mary Rettig

Realcomp Governors

Madeline Dishon and Ray O'Neil

Realcomp Shareholders Designees

Mary Rettig and Marcy Soufrine

Realcomp User Group

Matt Diskin and Marcy Soufrine

Professional Standards Hearing Panel

Angela Batten, Pamela Bradshaw, Brenda Davis, Sue Dendler, Madeline Dishon, Joan Falk, Cheryl Gates-Beers, Gerald Hoopfer, Lynn Kacy, Bruce Krol, John Lafferty, Mike Licavoli, Jeanette Magnes, David Montgomery, Paul Mychalowych, Thomas Neveau, Lucille Pesek, Tammy Schuh, Alyce Smith, and Liz Stevenson

Arbitration Chairmen

Kay Pearson

Ethics Chairmen

Mary Rettig

Kathleen Sanchez

Committee Mission Statements

EDUCATION/TECHNOLOGY/DIVERSITY - The Committee provides members with frequent and affordable opportunities to achieve knowledge and competence in an evolving business climate; to promote an atmosphere of equal opportunity in a multicultural community through a commitment to education awareness, and an appreciation of others, and to communicate technology resources to NOCBOR members to drive their productivity.

GOVERNMENT AFFAIRS - To promote to NOCBOR members education, awareness and involvement in the legislative process; to guard and promote the interests of the real estate industry before all legislative bodies (Federal, State and local) and perform other duties pertaining to legislation affecting real property and the licensing act. To develop and promote an annual fundraising program for the solicitation of political contributions. To interview political candidates for public office and recommend endorsement and/or financial support to local Board of Directors for their endorsement to the Realtors® Political Action Committee of the Michigan Realtors®.

MEMBERSHIP SERVICES - The Committee makes recommendations to the Board of Directors on matters pertaining to eligibility, qualifications and approval for the election to membership. The Committee promotes an awareness of Board functions to members to help improve participation and develop new membership benefits.

(NOCBOR members interested in participating on a Committee or serving on a Special Task Force, please contact Tonya Wilder, Executive Assistant, tonya@nocbor.com)

Thank You NOCBOR Volunteers!

Support Your NOCBOR Affiliates

Barnett, Larry (Attorney At Law)	248-625-2200
Bartoni, Ryan (Professional Residential Estimators)	313-828-0861
Bartus, Barb (Michigan First Mortgage)	248-666-2700
Beemer, Matthew (Pillar To Post)	248-767-4815
Brosnan, Brenda (CrossCountry Mortgage)	248-515-3855
Bruce, Cheryl (ATA National Title)	248-338-7135
Carrier, Melissa (CrossCountry Mortgage)	248-284-5576
Davis, Ernest (Home King Inspection Service)	248-288-4770
Eshelman, Derrick (Vanguard Title)	248-895-9644
Fox, Dana (Lake Michigan Credit Union-White Lake)	248-884-6600
Fox, Patrick (Home Warranty, Inc.)	989-640-3686
Garbrick, Alan (Stockton Mortgage Corporation)	248-582-6680
Gaulin, Alexander (Waterford Bank)	248-922-6913
Gelbman, Mark (Caliber Home Loans)	248-705-8431
Hudson, Matt (First American Title Co.)	248-789-6371
Iverson, Steve (Basements Plus)	248-926-6630
Jarvis, Beth (Title Connect)	810-347-4239
Katsiroubas, Mary (Bank of Ann Arbor)	855-910-2700
Kearns, Ryan (Win Home Inspections-Waterford)	248-621-0400
Kraft, Stacey Grava (Achos Home Warranty)	248-303-7210
Linnell, Richard (Linnell & Associates)	248-977-4185
McGee, Jeff (Bank of Ann Arbor)	248-383-0220
McNally, Chelsea (Legacy Mortgage)	248-978-2796
Morris, Jeannie (Transforming Spaces)	248-318-7195
Mustola, Mark (Value Check Inspections)	810-347-4239
Nannini, Joseph (Modern Title Group)	734-669-3100
Opalewski, Heather (Titlecity)	248-912-6100
Pappas, Bonnie (Michigan First Mortgage)	248-320-3064
Pray, Chaz (Team One Credit Union)	810-730-2012
Rose, David (Rose Certification Inspections)	248-625-9555
St. Amant, Ron (Changing Places Moving)	248-674-3937
Sabatini, Joe (Choice Home Realty)	586-533-0143
Sasek, Luke (Cutco)	616-295-5537
Scheett, Jamie (Leading Edge Title Agency)	248-431-2594
Seaver, Phil (ATA National Title)	248-338-7135
Seibert, Brian (First National Home Mortgage)	855-910-2700
Spencer, Grant (Michigan First Mortgage)	248-721-6676
Stahl, Benjamin (SteeleMan Inspections)	248-455-4215
Thomas, Shane (Better Rate Mortgage)	586-260-2289
Turner, Sheila (Cislo Title Company)	248-410-8550
Vaughn, Natalie, (Legacy Title Agency)	248-913-2266
Vitale Plawecki, Jae (Stockton Mortgage Corp)	248-582-6680
Wright, Joseph (Rocket Mortgage)	586-719-6517
White, Don (Genisys Credit Union)	586-764-1826
Zetye, Lauren (Movement Mortgage)	248-840-0972

Legal Q & A

Q: I have a listing agreement with my sellers for the sale of their home. Sellers entered into a purchase agreement with Buyer A. We were all set to close but then the sellers stopped returning my calls. I recently learned that the sellers were planning to close on the property “secretly” and without my involvement in an apparent effort to avoid paying the commission. I intend to file a lien on the sellers’ property to secure my commission. Is this acceptable?

A: No. Ordinarily, a Realtor® has no right to file a lien on residential property in order to protect his or her claim to a commission. In order to file a lien, a person must have a contractual or statutory right to file a lien. Because the penalties for wrongfully filing a lien on real property are severe, a Realtor® should never file a lien on real property without the assistance of a lawyer.

Q: I am representing the sellers in the sale of their house. There have been some delays and the buyer is asking for yet another extension. My sellers will only give the buyer an extension if the buyer agrees to a \$2,000 non-refundable deposit. I have heard that non-refundable deposits are illegal. Is this true?

A: No. A buyer and seller can certainly agree that a deposit will be nonrefundable. You will want to make certain that this is explicitly stated in the contract so that there can be no argument about the parties’ intent.

Q: I am representing a buyer that entered into a purchase agreement to buy a house being sold by the trustee of an estate. During our inspection, we discovered that the house had a termite infestation. When we asked the seller about it, we discovered that the trustee seller had learned of possible infestation from a previous buyer who terminated their contract. Was the trustee seller required to disclose the existence even though exempt from the Seller Disclosure Act?

A: Not Necessarily. While sellers may choose to disclose known defects, in Michigan, sellers generally have no legal duty to volunteer information about a home other than the requirements imposed by the Seller Disclosure Act. (On the other hand, sellers may not deliberately conceal known defects or make statements about the condition of a home that are incomplete or misleading.)

Q: I represent a buyer who put an offer on a home where there were multiple offers. My client’s offer was not accepted. We have reason to believe that my client’s offer was in fact the “highest and best.” Are we entitled to see a copy of the offer that was accepted by the sellers in order to verify that it was the “highest and best” offer?

A: No. Moreover, it does not matter whether the accepted offer was in fact the “highest and best.” As long as the sellers did not engage in unlawful discrimination (for example, on the basis of national origin), they were not required to accept the “highest and best” offer or otherwise treat all offers equally. A “Primer on Multiple Offers” prepared especially for buyers in this situation is available on MR’s website.

Q: I am representing a seller who is buying a second home to live in while he tears down his existing home in order to build a new one. Can he claim the Conditional Rescission of the Principal Residence Exemption under these circumstances?

A: No. In order to qualify for the conditional rescission, the prior home must be listed for sale. (*Q & A’s are provided by Brad Ward, Esq & Brian Westrin, Esq.*)

Legal Hotline

800-522-2820

Realtors® Support RPAC

More than 575,000 Realtors® invested in the Realtors® Political Action Committee, a 37% participation rate. RPAC raised \$45,968,000 at all three levels of the association, 101% of its 2022 goal.

It's at 96% of its 2022 Major Investor goal with 10,484 members and at 177% of its Presidents Circle goal with 1,928 members. RPAC also surpassed its federal disbursements allocation goal, raising more than \$100 million at the national level by the end of October.

Special recognition of **Ann Peterson**, 2022 NOCBOR President, for her recent investment in RPAC as a RPAC Platinum contributor.



Experienced Trial Attorneys Are Ready *Specializing in Civil Trial Litigation*

Larry Barnett and Scott Traver have extensive experience in a range of practice areas including, but not limited to: injury cases, contract disputes, domestic relations disputes (custody, parenting time, forensic accounting, discovery of hidden and undisclosed assets), professional malpractice, and real estate transactions and disputes.

Larry Barnett specializes in trial litigation in the above practice areas and has tried over 400 cases in his legal career throughout the State of Michigan, with numerous winning judgements of over \$1 million.

Scott Traver specializes in real estate, wills, trusts, is an expert in appeals to the Court of Appeals and to the Supreme Court and the prosecution of personal injury cases, negligence cases and contract disputes.

Our main area of Legal practice:

- Elopement
- Contract Disputes
- Wills and Trust
- Real Estate Disputes
- Oil and Gas Leases & Litigation
- Domestic Relations
- Professional Malpractice
- Bank Fraud
- Zoning Issues
- Nursing Home Injuries
- Personal Injury & Wrongful Death



Barnett & Traver, P.C.
ATTORNEYS AT LAW



5840 Lorac Dr, Suite 1 | Clarkston, MI 48346

248-625-2200

Get Help Now, Call For Free Consultation

Can You Talk to an Appraiser?

According to the National Association of Realtors® 2022 Appraisal Survey, 47% of real estate professionals say they have had a transaction fall through due to a problem in the appraisal process. The survey reflects the most common culprits are an appraised value coming in lower than the contract price and a perception that the appraiser lacks knowledge of a neighborhood or uses inappropriate comps.

Yet, many real estate professionals say they are fearful of talking to appraisers and try to keep their distance from this part of the transaction. Twenty-one percent say they interact with appraisers only when there is an issue with the value; 19% say they don't interact with appraisers at all. Of those who don't interact, most say they avoid contact because they think they're not legally allowed to speak to the appraiser, or they're concerned that the interaction might lead to appraisal bias.

However, "regulations allow real estate agents, or other persons with an interest in the real estate transaction, to communicate with the appraiser and provide additional property information, including a copy of the sales contract.

The survey shows that real estate pros who do interact with appraisers say they try to provide additional information to help them in their valuation, the survey shows. These pros also may meet with the appraiser onsite to provide comps, a list of improvements made to the property or information on multiple offers.

More than 600 appraisers and over 2,500 residential real estate pros participated in the survey which was conducted in May 2022. (*Real Estate News*)

What You Need to Know

The share of first-time home buyers has fallen to its lowest level on record over the last year as young adults face a longer path to homeownership, according to NAR data. Comprising just 26% of all buyers in 2022, first-time buyers are also older than ever before.

Pending home sales dropped for the fourth straight month in September, down 10.2% from August. According to NAR Chief Economist Lawrence Yun noted, "The Federal Reserve has had to drastically raise interest rates to quell inflation, which has resulted in far fewer buyers and even fewer sellers."

In October, the Federal Housing Finance Agency (FHFA) validated and approved both the FICO 10T and the VantageScore 4.0 credit score models for use by Fannie Mae and Freddie Mac (the Enterprises). NAR has advocated for years for the use of newer credit scores as a means of fostering competition, innovation and access.

FHFA has announced a reduction in loan-level pricing adjustments that the Enterprises charge to first-time buyers, low- and moderate-income buyers, and underserved groups and market sectors, which is important today as higher mortgage rates confront buyers.

DIY Staging

Almost 82% of real estate agents profiled by NAR said that staging changed the way their buyers view listings. While many luxury real estate agents swear by staging for every property they represent, many agents pick and choose which homes to stage, or only stage certain rooms within their listings. Sometimes this choice is driven by the sellers, who may not want to invest in staging for their home or who may be offended by the idea that their home is not already picture-perfect. To overcome this objection, it's important to remind your seller that the design choices that make a home lovely to live in aren't always the same as the features that sell it in the first place.

In many cases, staging is designed to showcase the home itself, with artwork and furnishings chosen not for their own appearance, but for their scale and enhancement of the space.

How to compile a staging inventory-For those homeowners who don't want to hire a staging expert to get their home market-ready, you can include some minor staging services in your home preparation and marketing process. Improving the look of your listing may not always require a home stager. Making a positive impact doesn't always require full home-staging services. Some easy ways to make your listing stand out are painting the home a neutral color, decluttering and purchasing green foliage to add to the home. Sprucing up the curb appeal by getting a few plants, a front door wreath and doormat to give a great first impression.

Five staging items agents should own-You don't need a warehouse filled with staging elements to make a big difference in the way your listing looks. Focus on items that are lightweight.

1. Accessories-These can include everything from *tchotchkes* to remake the look of a bookshelf to new throw pillows and blankets either added to the sofa or tucked into a beautiful basket.

2. Coffee Table-If you need to create a more cohesive living space, put an elegant coffee table front and center. It anchors the room and helps define the traffic flow.

3. Art-You can easily store art in a variety of sizes to enhance various spaces in your new listing. Choose canvas-not glass-for easy storage and transportation and lean toward neutral colors in nonrepresentational styles.

4. Tables-A variety of occasional tables can come in hand nestled beside a chair to create an impromptu reading nook or as an additional bedside table when needed.

5. Headboard-If the guest room is made up of a simple mattress and frame, it can be given a more finished look with an upholstered headboard. They're inexpensive, easy to carry and easy to tuck behind the pillow to pull the room together.

Avoid large heavy items like couches or beds that are difficult to store or move. Avoid items that are likely to be worn out quickly or that require a multitude of different size options, like rugs or curtains. (*Antoinette Fargo, Inman*)

Choosing A Staging Professional

Homebuyers take an average of 8 seconds to determine if they like a home they're touring. That's barely enough time to get through the front door. That first look-around, however, is the deciding factor in whether they'll venture further into the home.

Professional home stagers use design and decor techniques to appeal to homebuyers' emotions from the moment they enter the home. Stagers' training and experience help them understand color psychology, how to place furniture for maximum impact and which accessories and textures appeal to the broadest range of homebuyers for your particular home. A good home stager is worth their weight in gold. Taking a home from bland to drop-dead alluring is the magic that sells homes for the most money the market will allow. And statistics bear that out; staged homes sell quicker and for more money.

How to find the perfect stager-Just as homeowners are urged to interview more than one listing agent to help with the marketing and sale of their homes, it's important to interview several home stagers. Start your fact-finding on the stager's website. Go straight to the portfolio section where you should find lots of before and after photos to give you an idea of the magic, he/she performs. You may notice that certain stagers seem to work with one home (luxury homes, for instance, or vacant homes or condos). Some seem to have a preferred neighborhood or part of town they work in more than others. Finally, check the stagers' reviews on *Yelp.com*.

One of the most important questions to ask is who the stager thinks will buy your home. What group of people will he/she target with their work? Ensure the stager's idea of the most-likely buyer's demographic and lifestyle matches your listing agent's targeted buyer pool.

"Staging To Sell - What Every Agent Should Know!"

Agents attending the class will earn the RESA (Real Estate Staging Association) Certified Staging Advocate Designation!

11:30 a.m. – 2:30 p.m.

Thursdays:

March 16, 2023

June 15, 2023

September, 14, 2023

December, 14, 2023

NOCBOR Affiliate - Instructor: Jeannie Morris,
RESA Approved Instructor

Exclusively presented only at NOCBOR

Includes 3 hours elective con ed credit with lunch will be provided

\$40 Members/ \$50 Non Member

Local Market Update – October 2022

A Research Tool Provided by Realcomp



Oakland County

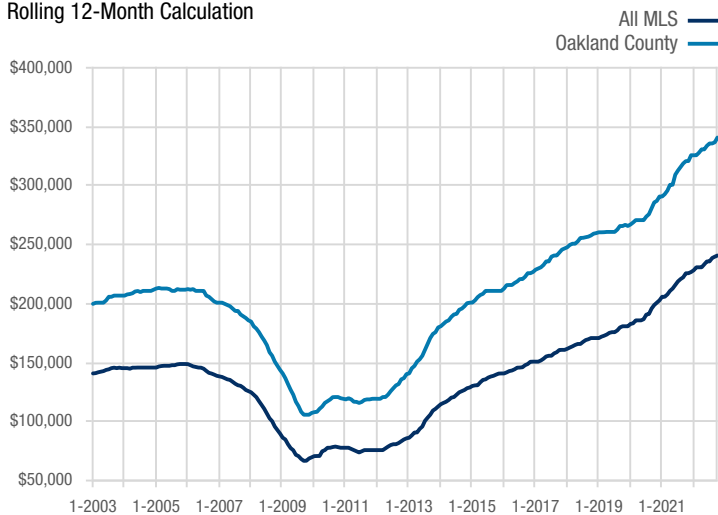
Residential	October			Year to Date		
Key Metrics	2021	2022	% Change	Thru 10-2021	Thru 10-2022	% Change
New Listings	1,816	1,524	- 16.1%	20,003	18,100	- 9.5%
Pending Sales	1,644	1,105	- 32.8%	15,288	13,210	- 13.6%
Closed Sales	1,633	1,135	- 30.5%	14,792	12,985	- 12.2%
Days on Market Until Sale	25	29	+ 16.0%	23	21	- 8.7%
Median Sales Price*	\$320,000	\$336,500	+ 5.2%	\$325,000	\$344,250	+ 5.9%
Average Sales Price*	\$384,944	\$405,562	+ 5.4%	\$393,137	\$417,249	+ 6.1%
Percent of List Price Received*	99.7%	98.4%	- 1.3%	100.9%	101.1%	+ 0.2%
Inventory of Homes for Sale	2,653	2,532	- 4.6%	—	—	—
Months Supply of Inventory	1.8	2.0	+ 11.1%	—	—	—

Condo	October			Year to Date		
Key Metrics	2021	2022	% Change	Thru 10-2021	Thru 10-2022	% Change
New Listings	413	313	- 24.2%	4,193	3,668	- 12.5%
Pending Sales	360	250	- 30.6%	3,405	2,896	- 14.9%
Closed Sales	365	250	- 31.5%	3,256	2,914	- 10.5%
Days on Market Until Sale	23	31	+ 34.8%	27	23	- 14.8%
Median Sales Price*	\$242,500	\$233,950	- 3.5%	\$221,022	\$250,000	+ 13.1%
Average Sales Price*	\$270,315	\$278,492	+ 3.0%	\$263,787	\$285,575	+ 8.3%
Percent of List Price Received*	99.4%	99.2%	- 0.2%	99.9%	100.6%	+ 0.7%
Inventory of Homes for Sale	540	441	- 18.3%	—	—	—
Months Supply of Inventory	1.7	1.5	- 11.8%	—	—	—

* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

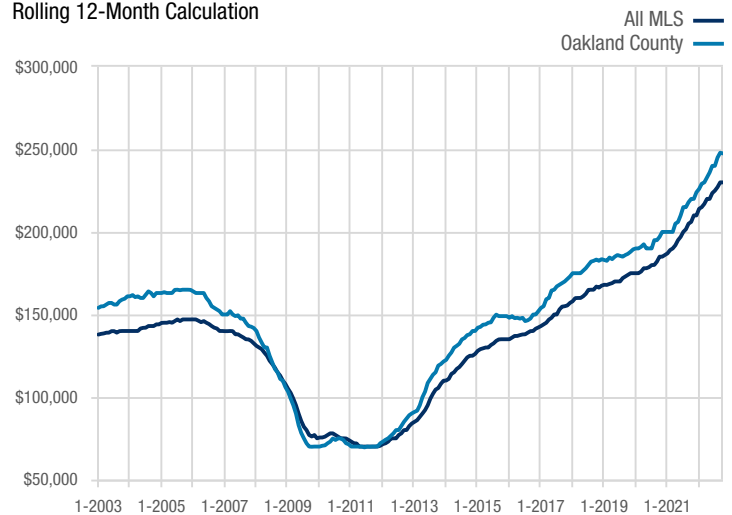
Median Sales Price - Residential

Rolling 12-Month Calculation



Median Sales Price - Condo

Rolling 12-Month Calculation



A rolling 12-month calculation represents the current month and the 11 months prior in a single data point. If no activity occurred during a month, the line extends to the next available data point.

Deductible Expenses

Like other business professionals, real estate agents must be conscientious of keeping their expenses in order throughout the year so that they're prepared come tax season. That means knowing what expenses qualify as deductibles and keeping receipts organized on a regular basis so you aren't scrambling to get it all in order before the filing deadline.

Paid out commissions-Deductible-Even though splitting commissions with other agents is part of the job, it may feel less painful to do so knowing that those commissions paid out to other agents are deductible. Keep careful track of all those commissions paid out throughout the year because they can help out a lot come tax season.

Vehicle costs-Deductible-Most real estate agents spend a lot of time in their cars. Between gas, mileage, maintenance and the toll that driving does on a car, the expenses add up. Fortunately, all those expenses are tax deductible for the agent who uses their vehicle to drive to and from showings and other work-related activities, including toll fees and parking. The IRS offers two types of deductions for vehicle expenses: a standard mileage deduction and a deduction for all tracked auto expenses. Claiming the fewer miles or happening to have higher car payments may opt to tally up the costs of their actual expenses, including car lease payments, auto loan interest, auto insurance, maintenance and repairs.

Home office-Sometimes Deductible-Agents who have a designated home office that's exclusively used for their business and is where they conduct most of their business can add home office expenses to their tax deductions. Agents have the option to do either a simplified deduction or a regular deduction, which tracks all actual expenses. For individuals with a bigger office or a more expensive home, the regular deduction may be more fruitful. The simplified method allows agents to deduct \$5 per square foot up to \$1,500. However, agents who deduct home office expenses cannot also deduct desk fees from their brokerage, so it's worth considering which deduction may be more beneficial.

Marketing & advertising costs-Deductible-Quality marketing and advertising both pay off when trying to sell a client's listing and when it comes to filing taxes. Any promotional items like business cards, flyers, signage and photographs can be claimed, as well as the production costs associated with them. Likewise, digital ad online advertising, including website design or hosting fees, pay-per-click ads. SEO marketing and videos all qualify as deductions. Professional membership fees are not deductible, however the portion of dues that go toward lobbying and political advocacy are deductible.

Software-Deductible-Software that's necessary to keep an agent's business running is also deductible. Things like accounting software, lead generation software, CRMs and other products that can help track expenses or mileage all fall under this deductible category.

Parking tickets & court fees-Not Deductible-Any parking ticket or court fees incurred while on the job or as a result of a work activity are not deductible. The IRS won't go for that!

Gifts-Sometimes Deductible-For the most part, client's gifts are deductible. However, there are a few caveats that agents need to be aware of per IRS guidelines. Agents can't deduct more than \$25 of the cost of business gifts given to each person and if an agent and their spouse give gifts to the same person, it's treated as one taxpayer's deduction. Incidental costs like engraving or packaging/shipping can't be included in the \$25 limit if they don't add value to the gift, and gifts costing \$4 or less with an agent's business name permanently affixed to them can't be deducted.

Training & education-Sometimes Deductible-Expenses associated with education, training courses, coaching and conferences that are specific to the real estate industry are all deductible, which is a good thing in this competitive industry where agents need to stay on their A-game. Registration fees, materials and some travel expenses can be deducted as long as the training/education doesn't also qualify the trainee for another business, is not in order to meet minimum education requirements and/or helps the agent improve in their area of real estate.

Licenses, memberships, fees, insurance-Sometimes Deductible-Most annual fees that real estate agents incur are deductible. Qualifying deductibles include state license renewals, professional memberships, MLS dues, general business and errors and omissions insurance.

Charitable contributions-Deductible-Donating money to a charitable cause is good for community and good for business and it's a deductible expense. Agents should never hesitate to donate and save those receipts for tax season.

Business meals-Deductible-Business meals are another regular expense that agents can deduct. Any meals consumed while on a business trip or meals eaten with clients or colleagues in order to discuss business or generate referral business qualify as a deduction. For the 2022 tax year, agents can deduct 100% of restaurant meals because of a COVID-19 policy to boost restaurant business.

Office supplies & equipment-Deductible-Supplies and equipment are deductible, whether agents opt to claim desk fees or home office expenses. Supplies can include items like stationery and photocopies, and equipment can include anything from furniture to computers to phone and internet bills. Landline phone expenses can be fully deducted, while agents who use their personal cell phone for their business can deduct the portion of their bill that corresponds to the phone's business use.

Health Insurance-Sometimes Deductible-If an agent and their spouse are not eligible for an employer-backed health plan, their health insurance premiums paid for themselves and their family will be deductible, including medical insurance, dental insurance and long-term insurance.

**Jack Waller
NCI Associates
2022 Con-ed**

Virtual via Zoom only

Tuesday, December 13

9 a.m. – 3 p.m. (6 hours con-ed)

Course fee: \$40 member/\$50 non-member

Register at nocbor.com **Location: NOCBOR**

Online Con-Ed

Did you forget to do your con-ed, do you need last year or the year before?

NOCBOR, in cooperation with Great Lakes Realty Systems, offers NOCBOR Realtors® valuable online Continuing Education courses.

Classes offer, 2, 3, 4, 6 hours and past year classes. All courses include the required 2 hours of legal.

Need something else? Great Lakes also offers Realtors®, real estate salesperson and broker pre-license courses, and builder pre-license and continuing competency courses.

Before enrolling for the first time, we strongly recommend you complete the five-minute demonstration courses which explain the online course experience. Go to ***nocbor.com***, on the top of the page under Education.

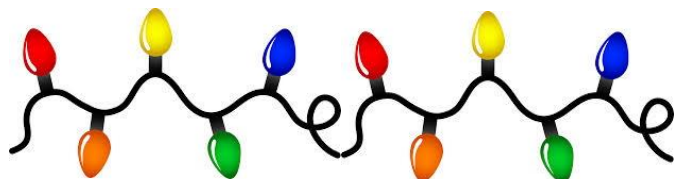
**Lori Chmura
Middleton Real Estate Training
2023 Con-ed**

Thursday, May 11, 2023

9 a.m. – 3:30 p.m. (6 hours con-ed)

Course fee: \$50 member/\$60 non-member

Register at nocbor.com **Location: NOCBOR**



**Accredited Buyer
Representative**

Friday, December 9 & Thursday, December 15

"Marketing Practice" & "Office Policy, Negotiations and Relocations." Both classes are approved by REBAC (Real Estate Buyer's Agent Council) and fulfills the educational requirements for the ABR Designation. ABR counts as 15 hours of real estate continuing education credit or can be used toward 90 hour broker pre-licensing requirement. Must take an elective for designation, to see list of elective classes and dates go to

<https://middletontraining.com/specclass.html>

*Qualifies for the NOCBOR one year interest free Education loan.

Time: 9:00 a.m. – 5:00 p.m.

Cost: *\$290 (includes elective, materials & first year dues)

Bring a Buddy: *\$263.50

Instructor: Lori Chmura



Seniors Real Estate Specialist

Friday, January 20 & Friday, January 27

To receive the Seniors Real Estate Specialist® designation, you must be a Realtor® in good standing with the National Association of Realtors® and complete the SRES® training course, and successfully pass the final exam. SRES® designees are also required to complete at least three transactions with senior clients within twelve months of their training course. This course counts as 15 hrs. Broker Pre-licensing credit and includes 1.5 hours of Fair Housing or can be used for 12 hours of Real Estate Continuing Education. *NOCBOR members qualify for one year interest free loan.

Time: 9:00 a.m. – 5:00 p.m.

Cost: \$250.00 (includes material and SRES Council annual dues)

Instructor: Lori Chmura



Register at nocbor.com **Location: NOCBOR**

**NOCBOR offers
interest-free
Education loans for one year to
advance your real estate knowledge!
For more information or to see if you
qualify e-mail
tonya@nocbor.com**

Veterans Offered Transportation

All military Veterans who live in Oakland County now have access to door-to-door transportation services from their home to Oakland County Veterans Services offices in Troy and Pontiac.

In partnership with SMART, free transportation is offered from any point of origin in Oakland County to a Veterans Services office and back home. All Veterans who make an appointment with the Veterans Services team will receive contact information for SMART to arrange their transportation. ADA transportation is available and transportation arrangements should be made at least three days prior to the appointment.

Oakland County Veterans Services help Veterans and their dependents with disability compensation, pension, healthcare, burial benefits, education, life insurance, home loans and more. From applying for benefits to appealing a finding, the benefits counselors are available to help Monday through Friday, 8:30 a.m.-4:30 p.m. To book an appointment or learn more, visit: OakGov.com/Veterans or call (248) 858-0785 in Pontiac or (248) 655-1250 in Troy.

Grants For Homeless Vets

The Veterans' Affairs Department has announced three grants to help veterans who are homeless or are at risk of losing their homes. These grants are for the Federal budget year that starts October 1, 2023.

The Supportive Services for Veteran Families program provides services for veterans who are homeless, or to prevent the imminent loss of a veteran's home or find new, more suitable housing options. Grants will be awarded to eligible organizations in all 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands.

Two other grants are available through the department's Homeless Providers Grant and Per Diem program. These grants will pay for "transitional supportive housing beds or service centers" or provide apartment-style housing for veterans, who can keep the units as their permanent homes.

Realtors® Code of Ethics

The Board of Directors of the National Association of Realtors® voted in November, 2022 to **replace the term "handicap" with "disability"** in Article 10 of the Code of Ethics, in the Standards of Practice, and in corresponding NAR references to protected classes under fair housing law. This change to the Code was subsequently approved by the NAR Delegate Body and will go into effect January 1, 2023.



Avoid Legal & Ethical Snags

A home sale is a complex legal process that brings out emotional highs and lows for clients. As an agent with a duty to represent your client's best interest in today's market, this duty can be a tightrope walk.

Navigating customer services service doesn't have to be a difficult experience if you stick to a few core values of honesty, transparency and responsibility. Industry-specific laws like the Fair Housing Act and specific ethical obligations under the Realtors® Code of Ethics.

Here are a few tips to help you avoid legal and ethical missteps:

***Be communicative and responsive-**A simple way to avoid problems is to create a system to always keep your clients in the loop of communication. In the smartphone era, there's no excuse. You should also document these communications. When you call a client to update them, compose a quick email for your records noting when you called and what was said.

***Never give tax or legal advice-**A home sale involves a big tax bill and complex legal issues. But as a real estate agent, you shouldn't give your client's tax or legal advice, even if you feel confident that you know what you're talking about. Refer them to a tax professional or lawyer.

***Disclosure Essential-**State and federal law dictate that certain conditions or items must be disclosed by sellers, but there's a sizable gray area where agents have to keep a sharp lookout. If you're working with a seller, it's wise to disclose all problems, even if not legally required. If your client tells you about problems that aren't on the disclosure forms, try to convince them to include them. On the buyer's side, you should make sure that all required disclosures are made. If your client asks about specific items on the disclosure forms, try not to offer your opinion on whether the problems are fixable. Make sure that a buyer knows exactly what they're getting into. If an eager buyer wants to waive a home inspection, carefully explain the possible consequences.

***Handle multiple offers carefully-**Multiple offers are becoming the norm, but it's a situation that requires delicacy. It can be hugely damaging to an agent's reputation, not to mention potentially illegal, if a client accuses them of playing favorites. When working with sellers, try to send the same counteroffer to all bidders simultaneously and present the responses impartially to the seller. Avoid disclosing too much personal information about each bidder. On the buyer's side, if you're showing the same listing to multiple clients, make sure you let them know, so no one feels misled or neglected in the event of a sale.

***The buck stops with the client-**As an agent, your role is to advise and inform. If your clients have questions about the local market, tell them what they want to know. If they're having trouble getting past certain pain points in the deal, help ease their concerns. If they're worried about buying too much house, educate them on the true costs of homeownership. (Luke Babich, *Clever Real Estate*)

NOCBOR Events

DECEMBER
JANUARY
FEBRUARY

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
5	6	7	8	9 9 a.m. – 5 p.m. (ABR) Accredited Buyer Representative Lori Chmura	10
12 11:30 a.m. Government Affairs	13 9 a.m. – 3 p.m. Virtual 6 Hours Con Ed Jack Waller 11:30 a.m. Membership Services Luncheon	14	15 9 a.m. – 5 p.m. (ABR) Accredited Buyer Representative Lori Chmura 9:30 a.m. Grievance	16	17
19 9:30 a.m. Education/Technology	20	21 12 p.m. Board of Directors	22	23 OFFICE CLOSED	24
26 OFFICE CLOSED	27	28	29	30 OFFICE CLOSED	31
2 OFFICE CLOSED	3	4	5	6	7
9 11:30 a.m. Government Affairs	10 12 p.m. Installation & Awards Luncheon @ Petruzzello's	11	12	13	14
16 9:30 a.m. Education/Technology	17 9:30 a.m. Membership Services	18	19 9:30 a.m. Grievance	20 9 a.m. – 5 p.m. (SRES) Senior Real Estate Specialist Lori Chmura	21
23	24	25 1:30 p.m. Board of Directors	26	27 9 a.m. – 5 p.m. (SRES) Senior Real Estate Specialist Lori Chmura	28
30	31	1	2	3	4
6	7	8	9	10	11
13 11:30 a.m. Government Affairs	14	15	16 9:30 a.m. Grievance	17	18
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27	28				





2023

**Installation
Officers & Directors
Luncheon**

TUESDAY, JANUARY 10, 2023

12 P.M.

Petruzzello's

6950 ROCHESTER RD

TROY, 48085

2022

Special Awards

RSVP BY JANUARY 6, 2023