



***Principal Broker Quarterly: August/September
2017:***

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Wednesday, October 4, 3:45 p.m. Panel Presentation at OAR Convention

On Wednesday, October 4, 3:15 p.m. – 4:45 p.m., the OREF Panel Presentation at the 2017 OAR State Convention (Portland Marriott-downtown waterfront) will include updates on OREF's 2017 forms committee work, the latest on FIRPTA in real estate transactions and key coverage of Oregon forms detailed use throughout Oregon's five regions.

Panelists include Richard Caplan of Windermere Stellar, Wendy Adkisson of Keller Williams Central Oregon, George Grabenhorst of Sperry Van Ness Commercial Advisors, LLC, Marie Due of Re/Max Integrity-Eugene and Colin Mullane of Full Circle Real Estate. A big thank you goes to Steve Russell of Windermere Stellar, 2017 Forms Committee Chairman, and Phil Querin of Q-Law, OREF Forms Committee legal counsel for serving as co-facilitators. For more information, log on to OAR at <https://oregonrealtors.org/node/16842>.



Advanced zipTMS® Training on November 6: Registration Space of 85

October 6, Advanced Class: Oregon Real Estate Forms, LLC will also be holding a Friday, October 6, 1:30 p.m. Advanced User Session at Portland's Marriott Waterfront. Registration capacity is 85; contact Lance at lclark@orefonline.com.



Four (4) Free CE: On-Line Curriculum—OREF and OnlineEd Partnership

http://www.onlineed.com/system/pages/courses.php?package=505&f=show_details&state=Oregon&field=2&nc=1 Log on to the above link and plan now to earn four (4) FREE CE:

- **2017 Residential Sale Agreement Update and Matrix - Clause by Clause** - This course will outline the changes made to the OREF Residential Real Estate Sale Agreement.
- **Onsite Sewage System and Private Well Addenda** - The Onsite Sewage System addendum and the Private Well addendum are two OREF forms that are common usage with real estate purchase and sale agreements in rural areas of the state. These

forms outline the existence of a property's onsite sewage system or private water well, and will disclose to a potential buyer of known issues with either system.

- **Agency Disclosures and Agreements** - This one-hour video course presents four agency representation forms: the Initial Agency Disclosure Pamphlet, the Disclosed Limited Agency Agreement for Sellers, the Disclosed Limited Agency Agreement for Buyers, and the Exclusive Buyer Service Agreement.
- **The Contingent Right to Purchase** - This form is used when a buyer wants to buy a seller's property, but the buyer has a property to sell before being able to close on their replacement property. Using this form, buyers can make an offer to purchase contingent upon the sale of the buyer's property.



Thursday, November 9, 10:30 a.m. Webinar

Mark your calendar for the one (1) CE for Thursday, November 9, webinar. \$19 per computer per location. Topic TBA! Registration will begin after October 10, at <http://orefonline.com/events/>



10 Videos to be Added to www.orefonline.com

OREF is in the process of recording and adding ten (10) new informational videos on www.orefonline.com to guide OREF subscribers to greater level of engagement. Log on today and explore the videos. A big thank you to our Realtor® volunteers that contributed time and effort in the creation of the recording. A big thank you goes to our videographers at OnlineEd (Portland) and Visual Thinking (Central Oregon)! Log on to www.orefonline.com towards Labor Day!



Q and A: News You Can Use

OREF has developed a set of forms intended to provide useful guidance to real estate professionals documenting a variety of Oregon real estate

transactions. In addition, OREF periodically provides, in its print and digital publications, guidance with respect to questions commonly posed by brokers. Neither OREF's forms, nor the statements made in its print or digital publications, are intended to constitute or provide legal advice. OREF encourages all brokers to seek guidance from their principal brokers, and when necessary, from legal counsel, regarding real estate transaction questions.

In addition, OAR offers members an annual subscription to the OAR Real Estate Hotline, which also provides brokers with consultation on real estate transaction issues. Brokers wishing to access the Hotline can find more information at <http://oregonrealtors.org/legal/action/legal-hotline>.

Thank you Phil Querin of Q-Law & OREF's Forms Committee legal counsel for providing analysis and response to topics / questions 1 –

6: Click here to view the Answers in the Q and A:

<http://orefonline.com/wp-content/uploads/2017/07/Q-and-A-July-19-2017.pdf>

Question No. 1. How can a broker properly counter a buyer's offer in order to safely put them in backup position?

Question No. 2. What happens when the home doesn't appraise? Can a seller terminate the sale even if the buyer is willing to come up with the extra money? Can a buyer who is willing to come up with the extra money NOT notify the seller? Do you need any additional verbiage on an addendum that modifies the offer where the buyer and seller agree?

Question No 3. How do you best explain FIRPTA to your clients without

it being a huge long conversation and scaring them half to death?

Question No. 4. How should a listing broker properly respond to a Buyer's Repair Addendum without taking the risk that the lender will see it and then include the repair item(s) as a condition to obtaining the loan?

Question No. 5. What sort of discussion should I be having with my seller when we receive an offer in the name of the buyer that includes "and/or assigns"?

Question 6: Why was verbiage added to the 2017 Residential Sales Agreement (Form # 001) requiring buyers to use the same lender from which they receive a pre-qualification letter. In my case, I'm a borrower with excellent credit that has multiple options for lending. It seems illogical that I would have to lock in a lender before offering. What is to stop a lender from giving me non-competitive terms once I am under contract and try to secure the actual loan if they are my only option?

What is mlsCONNECT®/Push/ SSO?

MLS-Pull: Individual starts the transaction in zipForm® and uses mlsCONNECT® to pull data from the MLS listing to populate that into the transaction's forms.

MLS-Push: Individual starts in the MLS site and has the ability to push the data from a listing into zipForm® to start a new transaction.

MLS-Update: This is zipLogix's integration with Paragon that allows the individual to fill out a data input sheet in zipForm® and push that into the MLS to create a partial listing in the MLS site. The individual can log into the MLS to view that partial and complete the process to make it live. WVMLS will soon be advancing the Paragon program in conjunction with MLS forms – OREF forms library integration.

For more information on **mlsCONNECT®/Push/ SSO**, log on to <http://orefonline.com/news/> and click on the mlsCONNECT information article. That link page has four helpful resource areas:

- mlsCONNECT®—How to Access
 - mlsPush® Screenshot
 - zipForm® mlsCONNECT
 - Data Fields from four Oregon MLS (SOMLS, mlsCO, RMLS® and WVMLS)
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zipForm® Weekly Webinar Training

As an individual or a brokerage, how do I access **additional zipForm® Usage Training** (on-line, live training options)? Whether a new broker, mid-seasoned or veteran Realtor®, amping up your knowledge and usage level of the Oregon Forms Library -zipForm® program. zipLogix has updated a **four-phase training series** of webinars for users of different proficiency levels. **Check out the weekly schedule at**

<http://www.ziplogix.com/training/trainingcalendar.asp>



OREF Forms Committee Seeks Subscriber Input

Meeting six times a year (final meeting, September), your OREF Forms Committee is comprised of nine Principal Brokers, one title/escrow industry representative, legal counsel and staff. Subscribers have the opportunity throughout the year to submit inquiries regarding their Forms Library and also submit recommendations to amendments to the existing 70 + transactional and advisory forms and/or submission of new forms creation. E-mail eo@orefonline.com. Communication is advanced to the committee; following Forms Committee meetings, OREF staff will follow up with those broker subscribers that submitted communication. Thank you for being a subscriber! OREF is committed to quality uniform statewide forms that brokers can use in the annual electronic subscription.



20th year Anniversary: 1997 - 2017

OREF, LLC has been on the road this year at 15 different Association and MLS events. In addition to exhibit trade shows, OREF has been busy providing 10 + continuing education sessions (both Forms and zipForm usage training) for our Oregon subscribers.

Thank you for being a subscriber and maximizing your subscription benefits. On a regular basis, log on to www.orefonline.com to learn more and keep abreast of updates and timely information.



Terms of Service: Violations and Illegal Use

If you are utilizing OREF forms as powered by zipForms® and you are not the paying subscriber, you are illegally utilizing the electronic forms. Oregon Real Estate Forms, LLC is monitoring the illegal misuse of the real estate transactional forms and as we become aware of any and all appearances and/or actual cases of unlawful use, the associated parties will be issued a demand to cease and desist and further legal action. If you as a subscriber are aware of unlawful use, we encourage you to advise OREF by sending an e-mail to eo@orefonline.com and/or by calling (503) 459-0195.

Per the terms of service as agreed upon by all new and renewing subscribers, as well as posted on OREF, LLC website of <http://orefonline.com/electronicforms.asp>, the grant of license states “Licensor hereby grants you a limited, revocable, nonexclusive, personal and nontransferable license to access and use the Forms via the Internet for your own direct personal use in conducting certain professional real estate activity within the State of Oregon.”

Calendar of Events: September 2017 – January 2018

- September 14, Taste of Portland, OAR Home Foundation, The Castaway--Portland
- September 19, RMLS™--Fall Trade Fair, Coos Bay/North Bend—Mills Casino
- October 3 – 5, OAR State Convention, Marriott Waterfront—Portland
- October 6, zipTMS® Advanced Training, Marriott Waterfront. By registration.
- Thursday, November 9, 10:30 a.m., OREF Webinar, topic TBA
- December 10, the 2018 Forms Summary uploaded to Forms Changes link page of www.orefonline.com
- January 2018, Forms Changes Seminars and Webinars. <http://orefonline.com/wp-content/uploads/2017/07/2018-OREF-Forms-Changes-Seminars-and-Webinars.pdf> to preview the schedule.

Next Issue: December 2017

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