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MAY+JUN Volume 101, Issue 3

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LEADERSHIP + INNOVATION = WINNING FORMULA FOR INDUSTRY RELEVANCE

By Lorraine Arora

In April, I was fortunate to attend Stefan Swanepoel's T3 Summit in Miami, and got a sneak peek into the future of our profession. You can read more about and see pictures from this awesome event on page 40, but here are a few of my take-aways:

- Change will happen! We need to be cognizant or it will take us by surprise.
- Traditional brokerages will not go away, but we have to stay relevant.
- Consumers want transparency and they want knowledgeable agents. They're willing to pay for true expertise, so we must demonstrate value.
- Use of Artificial Intelligence and predictive analytics will change how we do business.

The great news is that these ideas and others shared at T3 helped to shape our own NVAR Strategic Plan: Vision 2020 (NVAR.com/stratplan). Our volunteer leaders and staff are staying ahead of the curve by studying industry trends, exploring the latest tools, and collaborating with the best business partners to deliver resources that will keep us all ready and relevant in today's marketplace!

On April 13, we hosted the first in a series of quarterly NVAR Broker IDEA-X programs. One of my goals as your Chairman this year is to engage our NVAR brokers in discussions that will lead to greater member engagement, professionalism, and ultimately relevance for our clients and our community. At this first IDEA-X, Dr. Terry Clower, director of the George Mason University Center for Regional Analysis, asked the brokers in the room about our experiences in the Northern Virginia marketplace. Their feedback will provide the Realtor® sentiment component of Dr. Clower's next NVAR market forecast, which you can share with your clients.

Our partnership with GMU is just one example of NVAR's collaborative efforts to keep our members at the center of the real estate transaction. Together with a host of technology partners, NVAR is continuing to explore tools and services that will add value to your business. You'll be learning more about these exciting advancements over the next several months.

Being front and center in our local communities also contributes to relevance in the eyes of homebuyers and sellers – plus, it's the right thing to do! This month, NVAR is the Media Day sponsor for Habitat for Humanity's "Over the Edge" fundraiser. Check out the information on page 35 to learn how you can go over the edge in support of housing by winning the chance to rappel down the Hilton Headquarters building on Saturday, May 19!

Please stay in touch, and share what matters most for your business today. I am listening!

Lorraine Arora
2018 Chairman of the Board
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The views expressed in this publication may not reflect NVAR policy, and may be the opinions of the writer or interviewee. Reach us by email at re+view@nvar.com.

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STRATEGIC VISION Focus on Member Impact



One of the most rewarding aspects of my role at NVAR is witnessing the successful collaboration of members, staff and partners in achieving organizational goals. Our strategic plan provides a blueprint for our mission (what we do) and our vision (NVAR's impact). This spring has brought exciting progress towards our vision of Northern Virginia Realtors® as the voice of real estate taking the industry further.

This past April, we had the opportunity to host staff members from the National Association of Realtors® as part of NAR's "Day in the Life" program. Over the course of five days, we demonstrated how our volunteer leaders

and staff work together to deliver programs, products and services that support member success and reinforce Realtor® impact. Photos from these visits are included below.

Feedback from NAR staff reinforced what I already know about our staff team: we are committed to working each day with energy and enthusiasm to deliver excellence to support you – our members.

Whether it's developing an award-winning website to improve your membership experience, provide a valuable community resource and highlight Realtor® expertise; cultivating media opportunities for member leaders to be the voice of real estate in Northern Virginia; or offering events where members can interact meaningfully with local, state and national elected officials – our strategic plan of action is designed to promote your success.

The next time you visit our website, go to NVAR.com/realtors/news, and

take a few minutes to read some articles featuring quotes from NVAR members. You are the trusted local experts, and NVAR is dedicated to providing the resources you need to maintain the level of expertise that homebuyers and sellers rely on. Check out NVAR.com/video to see videos, photos, presentations and more – highlighting our promise to connect you to the experts and decision-makers that influence our industry.

As you read this issue of *RE+VIEW*, know that the information, events, products and services highlighted in these pages are part of our stated mission: Elevating Realtor® success by delivering exceptional value, driving innovation and impacting the industry.

Ryan Conrad, CAE, CIPS, RCE, e-Pro
NVAR Chief Executive Officer
rconrad@nvar.com +

NAR Staffers Get Local 'Boots on the Ground' Experience

WHEN NATIONAL ASSOCIATION OF REALTORS® CEO Bob Goldberg took the helm this year, he launched a "Day in the Life" program, charging every NAR staff member to participate in one of three in-the-field options – one of which includes

visiting a local or state Realtor® association for an entire day and working side-by-side with that association's staff.

Over a period of five days this past April, NVAR introduced several groups of NAR staff members to activities that included a new-member orientation, a forum event, a professional development class and a committee meeting.

Pictured below are scenes from the visits, which included NAR staff members: April Gavin, Jon Waclawski, Jackie Zaporowski, Daniel Blair, Jim MacGregor, Kanoa Nehu, Andrea Moore, Catherine Mesick, Helana Neumann, Wendy Penn, Lynda Keese, Patricia Tarhorn, Gay Cororaton, Helen Devlin, Ken Wingert and Darren Wilburn. +



Capitalize DC – The MIPIIM Report

LEADERSHIP TEAM REPORTS ON INTERNATIONAL CONFERENCE OPPORTUNITIES

By Kate O'Toole



NVAR Chairman Lorraine Arora and GCAAR President Tom Daley speak with a MIPIM attendee.

THIS PAST JANUARY, the Northern Virginia Association of Realtors® (NVAR), Greater Capital Area Association of Realtors® (GCAAR), and District of Columbia Association of Realtors® (DCAR) created Capitalize DC, a coalition of local Realtor® associations collaborating to promote international investment in the National Capital Region. Capitalize DC debuted in March at MIPIIM, one of the largest real estate property events in the world, in Cannes, France as part of the National Association of Realtors® USA Pavilion.

More than 80 NVAR members gathered at Fairfax headquarters on Friday, April 6, to attend NVAR's International Business Forum program: "Capitalize DC – The MIPIIM Report." The event offered a recap of the March conference and Capitalize DC participants' global outreach experiences there.

Presenters included 2018 MIPIIM attendees, NVAR Chairman of the Board Lorraine Arora, NVAR CEO Ryan Conrad, GCAAR

President Tom Daley, and a remote appearance by Missouri Realtors® CEO John Sebree, whose organization has been a MIPIIM participant for several years.

The value of attending MIPIIM, Conrad explained, includes direct exposure to over 5,000 international investors, unrivaled access to 26,000 attendees, the ability to promote our region's development projects, and networking opportunities to identify potential investors and bring business back to the region and to Realtors®. Members of the Capitalize DC delegation recorded videos each day during the conference to share details about their experiences with members of their associations in the D.C. Metro region. To view those videos, visit capitalizedc.net/engage.

"I appreciate what you guys are doing," NVAR 2015 Chair Mary Bayat said. "You are exploring the possibilities and showing us the possibilities in other countries – not just here – because I personally look at the world like my country. The rest of it is up to us to learn how to deal with these opportunities. We have to educate ourselves."

The presenters encouraged members to start thinking about how they can get involved in MIPIIM next year, whether by attending the conference, sharing real estate projects for the Capitalize DC website (capitalizedc.net) and 2019 event brochure, or helping to promote MIPIIM and global investment opportunities in the D.C. Metro region.

As the event ended, Arora asked the audience if they would be interested in participating in MIPIIM in 2019. Many members raised their hands – a promising sign of further interest and involvement in NVAR's global outreach initiatives.

Interested in learning more about MIPIIM or other NVAR global opportunities? Visit NVAR.com/global. +



MIPIM attendees gather under the NAR USA Pavilion.



The Capitalize DC booth – part of NAR's USA Pavilion at the conference.

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Making the Leap to Homeownership

AN EVALUATION OF BUYING VS. RENTING IN THE WASHINGTON, D.C. REGION

By Spencer Shanholtz



SINCE THE END OF THE GREAT RECESSION, more real estate and financial professionals have preached about the economic benefits of home buying as opposed to renting. The reasoning behind this was attributed to: low prices, high rents, excess inventory of homes for sale, and historically low mortgage interest rates. Nearly 10 years later, the D.C. area has record low inventory, record high prices, and rising mortgage interest rates.

This report updates a 2013 buying versus renting evaluation prepared by the GMU Center for Regional Analysis. As the housing landscape has shifted significantly in the past five years, these new regional dynamics call for a fresh look at the economics behind the better decision: to buy or rent a home.

CHANGING CONDITIONS AND COMPLICATED DECISIONS

Tight inventory and rising interest rates put upward pressure on home prices. In March 2018, there were 2,893 active listings in the NVAR region – 21.1 percent lower than March of 2017 and the lowest March number in five years. The NVAR region’s median sales price in March 2018 of \$514,500 was 16 percent higher than five years ago in March 2013, and the region’s highest March price in more than a decade.

This median sales price now surpasses the pre-recession peak of \$491,200, reached in June 2007.

According to Kathy Orton of the *Washington Post*, the 30-year fixed rate home loan at the end of April rose to a level not seen since August 2013. The Federal Reserve raised the benchmark

interest rate this past March, further contributing to mortgage rate increases. Provided continued job growth, low unemployment, and a generally strong economy continue, we can expect at least two more rate hikes from the Fed in 2018.

Potential homebuyers weigh competing factors about whether they should buy now or continue to rent, with the hope that prices moderate and interest rates stay low. These potential homebuyers typically need to determine if owning a home is a good investment compared to renting.

Answering this question depends on:

- The amount of savings that needs to be invested as a down payment;
- The difference in carrying costs between principal, interest, taxes, and insurance (PITI), as well as repairs and maintenance needed for an owned property, and how this compares to lease rate, usually monthly, on a rental property;
- The income tax benefits of writing off mortgage interest;
- Costs related to homeowners’ associations and/or condo fees;
- Projected rental cost increases over time; and
- Projected property value appreciation over time.

Online tools are available to help determine the “payback period” for buying a home – that is, how many years a buyer will need to own a home before it becomes a better financial investment than renting. Many Realtor® or homebuilder websites and associations provide these tools, which some prospective homebuyers might view as

Market Metrics continued on page 10

continued from page 9

biased in favor of homeownership. Other “housing-neutral” organizations have developed similar tools, such as *The New York Times* (NYT) online calculator nytimes.com/interactive/business/buy-rent-calculator.html.

The GMU Center for Regional Analysis used the NYT tool to evaluate renting versus buying for the Washington, D.C. region’s six core jurisdictions: Washington, D.C.; Montgomery County, MD; Prince George’s County, MD; Arlington County, VA; Alexandria City, VA; and Fairfax County, VA (including the cities of Fairfax and Falls Church).

The evaluation considers single-family detached, townhouses, and multi-family units separately, and begins with a comparison of current market-rate sale and rental prices for each jurisdiction and unit type.

MEDIAN RENTAL AND SALE PRICES

Home prices are highest in Arlington County, where the median price for single-family homes sold between

January 1 and March 28, 2018 was \$850,000 – 13 percent or \$100,000 higher than the same period in 2013. The median townhouse in Arlington sold for \$720,000, a gain of almost 5 percent since 2013. Arlington also has the highest median rental rate for multi-family units (\$1,900), which is nearly identical to the rental rate during the same period in 2013.

The District of Columbia has the highest median prices for multi-family, for-sale units (\$450,500) – an increase of 10 percent in five years, while the rental price of those same units increased nearly 20 percent to \$2,250. Median prices for D.C.’s single-family rentals are the region’s highest as well at \$4,250. The most expensive rental townhouses are also in D.C., with a median rental price of \$3,000 per month.

Prices in suburban Maryland were lower than in D.C. or Virginia for both median sale and rental prices, with Prince George’s County having the lowest median levels for all unit and ownership types. Montgomery

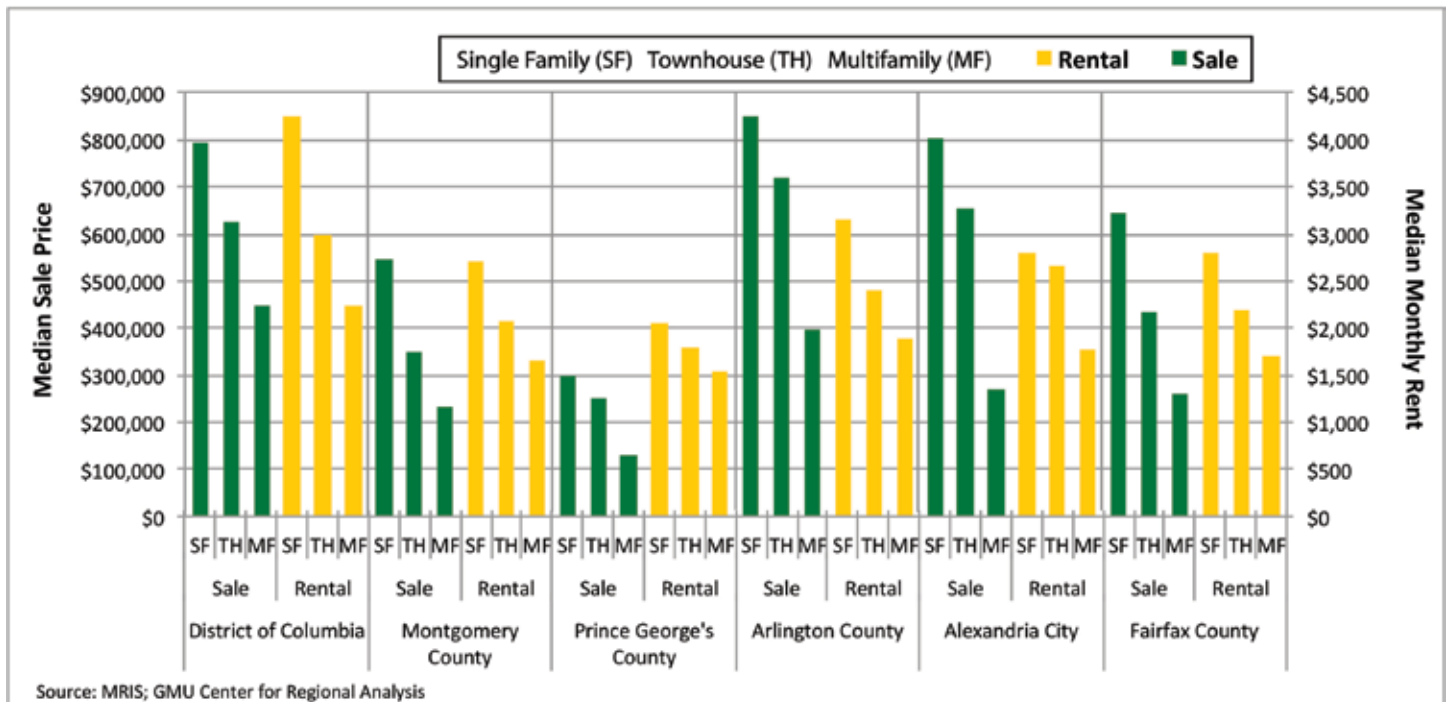
County has the next lowest prices for all categories, though its medians are only slightly below Fairfax County (Figure 1).

PAYBACK PERIOD

Using the current prices and rents listed in the NYT model, we estimated the number of years that it would take for buyers to recoup their investments into their homes. The analysis considers a range of variables, including the funds invested as a down payment, annual home value/rent appreciation, closing costs, needed maintenance and repair costs, utility subsidies for rentals, and HOA/condo fees. Additionally, the overall premise of this exercise relies on the assumption that a homebuyer can afford a down payment and qualify for a loan. The model also includes other assumptions about the relative costs of owning compared to renting (see box on facing page).

Owning a home becomes financially better than renting for all unit types and jurisdictions in the D.C. area in no

Figure 1: Median Rental and Sale Prices, January 1-March 28, 2018



Source: MRIS; GMU Center for Regional Analysis

Table 1. Year When Owning Becomes Preferable to Renting

	Single-Family Detached	Townhouse	Multi-Family
District of Columbia	4	4	4
Montgomery County	4	3	4
Prince George's County	3	3	2
Arlington County	7	9	6
Alexandria City	9	6	4
Fairfax County	5	4	4

more than nine years, and in four years or less in most situations (Table 1).

The quickest payback periods are in suburban Maryland, where home prices are lower. In Prince George's County, ownership pays off in two or three years across all types. Montgomery County has the next fastest payback period, at three or four years. Despite high median purchase prices in D.C., the relatively high cost of renting keeps the breakeven period low at four years.

Arlington payback periods are the highest for townhomes (nine years) and multi-family units (six years). The payback period for single-family detached homes is highest in Alexandria at nine years. Sales inventory has not kept up with rental inventory, thereby causing relatively low rental prices compared to the soaring sale prices.

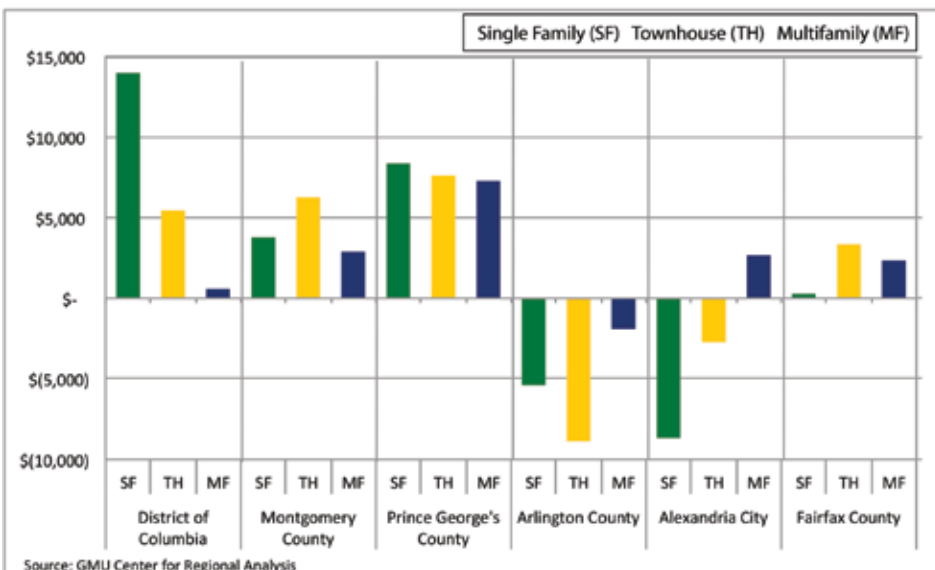
This has increased the amount of time for ownership to pay off.

YEAR-FIVE SAVINGS FROM OWNING

After five years, average annual savings from purchasing a home varies widely across jurisdictions. Savings are overall greater in D.C. and the Maryland suburbs, while Northern Virginia shows little to no financial return as of year five (Figure 2).

Single-family detached homes generate the greatest annual savings by year five in D.C. (\$13,992) and Prince George's County (\$8,376). In both Montgomery and Fairfax counties, townhomes provide more savings than the purchase of a single-family unit at year five. Due to high sale prices and low rental costs, the purchase of a single-family home in Arlington and Alexandria does not pay off after five years on average.

Figure 2. Average Annual Savings from Owning, Year Five



Prince George's County leads in savings for townhouses, where the buyer of a median-priced townhouse would save \$7,625 in year five, followed closely by Montgomery County at \$6,267. Among all home types and jurisdictions, Arlington townhomes show the greatest cost of ownership investment after five years at an average annual loss of \$8,883 when compared to renting. This can be largely attributed to high supply and lower costs of rental townhome units when compared to the purchase price.

ASSUMPTIONS

Assumptions incorporated into the model are based on national averages and locally-available data, as follows:

DOWN PAYMENT:
10 percent of purchase price

MORTGAGE TERMS:
30-year fixed, 4.24 percent annual interest, no points

AVERAGE BUYER'S FICO SCORE:
675

CLOSING COSTS:
Seller: 8 percent
Buyer: 3 percent

ANNUAL COSTS AS PERCENTAGE OF PURCHASE PRICE:
Maintenance: 0.50 percent;
Renovation: 0.50 percent;
Insurance: 0.25 percent

MONTHLY HOA/CONDO FEES:
Single-family: \$98
Townhouse: \$111
Multi-family: \$400

ANNUAL VALUE APPRECIATION:
3 percent

ANNUAL RENT INCREASE:
3 percent

RENTERS' INSURANCE COST:
1.32 percent of rent

continued from page 11

Across the board, the purchase of multi-family units shows the most consistent savings and thus the least risky ownership investment. The greatest year-five savings from buying a multi-family unit is in Prince George’s County (\$7,278), as the county’s median multi-family sales price of \$130,000 is the region’s lowest. The only jurisdiction not providing multi-family ownership savings over renting at year five is

Arlington County (cost of \$1,907). In Alexandria, multi-family is the only housing sector that shows annual savings from owning at year five (\$2,679).

WHAT IF...? ANALYSIS

Several key inputs and assumptions were adjusted to better understand why payback periods and savings differ by housing type and jurisdiction (Table 2). This allows us to view alternative situations and

outcomes, and provide an indication of which variables most impact the model. Fairfax County was chosen as the example since it has the largest sample size of transactions and its median prices are closest to regional medians. The following sensitivity variables were considered in this analysis: sale price, interest rate, value appreciation over time, and increased HOA/condo fees. Adjusting the down payment amount

Table 2. Fairfax County Sensitivity Analysis, January 1-March 28, 2018

	Scenarios									
	Baseline	Prices Up 10%	Prices Up 20%	Prices Up 30%	Int Rate at 5%	Int Rate at 7%	No Value Apprec.	5% Value Apprec.	Assoc Fee Up 25%	Assoc Fee Up 50%
Payback Year										
Single-Family detached	5	6	7	9	6	13	18	3	6	6
Townhouse	4	5	6	7	5	9	12	3	5	5
Multi-Family	4	5	6	7	5	8	11	3	5	6
Year 5 Savings										
Single-Family detached	\$278	(\$3,404)	(\$7,031)	(\$53,012)	(\$3,504)	(\$13,407)	(\$18,068)	\$13,432	(\$223)	(\$559)
Townhouse	\$3,348	\$885	(\$1,515)	(\$19,849)	\$861	(\$5,746)	(\$8,908)	\$12,307	\$2,961	\$2,570
Multi-Family	\$2,344	\$893	(\$558)	(\$10,045)	\$799	(\$3,064)	(\$5,042)	\$7,701	\$1,006	(\$335)

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had virtually no effect on the model, so it is not cited here.

Interest rates and value appreciation have the greatest effect on the rent versus buy decision. If interest rates increased from their current level to 7 percent, the payback period would more than double for all property types, and the buyer of a median-priced single-family home would lose \$13,407 in year five by owning instead of renting. If a home did not appreciate, the payback period would triple, and the year-five costs of owning a single-family home relative to renting would be \$18,068.

The profound effects of having high interest rates or flat-value appreciation make sense, as both undermine homeownership's financial advantages. If buyers pay more in mortgage interest and their home values do not increase, they will be spending more out of pocket each month without generating value

from their investments. The sensitivity analysis shows that there is not much wiggle room if prices and interest rates continue to increase.

CONCLUSIONS

Potential homebuyers in the D.C. area have reasonable prospects for achieving positive financial returns, if they are willing to hold on to their property for at least four or five years and are strategic in choosing their housing type and residence location. With home value appreciation not showing any signs of slowing down and the regional economy trending upward, a home purchase is still a reasonable investment. However, with expected rising interest rates and increasing prices comes a sense of urgency: our sensitivity analysis shows that small changes can quickly make the rental option more cost-effective for some people.

Also, it is important to remember that the decision to own versus rent a home is not solely about the numbers; the additional benefits to homeownership are often worth the extra costs. Overall quality of life factors influence home buying and add to its value. These factors may include: safety of neighborhoods, quality of schools, recreation and transportation access, among others. Purchasing a home and putting down roots gives residents an investment and permanency in their community, leads to more civic engagement and even improved health.

While financial models can provide valuable input into the home buying decision-making process, they are just one part of the rent versus own analysis. +



Spencer Shanholtz is a research associate at the George Mason University Center for Regional Analysis.

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Take Note: Virginia's New Laws 2018

GENERAL ASSEMBLY DEFINES REAL ESTATE TEAMS AND CLARIFIES BROKER SUPERVISION AND EDUCATION

By Mary Beth Coya and Josh Veverka

THE VIRGINIA GENERAL ASSEMBLY has passed legislation affecting Realtors® and their clients during the 2018 legislative session, including those introduced as part of the 2018 Realtor® Legislative Agenda.

All measures summarized below were signed into law by Governor Ralph Northam (D), and unless otherwise noted, take effect July 1, 2018. Please visit NVAR.com/NewLaws for additional bills and more detailed information about new laws impacting the industry.

REALTOR® BILLS

REAL ESTATE TEAMS DEFINITION; REQUIRED TO OBTAIN BUSINESS ENTITY LICENSE (HB 862-PEACE; SB 758-STURTEVANT)
(Takes effect January 1, 2019.)

Clarifies that all Real Estate Teams must obtain a business entity salesperson license. The requirement to obtain a business entity license already exists in state law; this is simply a clarification to ensure that teams are obtaining the appropriate licenses. The bill defines a Real Estate Team as “two or more individuals, one or more of whom is a real estate salesperson or broker, who (i) work together as a unit within the same brokerage firm, (ii) represent themselves to the public as working together as one unit, and (iii) designate themselves by a fictitious name.” Note that this means individual licensees with unlicensed assistants who identify as a team are included in this definition.

Requires any principal broker maintaining more than one place of business to obtain a branch office license for each place of business maintained. The law also codifies a definition for

supervising brokers and clarifies that Real Estate Teams are to be supervised by supervising brokers, to include providing guidance of advertising and marketing materials of any affiliated Real Estate Teams.

Requires brokerage agreements (buyer’s and seller’s agreements) to include the name and contact information of the supervising broker.

TRANSLATION OF REAL ESTATE DOCUMENTS (HB 439-BULOVA; SB 528-MASON)

Allows a real estate licensee to assist a party to a real estate transaction in obtaining a translator or an electronic translation service to translate a contract or other real estate document from English to another language. The bill provides that the licensee cannot charge a fee for this assistance and relieves the licensee of any liability for any inaccuracies in the translation.

REAL ESTATE LICENSEES; BROKER EDUCATION; POST-LICENSE CE; EARNEST MONEY DEPOSITS; AND OTHER TECHNICAL CHANGES (HB 864-INGRAM; SB 514-SUETTERLEIN)

(The provisions of the bill amending curriculum and education requirements take effect January 1, 2019; all other provisions take effect July 1, 2018.)

Stipulates that two hours of the existing eight hours of broker continuing education relating to supervision and management must include an overview of the broker supervision requirements under the Code of Virginia and the Real Estate Board

Regulations. The bill also adds real estate-related finance to the existing curriculum for post-licensure education. It clarifies that the 30-hour post-licensure education requirement must be completed within one year from the last day of the month in which the initial license was issued.

Provides that when a transaction is not consummated, the principal broker or supervising broker has the option of holding an earnest money deposit in escrow until (i) all principals to the transaction have agreed to their disposition in writing; (ii) a court orders the disbursement of the funds; (iii) the funds are successfully interpleaded; OR (iv) the broker releases the funds to the party in the transaction who is entitled to receive them in accordance with the clear and explicit terms of the contract. The broker also has the option to send written notice of the intent to disburse funds with a 15-day “protest period” for one of the parties to object in writing.

Requires the Real Estate Board to develop a form to be signed by the parties acknowledging that the purchaser has been advised to review the residential property disclosure statement on the Board’s website.

Makes various technical edits to sections of the Real Estate Licensing Law.

COMMON INTEREST COMMUNITY BOARD; SUMMARY OF CONDO CERTIFICATES AND PROPERTY OWNERS ASSOCIATIONS PACKETS (HB 923-BULOVA)

Requires all Common Interest Communities (Condo and Property

Owner Associations) to provide a short summary on a form, developed by the Common Interest Community Board, of important information contained in the resale certificate or disclosure packet, delivered at the same time as the Resale Certificate or Disclosure Packet. This form will list the types of items that may affect a prospective purchaser's decision, including the following:

- Obligations to pay annual dues or special assessments
- Penalties for failure or refusal to pay assessments
- Purposes for which assessments may be used
- The importance of the declaration, condo instruments and other governing documents
- Rental limitations or restrictions
- Parking or storage restrictions on motor vehicles and boats
- Pet restrictions
- Architectural guidelines and restrictions
- Limitations on the operation of home businesses
- Length of declarant control
- That the purchase contract is a legally binding document

LANDLORD'S ACCEPTANCE OF RENT WITH RESERVATION (HB 855-PEACE; SB 197-LOCKE)

Provides that a landlord may accept full or partial payment of rent and receive an order of possession from a court pursuant to an unlawful detainer action, then proceed with eviction. The landlord must have stated in a written notice to the tenant that any amounts owed to the landlord by the tenant would be accepted with reservation and would not constitute a waiver of the landlord's right to evict the tenant. This notice may be included in the termination notice given by the landlord to the tenants, and there is no requirement for the landlord to give the

tenant a subsequent written notice. The purpose of this legislation is to clarify the rent with reservation process by removing the requirement for a second notice for the time period between entry of an order of possession and prior to eviction.

UNLAWFUL DETAINER IN FORECLOSURE; CLARIFICATION OF SUPREME COURT CASE (HB 311-SIMON)

This legislation is intended to prevent the derailment of unlawful detainer cases, based on an assertion of insufficiency of legal title to real property, made by a tenant or other occupant.

Provides that if, on the date of a foreclosure sale of a single-family home, the former owner remains in possession of the dwelling, such former owner becomes a tenant at sufferance. This tenancy may be terminated by a written notice from the successor owner with at least a three-day notice. After the three-day period, the successor owner may file an unlawful detainer.

OTHER BILLS OF INTEREST

LOCAL GOVERNMENT AUTHORITY TO REQUIRE ABATEMENT OF CRIMINAL BLIGHT ON PROPERTY (HB 594-CARR; SB 451-DANCE)

Authorizes local governments to enact ordinances requiring corrective action to address "criminal" blight conditions.

RENTAL PROPERTY; INSTALLATION AND MAINTENANCE OF SMOKE AND CARBON MONOXIDE ALARMS

(HB 609-CARR; SB 391-BARKER)

Allows localities to require a landlord to install smoke alarms and certify that the alarms have been inspected and maintained. Also requires a landlord to install a carbon monoxide alarm upon request by a tenant. Prohibits a tenant from tampering or removing batteries of smoke and carbon monoxide alarms. Reasonable accommodations must be

made for persons who are deaf or hearing impaired, upon request.

FORECLOSURE; NOTICE OF SALE WHEN OWNER IS DECEASED

(HB 755-LEFTWICH; SB 422-CHAFIN)

Provides that when the owner of a property to be sold by a trustee is deceased, the notice of the sale shall be delivered to the last known address of the deceased owner, any personal representative of the deceased's estate, and any heirs of the deceased as recorded in the land records where the property is located.

ZONING; MODIFICATIONS FOR DISABILITIES (HB 796-HOPE)

Requires a locality to consider the need for reasonable modifications in accordance with the Americans with Disabilities Act or state and federal fair housing laws when preparing a zoning ordinance. Requires variances to the zoning ordinance to be granted if a reasonable modification to a property will alleviate a hardship as requested by a person with a disability. States that the variance granted may expire when the person benefited by it is no longer in need of the modification.

UNLAWFUL DETAINER; EXECUTION OF WRIT OF POSSESSION (HB 856-PEACE)

Permits a judge to issue a writ of possession immediately upon entry of judgment in an unlawful detainer case. Requires the sheriff to serve notice of the writ, including the date and time of eviction, on the defendant at least 72 hours prior to execution of the writ.

VIRGINIA RESIDENTIAL LANDLORD AND TENANT ACT (HB 857-PEACE)

Removes all remaining differences between general landlord and tenant provisions and the Virginia Residential Landlord and Tenant Act. Also makes the

continued from page 15

following changes: (a) clarifies the lease termination process; (b) provides that if a tenant allows renter's insurance to lapse, the landlord may provide coverage and require the tenant to pay the premium; (c) establishes protection for landlords who provide tenant information to a federal census official; (d) authorizes a landlord or property manager to appear in court to seek final rent and damages related to a dwelling unit; and (e) clarifies remedies for a tenant's failure to prepare the dwelling unit for insecticide or pesticide applications.

ONSITE SEWAGE SYSTEMS; MAINTENANCE (HB 887-ORROCK)

Provides that the adjustment or replacement of sewer lines, conveyance lines, distribution boxes, or header lines is considered maintenance of an onsite sewage system and thus does not require a permit.

COMMON INTEREST COMMUNITIES; DISCLOSURE PACKETS; FEES (HB 1031-WATTS)

Allows a POA that is not professionally managed to charge fees in line with professionally managed POAs for (i) expediting the inspection, preparation, and delivery of the disclosure packet; (ii) providing an additional hard copy of the disclosure packet; and (iii) providing third-party commercial delivery service, as long as the association provides the disclosure packet electronically if requested and complies with the other requirements of professionally managed POAs.

LANDLORD AND TENANT LAW; TRANSIENT LODGING AS PRIMARY RESIDENCE; SELF-HELP EVICTION (HB 1227-HAYES; SB 286-SPRUILL)

Clarifies that the availability of the use of self-help eviction for transient lodging

(fewer than 90 consecutive days) shall not preclude an owner from pursuing civil or criminal remedies under the laws of the Commonwealth.

VESTED RIGHTS; OWNERS NOT REQUIRED TO RETROFIT EXISTING LANDSCAPE COVER MATERIALS

(HB 1595-WILT; SB 972-OBENSHAIN)

Provides that a property owner who has an occupancy permit issued as of January 1, 2018, is not required to retrofit existing landscape cover materials (i.e. mulch). Allows the owner to continue to use, supplement, or refurbish existing landscape cover materials at such property. +



Mary Beth Coya is the NVAR senior vice president for public & government affairs.



Josh Veverka is the NVAR government affairs director.

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NV/RPAC Major Investors Recognized at Annual Congressional Breakfast

By Josh Veverka

EACH YEAR, the Northern Virginia/ Realtors® Political Action Committee (NV/RPAC) invites Major Investors to attend an exclusive breakfast with the Northern Virginia congressional delegation. The event offers Realtors® who invest \$1,000 or more with the opportunity to meet, mingle and discuss issues with their federal elected representatives and colleagues in a relaxed setting.

To learn more about getting involved with NV/RPAC please visit NVAR.com/RPAC +



Josh Veverka is the NVAR government affairs director.



NVAR Immediate Past Chairman Bob Adamson is the NAR Federal Political Coordinator (FPC) to Congressman Beyer. Adamson and the Congressman share a laugh over coffee before the breakfast program. FPCs play a crucial role in communicating Realtor® issues to the members of Congress with whom they have developed a close relationship.



To open the 2018 NV/RPAC Major Investor Recognition Breakfast, Representative Don Beyer (D-8) shared poetry and a story about the similar jobs of politicians and Realtors®. Not to be outdone, Representative Gerry Connolly (D-11) quipped, "My wife is a Realtor®!"

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Realtors® Secure Metro Funding with Minimum Impact on the Real Estate Industry

GRANTORS' TAX NOT INCLUDED IN FINAL BILL

By Mary Beth Coya

A MAJOR INITIATIVE for the greater Washington region during the past year was to secure sustainable, annual funding for the Washington Metropolitan Area Transit Authority (WMATA or Metro).

Metro is the only major transit system in the country that does not have dedicated funding. Governments and businesses throughout the region worked together with the intention that Maryland, D.C. and Virginia would each provide a source of ongoing funds.

GRANTORS' TAX TARGETED

While the hope was for substantial state funding, outgoing Virginia Governor Terry McAuliffe introduced a budget bill to secure \$154 million annually from Virginia, and included a 10-cent increase in the local grantors' tax. Also included was an increase in the local hotel tax, a transfer of local transportation construction funds to Metro, and some state funding.

NVAR leadership scheduled the first of several meetings with their counterparts in the Dulles Area Association of Realtors® and the Realtor® Association of Prince William. Accepting additional costs on homebuyers and sellers through grantors' tax increases is a difficult decision for any of the association members to make.

After much consideration, the joint position of the associations

was that Realtors® are supportive of strengthening and improving Metro, which is a vital component to the economic success of the greater metropolitan area and provides benefits to the entire state. The associations recognized the need for dedicated and sustained funds for Metro – as long as the funding stream was broad, without a disproportionate reliance on real estate.

The goal of the Realtor® associations was to eliminate, or at least reduce, the proposed grantors' tax. Throughout the 90-day session, association representatives were engaged with legislators on the issue. Realtor® leaders met in Richmond with the Secretary of Transportation to present their arguments. Association representatives lobbied the legislature for additional state funding and supported a gas tax floor on the regional gas tax in Northern Virginia – both of which ultimately passed. They testified before funding committees and met with local elected officials.

Of additional concern to the association members was the potential diversion of a large proportion of local and regional transportation monies intended for priority infrastructure projects, to instead be used solely for Metro.

GRANTORS' TAX UNTOUCHED

By staying engaged, Realtors® negotiated the grantors' tax from the proposed 10 cents to 7 cents, and

then to 5 cents in the Governor's amendments. By including some level of grantors' tax increase, the Governor's amendments would have lessened the hit to local transportation projects. At the reconvened session in April, however, the final bill did not include any grantors' tax.

REALTOR® ENGAGEMENT MAKES A DIFFERENCE

Enacting legislation is not a spectator sport. The willingness of the Realtor® leadership to make tough decisions and to stay at the negotiating table resulted in a positive outcome. Metro will receive funding from Maryland, D.C. and Virginia. No grantors' tax is included. Necessary reforms are being made to the governance of Metro.

As local and state officials move forward with Metro, and as local governments seek to replenish some lost infrastructure funds, Realtors® will continue to be part of the discussion. Realtors® gained the respect of legislators and business leaders for bringing increased economic activity, real estate activity and value to the region, while protecting the industry from additional taxes. +



Mary Beth Coya is the NVAR senior vice president for public & government affairs.

Joint Realtor® Statement Regarding Metro Funding Proposal



THE RESPECTIVE PUBLIC POLICY COMMITTEES and the leadership teams of NVAR, the Dulles Area Association of Realtors® (DAAR) and the Realtor® Association of Prince William (PWAR) reviewed the Governor’s proposed Metro funding package in January. Below is the joint position developed by the three associations, which guided advocacy efforts on this important issue in the General Assembly:

Realtors® in the greater Northern Virginia region have long been supportive of strengthening and improving Metro which is a vital component to the economic success of the greater metropolitan area.

To that end, we recognize additional dedicated and sustained funds are needed. In the past, Realtors® have been willing for the real estate industry to be part of regional transportation solutions.

Governor McAuliffe’s proposed 2018 budget includes an increase of 10 cents in the current Northern Virginia regional grantors’ tax (“congestion relief fee”). This would take the regional tax to a total of 25 cents/\$100. The total grantor’s tax that property owners would pay is 35 cents/\$100 which includes the 10 cents/\$100 collected and provided to the state. While Realtors® remain committed to Metro funding, we do have serious concerns. First, the timing of this proposal comes on the heels of federal tax reform, which is ultimately going to add additional costs to homeowners in this region and discourage some from homeownership. Second, Realtors® are concerned about the continued reliance on real estate to fund government services.

We are supportive of a dedicated funding stream for Metro that is broad, without a disproportionate reliance on real estate, and that includes state and federal funding. +

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SIMPLE STEPS TO STRENGTHEN YOUR CYBERSECURITY

Protect Your Data –
and Your Customers'



By Michele Lerner

When prospective homebuyers Sean Smith and Erin Wrona received an email asking them to wire \$1.57 million for their cash purchase of a Cleveland Park home in Northwest Washington, D.C., they complied. A month later, when the couple arrived at the settlement table to finalize their purchase, they discovered they were victims of wire fraud. While they certainly are far from the first people to have been scammed, the amount of money involved drove this incident to the top of national headlines.

“Pretty much every company I talk to has had money taken through wire fraud at some point,” says Todd Ewing, founder and CEO of Federal Title and Escrow in Washington, D.C., the title company involved in the Smith and Wrona case. “Phishing attempts have been rampant for the past two or three years.”

Attempts at wire fraud during real estate transactions typically start with the breach of someone’s email account, says Finley Maxson, counsel for the National Association of Realtors®.

“It could be an email account of the title company, the attorney, the real estate broker, an agent, a lender or the customer that gets hacked,” says Maxson. “After that, the scammers monitor the emails so they know when a closing is imminent and then send instructions to wire funds to an account they control.”

In the Smith and Wrona case, which Ewing cannot discuss directly because of an ongoing lawsuit, the

couple was able to purchase their house with the help of family members who wired them the cash a second time. The couple sued Federal Title, which claimed that it was hacked.

“People think it won’t happen to them, but we’ve had several recent instances of someone attempting wire fraud,” says Helen Krause, marketing director of New World Title and Escrow in McLean. “Someone emailed us twice in one week recently posing as the listing agent in an upcoming settlement and asking for information about where to send the proceeds for the seller. The email went to everyone in the office, so we were suspicious; then we saw the listing agent in person and confirmed that this was fraud.”

Krause said the email looked as if it came from the listing agent, but no money was transferred to the wrong location in that case. She reported the incident to the FBI.

In another recent instance, the email of a buyer’s agent was hacked and the buyer received two different sets of wiring instructions, according to Krause.

“Luckily, the buyer called us to confirm the instructions before anything was transferred,” says Krause.

After receiving requests from lenders without a property address or a name, Krause calls first to ask for those details before providing any information.

“Scammers can be logged into your email and lurking in the background

ready to send a realistic-looking email as soon as a closing is scheduled,” says Simon. “We’ve trained everyone in our office not to click on a link or an attachment, no matter how real it looks, without confirming that it’s real. Even if your computer doesn’t instantly crash if you click on the link to what’s supposed to be a contract or an offer, the scammers are logging your keystrokes so they know your password,” he cautioned.

A common scam, warns Ewing, is when a fake buyer makes an all-cash offer and requests a quick closing.

“The buyer writes an earnest money deposit check for \$100,000 or some other large amount and then a few days later withdraws the contract and demands a wire transfer to immediately return the deposit,” says Ewing. “The check won’t have cleared the bank by then and it will never clear, so the agent or broker loses that money.”

PICK UP THE PHONE: HAVE SECURITY IN PLACE

Prevention of wire scams and other cybercrime requires both sophisticated technology and old-fashioned tools.

“Pick up the phone and call before you open anything unexpected,” says Simon. “It just takes a few minutes.”

Be sure to look up a phone number for the person or company sending the email on their website rather than call the number listed in the email, advises Ewing, since that phone number will be fake if the email is a scam.

“Attempts at wire fraud during real estate transactions typically start with the breach of someone’s email account.”

“Backing up all your data won’t prevent a data breach, but it can protect you in the event of a ransomware attack.”

“Assume that anything you send over email can be accessed by other people,” says Simon. “Don’t send sensitive business over email.”

Changing your email password every 30 days should be standard practice, says Simon, who recommends installing a password-keeping app on your smartphone.

Other low-tech advice that could prevent a data breach includes not leaving paperwork with Social Security numbers or other sensitive information in your car or on your desk where these can be seen or photographed by a passerby.

“The thing to remember is that even though lenders and title companies have secure portals, any person in the real estate process can be hacked at any time,” says Krause. “That’s why it’s so important to train everyone to call a number from a website, not an email you received, and check before sending any money.”

Frequent reminders to yourself, your team and other agents can prevent a security breach in many cases.

“We’ve had our IT provider do rigorous training for the entire staff for the past two years, including providing faux email tests to catch staff members who were clicking on links that they should ignore,” says Ewing.

It’s human nature to make mistakes, says Ewing, but one of the silliest – and contradictory – he saw earlier this year was a legitimate email from an agent with wiring instructions for a client

even though the email had a disclaimer on the bottom which stated, “This brokerage will never transmit wiring instructions via email.”

In addition to basic protections of avoiding links and attachments and calling someone who appears to have sent you legitimate information, Maxson recommends taking inventory of the data you’re collecting electronically and getting rid of what you don’t need.

“You should have a data protection plan in place as well as a cyber security program,” says Maxson. “Make sure your network is separated, so that people only have access to the information they actually need and not to all information. Make sure your network connections are secure and your software is up-to-date.”

Backing up all your data won’t prevent a data breach, but it can protect you in the event of a ransomware attack, says Maxson. If you have everything backed up, you won’t be tempted to pay someone to give you access to your hacked computer.

“Make sure all your vendors are implementing proper security procedures, too,” says Maxson.

Insurance policies offer some protection against cybercrime, but as with all policies, Simon recommends making sure you understand the limitations of the coverage.

“Insurance companies may be willing to pay \$10,000 or \$25,000 for IT services in the event of a ransomware

attack, but I don’t know of any company that would pay out more than \$1 million if someone wired money to the wrong place,” says Simon.

WARNING YOUR CLIENTS

Realtors® should educate their clients from the beginning about the potential for wire fraud, says Maxson.

“Make sure your clients know you won’t ask them to do anything important over email, so if they do get something that looks like it’s from you, it will seem out of place,” says Marcus Simon, office manager of Ekko Title in McLean.

“We ask agents to send the message to their buyers and sellers that we take wiring money very seriously,” says Ewing. “We never wire instructions that aren’t encrypted. We only send wiring instructions to a buyer, never to an agent.”

Federal Title’s system is that customers talk to an agent on the phone before a settlement and then are sent an email with a link that asks them to answer a security question before they can access the wiring instructions.

Many agents include a message near their email signature warning about the potential risks of wire fraud.

Realtors® should work with their clients and help examine the wire instructions to see if there are any typos, grammatical errors, or names of banks that are suspect. Verifying the bank’s location and address should

be done outside of the information in the wiring instructions. Foreign banks should be considered a red flag.

NAR offers the following email template as a sample for its members:

IMPORTANT NOTICE: Never trust wiring instructions sent via email. Cyber criminals are hacking email accounts and sending emails with fake wiring instructions. These emails are convincing and sophisticated. Always independently confirm wiring instructions in person or via a telephone call to a trusted and verified phone number. Never wire money without double-checking that the wiring instructions are correct.

“The best thing you can do is be vigilant about your email because that’s where this all starts,” says Simon.

The National Association of Realtors® has a downloadable Cybersecurity Checklist for Real Estate Professionals: <https://www.nar.realtor/law-and-ethics/cybersecurity-checklist-best-practices-for-real-estate-professionals>.

Additional resources from NAR can be found at: <https://www.nar.realtor/data-privacy-security>. +



Michele Lerner, a freelance writer based in the Washington, D.C. area, has been writing about real estate and personal finance for more than 20 years.



FTC CYBERSECURITY TIPS

The Federal Trade Commission provides articles and videos to help you manage your cybersecurity and the security of your customers. For more resources, visit <https://www.ftc.gov/about-ftc/bureaus-offices/bureau-consumer-protection/small-businesses>.

10 FTC TIPS FOR YOUR BUSINESS

1. Keep your software up-to-date.
2. Back-up your files.
3. Use strong passwords – on every device and app.
4. Turn-on two-factor identification.
5. Never leave your smartphone, tablet or laptop unattended in public or a locked car.
6. Protect all account information.
7. Provide sensitive information only on an encrypted site.
8. Set up a secure router and turn on the encryption feature.
9. Be careful using public Wi-Fi networks.
10. Report any instances of fraud or hacking to local law enforcement and the FBI. Realtors® should also notify NAR.

FIVE FTC TIPS TO PROTECT YOUR CUSTOMERS' INFORMATION

1. Take stock. Know what personal information you have in your files and on your computers.
2. Scale down. Keep only what you need for your business.
3. Lock it. Protect the information that you keep.
4. Pitch it. Properly dispose of what you no longer need.
5. Plan ahead. Create a plan to respond to security incidents.

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- Jason Sanders, Realtor®



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- C.C. Webster, Realtor®

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- Deb Gorham, Realtor®



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- Bernie Kagan, Realtor®

"I've been with Samson Properties for almost two years and it's been absolutely incredible. What you see and hear from Danny Samson is exactly what the company is all about. Agents gain respect; we are respected for what we do, and there's more support than you could ever need. I was with another company for 32 years, so it was a hard decision to make, but it was the best move I've ever made."



- Margaret Ireland, Realtor®



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- Ernie Dill, Realtor®

"Samson Properties allows my team and I the freedom to provide our clients with more value, bottom line. My team is a family team, and family values run deep at Samson Properties. We love that! The support we get as agents is second to none, and you can tell that they truly care for us and are invested in our careers. Cardinal Title Group is in-house, so if there are ever any questions, you can go right to the source for answers. I could write paragraphs explaining why you should join the Samson family, but I can't think of one reason why you shouldn't!"



- Tammy Irby, Realtor®

'The Times They are a Changing'

Commemorative Fair Housing Event Teaches about the Fair Housing Act's Background, Its New Direction

PROMOTING INTEGRATION, EQUITABLE HOUSING POLICIES IN THE 50-YEAR-OLD FAIR HOUSING ACT

By Jill Parker Landsman



(L to R) Congressman Gerry Connolly (D-VA), NVAR CEO Ryan Conrad, NVAR Past Chair Mary Bayat, Fairfax County Human Rights Specialist Lena Albibi, Senator Tim Kaine (D-VA), NVAR Chairman Lorraine Arora, NVAR Board member Tracy Comstock, NVAR member Mayra Pineda and NVAR member Genie Nguyen participated in the Regional Fair Housing 50th Anniversary event.

"Economic inequality is one of the most significant issues facing cities and entire nations today. But a mounting body of research suggests that housing inequality may well be the biggest contributor to our economic divides."

— Richard Florida, www.citylab.com

CITING A RECENT ONLINE ARTICLE at the Regional Fair Housing symposium on April 20, 2018, keynote speaker Senator Tim Kaine (D-VA) quoted the above statement. He added, "Physical things are not important. But a house is an extension of who you are as a person; it is an extension of your personality." The case for the value of a stable home cannot be quantified, he explained, as it has emotional and psychological impacts.

Kaine spoke at the jointly hosted event, spearheaded by the Fairfax County Office of Human Rights and Equity Programs along with platinum sponsor: The Northern Virginia Association of Realtors®, gold sponsor: the Prince William County Human

Rights Commission, and silver sponsor: Legal Services of Northern Virginia.

Kaine cut his teeth as a rookie lawyer in a Richmond law firm on a housing discrimination case for his first client, Lorraine. Just as he was, Lorraine was new in town. Both had just conducted contrasting home searches.

"Lorraine inquired about a listing she liked, and was invited to view the property," Kaine said. "When she arrived, she was informed that the place was 'already taken.' Suspicious, she asked her colleague to ask about availability, and he was invited to come the next day. With their testimony, I drafted the complaint." Lorraine was denied because of the color of her skin, he recalled.

After winning Lorraine's case, Kaine dedicated 17 years to trying comparable discrimination cases. He explained that there is work still ahead: "We need to think of new and creative solutions to housing policies."

Congressman Gerry Connolly (D-VA) pointed out that "1968 was the most indelibly imprinted year. It started with such hope: It was the end of the war; we elected a new president who would unify the country.

"Then we saw Dr. Martin Luther King killed in April; then, Bobby Kennedy in June. The one bright spot was the Fair Housing Act. We have come a long way, but the fight ain't over yet. Last year, there were 2 million racial fair housing complaints. Even in tough times, battles can be won," he said.

NVAR Chairman of the Board Lorraine Arora reflected on her struggles with civil rights in India and her reactions to hearing about the U.S. Civil Rights Movement on her family's radio. She said, "There [was] a lot of discrimination, and I wanted to give back. I decided to become a Realtor®. Every person needs a home. It gives you stability whether you rent or own. Today is a momentous day [honoring the Fair Housing Act]. We have a lot of great people to thank for it. We have a lot of work to do. I ask that you continue to work for equality. Treat everyone the same: with dignity. Let us work together to narrow the gap and make the American dream a reality."

Dr. Gregory Squires, professor at the George Washington University,



At the end of the Fair Housing luncheon, the Fairfax County School System Fair Housing contest winners were announced. (L to R) Along with these student winners pictured here are NVAR VP Communications Jill Landsman; NVAR Past Chair Mary Bayat; Immediate Past Chairman Bob Adamson; Past Virginia Realtors® President Mary Dykstra; art winner Christina Choi from Centreville High School; literary winner Kaycee Hubbard from Chantilly High School; Fair Housing Task Force Co-Chair and Past NVAR Chairman Susan Mekenney; Past VR President and Past NVAR Chairman Trish Szego; NVAR CEO Ryan Conrad; 2018 NVAR Chairman Lorraine Arora; and NVAR member Mayra Pineda.

moderated a panel comprised of Fred Underwood, of the National Association of Realtors®; Michael Allen, of Relman, Dane & Colfax; and Lisa Rice, president of the National Fair Housing Alliance.

They debated issues about the compliance of the Fair Housing Act and its evolving protected classes. Panelists

discussed their views of fair housing's next frontier. They agreed on two points:

- Housing inequality has been a long-standing driver of wealth inequality among renters and buyers at all price points.
- Housing plays an instrumental role in determining who will be

the next generations' winners or losers.

In addition to the keynote address and panel discussion, the program attracted 200+ attendees for fair housing education presented by attorneys from Legal Services of Northern Virginia.

The year 2018 marks the 50th anniversary of the passage of the Fair Housing Act. Far more than a celebration, the ongoing commemoration will move real estate practitioners closer to a nation where fair housing and opportunity are the norm in communities of every ilk: rich or poor, large or small, urban or rural. Realtors® have a clear role in making that happen.

For more information, visit: www.fairhousing.realtor. +



Jill Parker Landsman is the NVAR vice president, communications & media relations.



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NVAR Member Janice Spearbeck Earns NAR's '30 Under 30' Honor

ENGAGEMENT, EDUCATION, GIVING BACK

By Kate O'Toole

EVERY YEAR, the National Association of Realtors® features 30 young, rising real estate professionals in its *Realtor® Magazine* as the "30 under 30." Out of 300 applicants this year, the 2018 class of 30 Under 30 was selected for their customer service, community involvement, business acumen and motivational energy.

Janice Spearbeck, NVAR member and a Realtor® with RE/MAX Gateway, is one of this year's honorees. In 2017, Spearbeck completed an impressive 91 transactions with an individual sales volume of \$26.1 million. Spearbeck said her success is due in large part to her team's commitment to being active in the community and keeping in touch with clients.

One of the ways Spearbeck's team stays in touch is with cookies. With a cookie machine in their office, they bake almost 500 cookies each month and distribute them to clients, vendors or others they meet.



After graduating from college and living in Australia for a brief time, Spearbeck returned to the U.S. looking for a new career. Her family friend and now-broker, Scott MacDonald, helped her launch a career in real estate, and she has enjoyed it since.

"I love helping people, and most people's goal in life is to own a home," she said. "It's exciting to help people achieve that."

Spearbeck spends a majority of her free time volunteering in her community. She is an active member of several local organizations, including the Junior League, her local country club and the Leadership Arlington Young Professionals Program.

Her advice to new agents is to take classes, soak up as much information as possible, and ask questions. She also suggests talking to agents about budgeting, as this can be a challenge when just starting out as a Realtor®.

Above all, she recommends learning from and working with other agents and real estate professionals to achieve success.

"Nobody can do it alone," Spearbeck said. "Ninety-one transactions in a year is a lot, and I couldn't have done it without my team." +



Kate O'Toole is the NVAR digital and editorial content specialist.

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Local Market, Regulatory Knowledge is Key for Realtor® Success

SPRING BRIEFING PROVIDES ESSENTIAL UPDATES

By Kate O'Toole

AT NVAR'S APRIL 4 Market and Legislative Briefing, experts explained how state legislation, federal tax reform, and local and national economic factors impact the real estate industry.

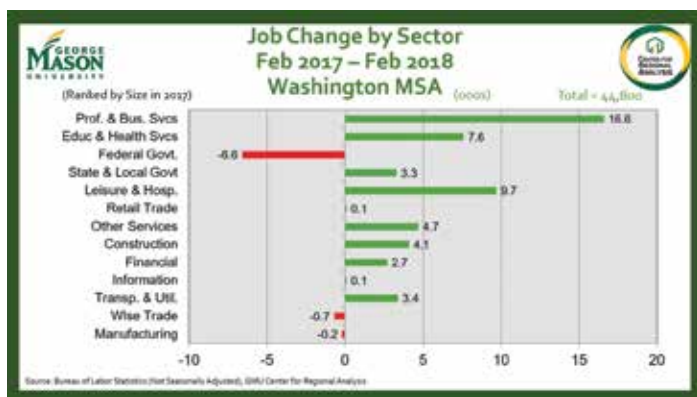
THE LOCAL REGION – EMPLOYMENT AND POPULATION

Dr. Terry Clower, director of the George Mason University Center for Regional Analysis, opened the annual briefing at NVAR's Fairfax headquarters with a discussion of the local market.

According to Clower, job growth has continued in the Washington, D.C. region but slowed compared to 2016 and the first half of 2017. He said that certain factors, such as uncertainty surrounding the recently-passed federal budget, could explain this trend.

"We had a little bit of an uptick in January and February, but really, things are moving at a little bit of a slower pace and that's creating some concern," Clower said.

The largest employment sector in the region, Clower reported, is Professional and Business Services – making up roughly 752,000 jobs, or almost a quarter of our total employment base. This sector includes government procurement services, such as contractors, and a wide range of other fields, including cyber security. He noted that the federal government job sector lost 6,600 jobs from 2017 to 2018, which was the highest loss of all the job sectors.



From 2016-2017, our region had 21,543 more residents leave the region than move in. Although this can partially be attributed to retirees, Clower said most of these residents are millennials moving elsewhere for a more suitable lifestyle based on their income.

For the D.C. region, net international migration was the largest source of population growth in 2017 at about 45,000 people.

Addressing Amazon's second headquarters location, Clower said he is uncertain what the outcome will be.

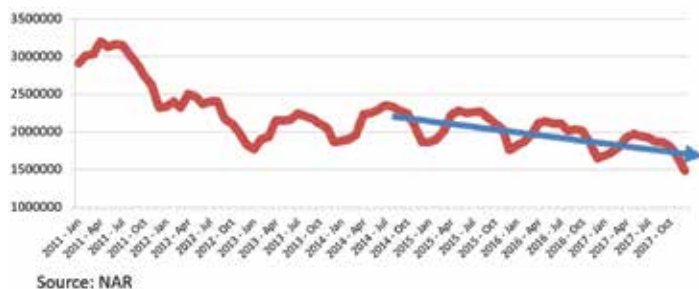
"The point of the matter is that we have a good chance. But what I want you to think about is, if Amazon was going to hire 50,000 workers over a four- or five-year period, where is the housing inventory going to come from?" he said.

THE NATIONAL MARKET – STATS AND A FORECAST AHEAD

Ken Wingert, senior legislative representative for the National Association of Realtors®, explained that NAR has predicted national new home sales for 2018 will be at 700,000 – about 100,000 more than 2017. NAR also forecasted that existing home sales for 2018 will stay flat at 5.6 million, and price growth will be a little less than last year at 4 percent.

Although homes continue to be built, they aren't constructed fast enough. The U.S. has about a three-month supply of new homes, whereas the ideal equilibrium is six months, Wingert explained.

Inventory of Homes on Market



"A lot of different factors are going into this," Wingert said. "Interest rates; we're not building more; we've got more folks coming into the market; as the economy improves, those that were living in mom and dad's basement are now going out and wanting to form families and buy, which is putting pressure on supply and demand."

Another trend Wingert discussed is an increase in the length of time people are staying in their homes. In the 1980s, the average number of years in a home was five, and now it is 10 years.

Briefing continued on page 34

TAX REFORM – WHAT CHANGED?

Wingert discussed the Tax Cuts and Jobs Act and related implications for the market and real estate professionals.

“The bottom line is that about 90 percent of taxpayers overall are going to see some sort of tax cut,” Wingert said. “We can argue over what the size of that is; how much that’s going to impact their daily budgets; how much that’s going to impact their decision not to buy a house. But, there are going to be tax cuts and more money in people’s pockets to go into the economy, which arguably, will have some sort of effect.”

As part of the new tax law, personal exemptions were eliminated and the standard deduction was doubled. In addition, in an effort to accommodate for the loss of personal exemptions, the child tax credit doubled to \$2,000 per dependent child until age 17. (See chart at right.)

“The elimination of personal exemptions will likely cause fewer people to itemize, which could diminish the incentive of MID and SALT deductions for buying a home and negatively affect residential real estate.”

Standard Deduction Bait and Switch



	Prior Law	New Law
Single:		
Standard Deduction	\$ 6,500	\$ 12,000
Personal Exemption	4,150	- 0 -
Total Untaxed	\$10,650	\$ 12,000
Married with 3 children:		
Standard Deduction	\$ 13,000	\$ 24,000
Personal Exemptions	8,300	- 0 -
Dependency Exemptions	12,450	- 0 -
Total Untaxed	\$ 33,750	\$ 24,000

Source: Ken Wingert, National Association of Realtors®

According to Wingert, NAR was opposed to the initial bill, which reduced the \$1 million Mortgage Interest Deduction (MID) cap to \$500,000, eliminated deductions for second homes, and eliminated the deduction for home equity loans. After extensive lobbying efforts, the final law limits the MID to \$750,000, preserves the deduction for second homes, and ensures that home equity loans can still be deducted if the money is being used to improve the home.

Another provision of the new law states that State and Local Tax (SALT) deductions are limited to \$10,000 per tax return, regardless of whether the taxpayer is married or single.

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“Given what property taxes and property values are in the Northern Virginia region, this is the one that really hurts and where I think our next step in lobbying is going to be: can we make this doubled if you’re married? Can we index this for inflation because as prices go up, taxes go up?” Wingert said.

The elimination of personal exemptions will likely cause fewer people to itemize, Wingert said, which could diminish the incentive of MID and SALT deductions for buying a home and negatively affect residential real estate.

In order to claim the capital gains tax exclusion, prior tax law stated that a person must own and live in a home for at least two of the five years before the sale. The original bill changed the required time for exclusion to five out of the past eight years in the home, but after lobbying efforts, the prior law was retained.

A provision that affects real estate professionals directly is the Qualified Business Income deduction. This allows for the deduction of 20 percent of the business income earned by pass-through businesses, but with certain conditions.

“Some of this is going to be interpreted by Treasury and IRS, and that’s what we’re working on now: to make sure that this deduction that we fought for, you’re able to claim as we think you should be entitled to,” Wingert said.

In addition, entertainment is no longer deductible as a business expense. For example, if you bought Nationals tickets and handed them out to your clients, that would no longer be tax deductible.

As the new tax law takes effect, Wingert recommended that Realtors® speak with their accountants to determine what they are able to deduct.

THE FINAL VERDICT – VIRGINIA LEGISLATIVE UPDATES

The Virginia General Assembly meets annually, beginning on the second Wednesday in January. This year’s session, which was 60 days long, adjourned without a budget agreement and with a vote to re-open on April 11 for a special session.


Mary Beth Coxa, NVAR senior vice president of public and government affairs, and Josh Veverka, NVAR government affairs director, gave an update of legislation following this year’s General Assembly session. An explanation about the bills passed can be found on page 14.

To watch the Market and Legislative Briefing video, please visit [facebook.com/nvar.realestate](https://www.facebook.com/nvar.realestate). +



Kate O’Toole is the NVAR digital and editorial content specialist.

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A Prescription for Change in Medical Offices

By Frank Dillow



LONG A MAINSTAY of commercial real estate markets, traditional medical office buildings may soon seem as out of date as yesterday's fashion.

The combined effects of changing demands for medical services, technological innovation, and an aging population are impacting commercial properties once used exclusively for medical offices.

The high cost of medical office space with its extensive specialized buildout has squeezed medical providers already burdened by higher costs for medical services, lower levels of insurance reimbursement, and patients' demands for improved, more personalized, health care.

As a result, medical services are increasingly being delivered closer and more conveniently to patients, by using less costly, more targeted locations.

Different approaches to medical offices can also reduce patients' need for hospital stays and cut provider costs. The ability to accommodate newer technologies, including innovative uses of telemedicine, artificial intelligence and remote or micro surgeries, is an added benefit.

With medical services increasingly leasing space in non-traditional properties, providers may be found in retail locations alongside pharmaceutical or cosmetic products and services. Shared medical space is also more commonplace, as are providers working from administrative offices to dispatch

home health care providers. Sometimes, doctors are working directly in their patients' homes.

By having access to advanced techniques to retrieve, analyze and use the enormous amount of medical data being generated and available remotely, providers can make health care more efficient and deliver it more precisely, while patients benefit from receiving medical services where and when they need it.

THE UBER APPROACH TO MEDICAL CARE

A recent addition to Northern Virginia health providers is Heal, a California-based medical practice. It promises patients that they can go online to access services from the firm's 1,000-square-foot administrative office tucked away in one of McLean's general office buildings. For a fee of \$99, a doctor arrives at the patient's home within two hours and can do anything from a standard checkup to blood tests on site.

SHARED MEDICAL OFFICE SPACE

The aging Bradlee Medical Building, near the King Street exit off I-395, has been used to create a state-of-the-art "shared medical office" that can be leased by doctors by the day, with as little as a one-day-a-week commitment for one year.

"Our building is older, but the space is built out to 'Class A' specifications," explained Cecilia Gondor, the building's managing partner. "The all-inclusive lease, with no requirement for a long-term commitment, is ideal for three types of doctors: those who are cutting back their work load in anticipation of retiring; new doctors who want an attractive office without the need to pay for expensive state-of-the-art buildouts; and regional doctors looking for a satellite medical presence in Alexandria."

The space allows medical practices to have a secure networked internet connection, access to electronic records, a robust phone system, HIPAA-compliant storage and ADA-compliant restrooms and access.

The more than 1,900-square-foot office includes an on-site lab, sterilizing equipment, four exam rooms, reception area and a waiting room with Wi-Fi access for patients. Gondor has also provided the doctors with modular storage units to secure their equipment and patient files when another doctor uses the space.

HOME HEALTH CARE

Nefr Isreal started her home health care business, “Care with Love,” and purchased a general office condo overlooking Braddock Road near the George Mason University campus nearly one year ago. The convenient location and visibility for her business were key factors in purchasing her office.

“The home health care business is booming, with more than 300 successful providers now operating in Fairfax County alone,” she said.

The aging population is driving much of the growth in the home health care business, she explained. Home health care services do not need the expensive medical buildouts of typical medical office buildings, but it is important for their administrative offices to have security for patient records, as well as a pleasant work environment for employees.

MEDICAL AS RETAIL

“Retail is evolving, and it is not uncommon now to see more medical uses occupying retail spaces,” observed Diana Shipley, vice president-leasing for Saul Centers, Inc. “More treatment centers closer to where people live simply reduces the time and delay in getting medical services.”

Urgent Care Centers and expanded pharmacy “walk-in” patient clinics are part of the community services provided in local retail centers, Shipley noted.

“It’s where the residents are, and that makes it convenient for them to use. Typically, medical services are located in the smaller, neighborhood retail centers, not the large entertainment-based centers like National Harbor,” Shipley pointed out.

From a landlord’s perspective, it also provides incentives for tenants to sign longer-term leases. As providers become more established and expand their services to include such options as X-ray or outpatient care, it encourages them to remain in the same location longer to stay connected to their patients.

A PRESCRIPTION FOR CHANGE

As medical providers continue to seek ways to reduce costs, while becoming more specialized and technologically integrated, Realtors® need to recognize a prescription for change in the kinds of facilities that will be adapted for medical use. And with corporate mergers combining pharmacy, medical insurance, and medical service in one location, Realtors® can expect to see continued changes in the types of commercial properties their medical clients will occupy. +



Frank Dillow is a past chair of NVAR’s Realtor® Commercial Council and is a senior commercial broker in Long & Foster’s Commercial Division. He can be reached at francis.dillow@longandfoster.com.

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Jennifer Ferris
Gary Feth
Zulma Fidler
Kyechong Fitts
Ricky Fitts
Osvaldo Flores
Brittany Floyd
Dwayne Floyd
LaTaesha Folkes
Demetrio Ford
Kevin Ford
Wanda Foster
Harrison Fowler
Antoinette Franklin
Brandy Frayer
Shayla Frye
Archana Ganotra
Jamie Garcia
Mary Garcia
Regina Garnett
Eamonn Garvey
Bala Gatla
Michael George
Khalil Gharbieh
Frank Girgenti
Lee Ann Gonzalez
Iryna Goula
Alex Granger
Osvaldo Gratacos
Stephanie Grise
David Guerrero
Carlos Gutierrez
Diane Hagarty
Ayman Hamed
Mark Hamm
Jennifer Harlow
Sherry Harris
Colin Heath
Haythem Hedda
Eric Henriquez
Robert Herrity
Brittney Holmes
Kristi Howard
Lisa Hsu

Xuejin Hu
Larry Huang
Chad Hunt
Dana Hyde
Raphael Ikhile
Desislava Ivanova
Anniyea Jaffa
Ashok Jain
Haseeb Javed
Shahid Javed
Timothy Jenkins
Laurie Jimenez
Richard Johnson Jr.
Traci Johnson-Hill
Megan Jones
Ivonne Juarez
Marilyn Judson
Eleanor Karrasch
Lovepreet Kaur
Kathy Kchao
Caitlin Keany
Brandy Keeler
Allison Kelley
Paige Kelllogg
Lama Khair
Tarek Khedr
Breana Kiernan
Nan Kim
Sung Kim
Lisa Kirkpatrick
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Josselyn Lazo
Fu Li
Jia Li
Li Li
Rachel Lima
Ju Lin
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Hiwa Sheikh
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Donald Thornburg
Catherine Tipton
Gergana Todorova
Timothy Trainum
Robert Trimigliozzi
Joseph Trippi
Robert Trott
Tung Truong
John Ullrich
Moises Gotay Umana
Daniel Sanchez Valdez
Cynthia Vance
Pratap Vemireddy
Sandeep Verma
Ingrid Reyes Villa
Asif Virk
Kenneth Huaytalla Vizcarra
Cristina Von Goihman
Latonya Wagstaff
Dusty Walker
Gerald Walker
Mikal Walker
Ayda Walsh
Lavell Walson
Huijie Wang
Li-Hua Wang
Roahullah Wasi
Cutina Watts
Thomas Watts
Donald Wellen
Taylor Whitaker
Ashlee White
Larry White
Lauren Whitehead
Sean Whitmore
Debra Williams
Mark Wilson
Yoseph Woldeesemait
Kerry Wood
Rohail Yonus
Mariam Zabi
Rashid Zarou
Bingjie Zeng
Meghan Zimmermann +

Thank You to Our 2018 STRATEGIC PARTNERS



Technology, Trends, Thought Leadership

ANNUAL T3 SUMMIT EXPLORES THE FUTURE OF REAL ESTATE

EACH YEAR, STEFAN SWANEPOEL, real estate thought leader and *New York Times* bestselling author, hosts a brainstorming event with executives who are analyzing, shaping and redefining business and real estate. NVAR CEO Ryan Conrad and Chairman Lorraine Arora joined the discussion in Miami this past April, and learned about innovation and opportunities in store for Realtors®.

“Gradually, then suddenly,” was the theme of Swanepoel’s keynote. Explaining the importance of analyzing the pace of marketplace change, he said research strongly suggests that real estate brokerage is already 30 to 40 percent down the path of transformation – and approaching the SUDDENLY part! Swanepoel suggested that, with the right preparation, brokerages can use the existing momentum in their favor.

Check out additional T3 take-aways.



2018 NVAR Chairman Lorraine Arora with T3 President and host of the T3 Summit, Stefan Swanepoel.



The 2018 T3 lineup included Frits Van Paasschen, former CEO of Starwood Hotels and Resorts Worldwide and The Coors Brewing Company, who explained how technology is disrupting industries at a rapid pace, and that pain points cause disruption. He suggests that organizations use technology to deliver a more valuable experience.



NAR President Elizabeth Mendenhall talks about “A New Day” at NAR. Included among NAR’s 2018 Strategic Priorities are: defining measurable increases in professionalism; increasing influence in an uncertain legislative, regulatory and political environment; taking the management of real estate data to the next level; and ensuring that the role of the Realtor® is essential to the consumer.



Top MLS Executives from across the country spoke about the importance of coming together as an industry to solve pain points. They’re examining the adoption of Real Estate Standards Organization (RESO) standards; the end of Real Estate Transaction Standards (RETS); endorsement of the MLS Grid; and creating a consolidated back-end common data repository and a front-end of choice.



Cassandra Miller, former CEO of See Jane Go, a ride-hailing service for women, advocated that leaders remove the words “always” and “never” from their vocabularies. She explained that disruption can occur when there are friction points, inefficiencies, and opportunities for cost reduction. +

Major Recognition for NVAR.com

WEBSITE NAMED 2017 SITEFINITY™ ASSOCIATION WEBSITE OF THE YEAR



By Ann Gutkin

THE NVAR TROPHY CASE is expecting a new addition, with the announcement that NVAR.com has been named a 2017 Progress® Sitefinity™ Website of the Year winner in the Association category. The awards recognize websites for creativity, design, user experience, functionality and overall presentation. Winners were selected from the finalists based on the highest number of votes received during the public voting process.

The Progress Sitefinity award culminates a post-launch year of forward momentum for NVAR, with website recognition for design and content from: DOTCOMM (Platinum winner), W³ (Silver winner), Hermes Creative (Gold winner), Communicator (Award of Excellence), and AVA Digital (Gold winner).

“Congratulations to the Northern Virginia Association of Realtors® on this incredible achievement,” said John Ainsworth, senior vice president, core products, Progress. “While thousands of organizations worldwide rely on Progress Sitefinity to personalize and optimize the customer experience

across websites and devices, these awards honor the most creative and innovative organizations that deliver differentiated experiences and set the bar in their respective industries.”

This year, 51 websites were nominated across 17 categories: Consumer Goods & Services, Banking, Financial Services, Government, Automotive & Transportation, Healthcare, Manufacturing, Education, Real Estate & Construction, Services, Technology, Tourism & Hospitality, Food & Beverages, Associations, Non-Profit, Multisite and Graphic Design.

More information about the contest and the winners is available at sitefinity.com/customers/website-of-the-year/2017. NVAR teamed up with the Matrix Group International, Inc. to create the new NVAR.com, which was launched on Jan. 5, 2017. +



Ann Gutkin is the NVAR senior communications director.

NVAR Board Election Process Begins

LEADERSHIP TAKES YOU FURTHER

Nomination forms for the 2019 NVAR Board of Directors will be available to download from NVAR.com beginning Friday, June 8, 2018. If you are interested in being part of NVAR's governing board, or would like to nominate a qualified colleague, this is your opportunity.

ELECTION TIMELINE

Fri., June 8, 2018	Nomination forms available on NVAR.com
Fri., June 29, 2018	Nomination forms due by 5 p.m. E.S.T.
Wed., September 5, 2018	Election begins 12 p.m. (noon) E.S.T.
Sat., October 6, 2018	Election ends 12 p.m. (noon) E.S.T.
Tue., October 9, 2018	Election results announced at NVAR Annual Convention & Tradeshow

A promotional poster for the CIPS 5-Day Institute. The background is a purple-tinted photograph of a large group of people at a convention. The text is overlaid in white and yellow. At the top, it says 'SAVE THE DATE!' in large white letters. Below that, 'CIPS' is written in very large white letters, with a yellow and white checkered pattern behind the 'S'. Underneath 'CIPS', it says 'certified international property specialist' in smaller white text. Then, '5-Day Institute' is written in large white letters. Below that, 'ONLY \$249' is written in large yellow letters. At the bottom, it says 'October 22-26' in white, and 'NVAR.com/CIPS' in large yellow letters.

Becoming a Realtor®

BECOMING A REALTOR®

Principles of Real Estate

9 am - 5 pm
 June 4 - 21 Fairfax
 November 1-19 Fairfax

BROKER PRE-LICENSING

Broker Law

9 am - 5 pm
 June 7 - July 19 Fairfax

Broker Management

9 am - 5 pm
 August 16 - September 20 Fairfax

Broker Finance

9 am - 5 pm
 October 4 - November 8 Fairfax

Your First Year

NEW MEMBER ORIENTATION

9 am - 1 pm
 May 30 Fairfax
 June 11 Herndon
 June 23 Fairfax

POST-LICENSING EDUCATION (PL)

Agency Law

9 am - 12 pm
 July 16 Fairfax

Ethics

1 pm - 4 pm
 July 16 Fairfax

Contract Writing

9 am - 4 pm
 July 17 Fairfax

Real Estate Law & Board Regulations

8:45 am - 4:45 pm
 July 18 Fairfax

Risk Management

9 am - 12 pm
 July 19 Fairfax

Escrows and Protecting Other People's Money

1 pm - 4 pm
 July 19 Fairfax

Fair Housing

10 am - 12 pm
 July 20 Fairfax

Current Industry & Trends

1 pm - 3 pm
 July 20 Fairfax

Maintaining Your License

CONTINUING EDUCATION (CE)

CE: 16-hour Course (4 evenings)

6 pm - 9:30 pm
 June 12 (Part 1) Fairfax
 June 14 (Part 2) Fairfax
 June 19 (Part 3) Fairfax
 June 21 (Part 4) Fairfax
 July 10 (Part 1) Herndon
 July 12 (Part 2) Herndon
 July 17 (Part 3) Herndon
 July 19 (Part 4) Herndon

CE: 16-hour Course (Day 1)

8:45 - 4:45 pm
 May 12 Fairfax
 June 9 Fairfax
 July 14 Fairfax

CE: 16-hour Course (Day 2)

8:45 - 4:45 pm
 May 19 Fairfax
 June 16 Fairfax

CE: 8-hour Mandated Course

8:45 am - 4:45 pm
 May 23 Herndon
 June 26 Fairfax

CE Specialty: Effective Team Management

10 am - 12 pm
 May 11 Fairfax

CE Elective: Construction Essentials

1 pm - 4:45 pm
 May 24 Herndon

CE Elective: New Rules of Real Estate Finance

8:45 am - 12:25 pm
 May 24 Herndon

CE: Elective: Home Innovations and Trends

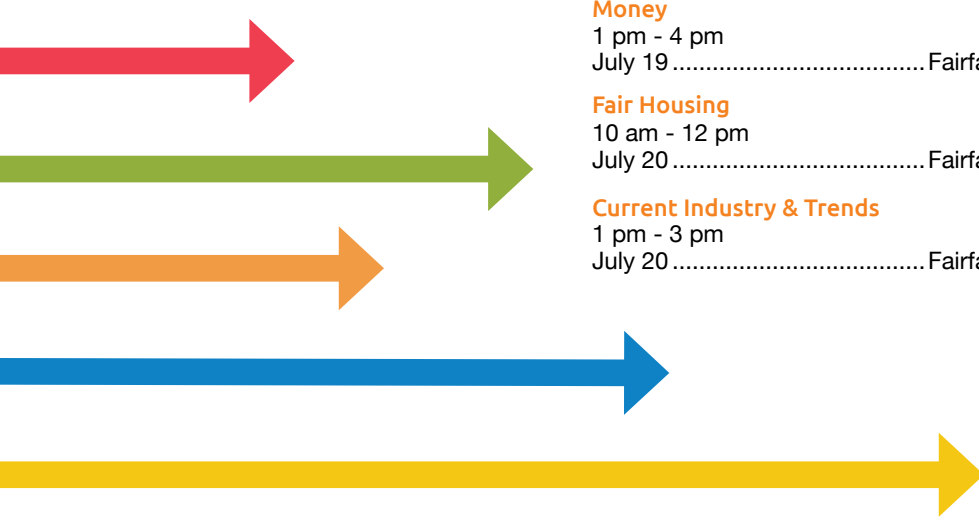
8:45 am - 12:25 pm
 June 27 Fairfax

CE Elective: Environmental Issues

1 pm - 4:45 pm
 June 27 Fairfax

CE Specialty: Electronic Communications, Copyrights, Website ADA and Advertising

10 am - 12 pm
 July 11 Fairfax



Register for classes at

RealtorSchool.com

Taking It Further

DC CE

Fair Housing

9 am - 12:15 pm

June 12..... Fairfax

Legislative Update

1 pm - 4:15 pm

June 12..... Fairfax

MARYLAND CE

Maryland Legislative Update

9:15 am - 12:15 pm

May 21..... Fairfax

Maryland Code of Ethics

9:30 am - 12:30 pm

June 4..... Fairfax

MREC Agency Residential

9:30 am - 12:30 pm

June 22..... Fairfax

Credit Reporting & Scoring

1 pm - 3 pm

May 21..... Fairfax

Ins & Outs of Contracts

1:30 pm - 3 pm

June 4..... Fairfax

Fair Housing

1:30 pm - 3 pm

July 30..... Fairfax

BROKER CE

Brokerage Risk & Liability

8:45 am - 12:25 pm

May 22..... Fairfax

June 20..... Fairfax

Productive Agents and Profitable Offices

1 pm - 4:45 pm

May 22..... Fairfax

June 20..... Fairfax

FEATURED OFFERINGS

RI 501 - Agency in Virginia

9 am - 4 pm

July 12..... Herndon

RI 502 - Sales Contracts

9 am - 4 pm

May 17..... Fairfax

RI 508 - Real Estate Law and Virginia Regulations

9 am - 4 pm

June 6..... Fairfax

Military Relocation Professional Certification (MRP)

9 am - 5 pm

June 11..... Fairfax

Senior Real Estate Specialist (SRES)

9 am - 5 pm

July 16 & 17..... Offsite*

Friday Focus

9 am - 11:30 am

June 1..... Fairfax

Realtor® 007

1:30 pm - 4:30 pm

June 6..... Herndon

July 11..... Fairfax

Getting Started with RPR®

10 am - 12 pm

June 6..... Fairfax

July 11..... Herndon

RPR® Mobile App

10 am - 12 pm

June 20..... Fairfax

Meet Buyers' Demands with RPR®'s Search Tools and Deliver a Successful Buyer's Tour

10 am - 12 pm

May 16..... Herndon

Broker Orientation

12 pm - 2 pm

June 6..... Fairfax



Malia Tarasek

"I enjoy taking CE courses with NVAR because learning in a classroom helps me understand and digest the information properly, and I am able to meet and greet with other agents in my association."

– Malia Tarasek, Realtor®

* The July 16-17 course will be held at Sunrise of Fair Oaks, 3750 Joseph Siewick Dr. Fairfax, VA 22033.



FAIRFAX HQ ACCESSIBILITY:

Underground parking is available with direct access to lower level classrooms. Elevator is available, accessible from main entrance on building's west side.

Fair Housing Compliance Tips for Property Managers

By Matthew L. Troiani, Esq.

Q. I represent a landlord and recently received an application from five friends seeking to rent a single-family residence in Fairfax. Is it a Fair Housing violation to reject the application, even though the property has five bedrooms?

A. Rejecting an application to rent a single residence to five unrelated people is likely not discrimination on the basis of familial status under Fair Housing laws. Furthermore, most local municipalities, including Fairfax County, have enacted zoning ordinances that include restrictions on the number of unrelated persons who can live in a single residence. For the purposes of this question, we assume that the five friends are unrelated. However, Article 2 Part 5 of the Fairfax County Zoning Ordinance states that no more than four unrelated persons can live in a single residence, unless the property is approved as a group residential facility. The landlord's obligation to comply with the zoning ordinance is an objective basis for denying the application without violating Fair Housing laws.

Q. I represent a landlord and have a prospective tenant who has notified me of his intent to have an emotional support animal in the property, but my landlord client has a "No Pets Policy." Do Fair Housing laws apply?

A. Under the Fair Housing Act, an applicant with a disability may request that the landlord make a reasonable accommodation to the existing "No Pets Policy" and permit the applicant to have an emotional support animal in the dwelling.

An accommodation request can be denied if an applicant has failed to adequately support the request or has failed to respond to appropriate requests for information from the housing provider. A reasonable accommodation request cannot be denied simply because a housing provider cannot readily determine that the applicant has a disability. Documentation from a reliable source may be requested if the disability is not apparent. However, the Fair Housing Act does not allow questioning of individuals whose disability is readily apparent.

Even if the disability is readily apparent, a housing provider may request information about the connection between the

disability-related need and the particular assistance animal where the connection is not readily apparent. Remember, it is not permissible to demand specific details about the disability itself or to see the applicant's medical records. The Department of Housing and Urban Development (HUD) has provided examples of proper documentation.

If the applicant has met the criteria in the request for an accommodation, the landlord must provide an exception to its policy in the dwelling and common areas. However, an accommodation request can be denied if the assistance animal presents a particular risk of harm to others or the property of others or otherwise creates an undue burden. The analysis of whether a particular animal presents a risk relates to the actual animal in question and not other criteria, such as a particular breed or size. However, if the animal in question poses a risk of harm to others or would otherwise create an undue financial burden for the housing provider, the request can be denied. The housing provider must demonstrate a legitimate basis for denying a request because the law presumes that the accommodation should be granted.

For real estate professionals, your client should make the determination whether to grant an accommodation request. The real estate professional could request documentation from the applicant in support of the client's accommodation request, but should always make it clear to the applicant that the request is being made by the housing provider client, not the real estate professional.

Under Article 11 of the Code of Ethics, Realtors® should not undertake services outside of their field of competence. Determining the "legitimacy" of the disability-related need or whether a particular animal is connected to the need is likely beyond the competence of a real estate professional. The Fair Housing Act does not distinguish between service animals and assistance animals. Certification of assistance animals is not well regulated, so reliance on certificates pulled from unverified sources is not recommended.

The NVAR Board of Directors has recently approved new forms for July 1, 2018 release which will assist our members in handling reasonable accommodation requests. Stayed tuned for details.

Members with specific questions are encouraged to contact the Legal Hotline at NVAR.com/legalhotline for further information. +



Matthew L. Troiani, Esq. is vice president of professional development and deputy general counsel.



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