

January 21 – 24, 2009

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CALIFORNIA ASSOCIATION OF REALTORS® EXECUTIVE COMMITTEE
Portola Hotel
Monterey, California

The meeting was called to order by President James Liptak at 1:00 p.m. on January 21, 2009.

CALL TO ORDER

Members Present: President James Liptak, President-Elect Steve Goddard, Treasurer Beth L. Peerce, Patricia Bouie Hinds, William E. Brown, David Cabot, Linda Carroll, Mary Funk, Michael Godfrey, James Myrick, Andy Nazaroff, Barbara Palmer, Leigh Rutledge, Emily Schwartz, Joel Singer (Ex-Officio), Rick Violett, Jeffrey Wright

ATTENDANCE

Also Present: 2009 Regional Chairs, 2009 Committee Liaisons

Parliamentarian: Tim Hegstrom

Staff Present: Helen Parrino, Rick Shumacher

It was Moved, Seconded and CARRIED to approve the minutes of the October 15 - 18, 2007 meeting in Long Beach, California.

APPROVAL OF MINUTES

President Liptak reported on the 2009 Presidential Appointments of the Executive Committee and the Directors at Large, to be presented for approval by the Board of Directors.

REPORT OF THE PRESIDENT

2009 Executive Committee:

1. James Liptak, Paso Robles, President
2. Steve Goddard, President-Elect, South Bay
3. Beth L. Peerce, Treasurer, Southland Regional
4. Joel Singer, Executive Vice President, Los Angeles (Ex-Officio)
5. William E. Brown, Bay East
6. David Cabot, San Diego (Regional Chair)
7. Linda Carroll, North Bay
8. Mary Funk, Southland Regional
9. Mike Godfrey, Bay East
10. Patricia Bouie-Hinds, Oakland
11. Jim Myrick, Santa Clara County
12. Andy Nazaroff, Fresno
13. Barbara J. Palmer, Santa Cruz
14. Leigh Rutledge, Sacramento
15. Emily Schwartz, Citrus Valley (Association Executive)
16. Rick Violett, Pacific West
17. Jeffrey Wright, West Contra Costa

2009 Directors at Large:

1. Arlene Baxter, Berkeley
2. Kim Boda, Big Bear
3. Jackie Crowley, Palos Verdes Peninsula
4. Les Fishman, Palos Verdes Peninsula
5. Miguel Garcia, Montebello District
6. Donald J. Grubb, Jr., Oakland
7. Lynn Heintz, Fresno
8. Tracy Helard-Shumard, Humboldt County
9. Janene Klocek, East Valley
10. Carol Luckenbach, San Francisco
11. Josie Marie Grant, Inglewood
12. Leslie McBride, Sutter Yuba
13. Stephen Pearson, Watsonville
14. Heather Raphael, Pacific West
15. Staci Siddhadas, Santa Barbara
16. Bill Stoll, Paso Robles
17. Scott Swendiman, Shasta
18. Theresa Wilson-Allen, Yosemite Gateway
19. Suzanne Yost, Santa Cruz

President Liptak made note of the assignments each Executive Committee member has with respect to serving as a Liaison to the C.A.R. Regions.

President Liptak reported on several of the significant issues expected to be discussed in committees during the week, including progress being made by CALMLS, the Public Policy Reorganization Task Force, the REO Advisory Group he is establishing, and a variety of state and federal issues. He also commented on the seating arrangements which would be utilized at key committees, including Legislative and MLS/Computer and Business Technology, to ensure that committee members can be seated up front and to facilitate their participation in the sessions, and he addressed the important obligation each Director has to avoid real or perceived conflicts of interest as representatives of the state association.

It was Moved, Seconded and CARRIED to approve a special resolution recognizing William E. Brown's outstanding year as President of the California Association of REALTORS® in 2008. (See *Attachment B*)

Resolution of
Appreciation
William E. Brown

Action of Directors: Approved

It was Moved, Seconded and CARRIED to approve a special resolution of grateful appreciation in honor of the selection of Leslie Munger as the recipient of the California Distinguished REALTOR® Award for the year 2008. (See *Attachment C*)

Leslie Munger,
California Distinguished
REALTOR® Award

Action of Directors: Approved

President-Elect Steve Goddard spoke about the timing of the committee selection process for 2010, and reported that the Regional Chairs discussed

**REPORT OF THE
PRESIDENT-ELECT**

ways of helping future Regional Chairs be as effective as possible.

Treasurer Beth L. Pearce, Chair of the Strategic Planning and Finance Committee, reported on the state of the Association's finances and the anticipated decline in membership. She also urged attendance at the SPF Forum.

See consent agenda, Attachment A, for additional Strategic Planning and Finance action items approved by the Directors.

Executive Vice President and State Secretary Joel Singer reported on the progress of the Association's subsidiaries.

It was Moved, Seconded and CARRIED to approve the Consent Agenda as presented.

See Consent Agenda Action Items – Attachment A

Mike Silvas, Chair of the California MLS subsidiary, presented a report.

It was Moved, Seconded and CARRIED that C.A.R. grant CALMLS a line of credit of up to \$3 million, to be repaid to C.A.R. within 7 years fully amortized with 6% interest to be used in accordance with the purposes outlined in the January 14, 2009 CALMLS Issues Briefing Paper.

Action of Directors: Approved

It was Moved, Seconded and CARRIED to approve the report and recommendations of the Public Policy Reorganization Task Force.

Action of Directors: Approved

See Task Force Final Report – Attachment D

It was reported for information only that the CREPAC Trustees transferred the 2009 Fair Share contribution of \$690,000 to the National RPAC.

It was reported for information only that C.A.R. recognizes the need for healthcare reform and the substantial calls for change coming from numerous sectors of society. While REALTORS® are not experts on all aspects of

REPORT OF THE TREASURER

Strategic Planning and
Finance

REPORT OF THE EXECUTIVE VICE PRESIDENT/STATE SECRETARY

CONSENT AGENDA

SPECIAL REPORTS

CALMLS
Mike Silvas, Chair

Public Policy
Reorganization Task
Force
Annette Graw, Chair

COMMITTEE REPORTS

CREPAC Trustees
Judy Zeigler, Chair

Federal Issues
Don Faught, Chair

healthcare reform, it is appropriate for REALTORS® to be involved in the issue as it impacts REALTORS® cost of business and quality of life. Additionally, rising healthcare costs can limit a person's ability to be able to afford both health insurance and the American dream of homeownership. Furthermore, a recent NAR study found that concerns with health insurance and healthcare were among the top domestic policy concerns for REALTORS®.

C.A.R. believes that NAR should support healthcare reform which includes the following:

- Healthcare insurance reform should continue to be a hybrid of the private and public sector. There should be the creation of new programs and policies, but the private market should not be restricted or eliminated.
- Health insurance should be made available, affordable, and portable for all; including premium stability and available options. Insurance should cover pre-existing conditions and be continuous.
- There should be an individual mandate for health insurance. The individual mandate must include incentives to assist those unable to afford insurance as well as disincentives for those who fail to participate. This includes both the expansion of current programs and financial incentives.
- There is the need for financial incentives for small business owners and the self-employed in order to assist them in gaining access to affordable health insurance.
- There should be support for a Federal Healthcare Board that would function similar to the Federal Reserve and set minimum mandates, set minimum standards such as preventative health and long-term care, and allow medical providers to offer appropriate care. The Federal Healthcare Board would be independent, but still accountable to elected officials and the American people. The Federal Healthcare Board would be staffed by experts in the healthcare and medical field and establish guidelines that programs can follow.
- Health insurance should come in clear and transparent language concerning what services are covered and how they are covered.
- There should be the creation of a secure IT database for medical providers that protects patient's privacy and helps reduce administrative costs. The database needs to be in a universal programming code so that all providers are able to access and update the records when needed.
- There should be efforts made to help recruit and retain more healthcare providers, particularly doctors and nurses.

It was Moved, Seconded and CARRIED that the recommendations outlined above be forwarded to NAR.

Action of Directors: None required

It was Moved and Seconded that C.A.R. "OPPOSE" SB 49 unless amended to apply the proposed tax credit to all sales of single family residences intended to be the principle residence of the purchaser, and if so amended, C.A.R. "SUPPORT" SB 49.

Housing Opportunity
Steve White, Chair

An amendment to the motion, proposed by the Legislative Committee, was Seconded and CARRIED, that C.A.R. "OPPOSE" SB 49 unless amended to

apply the proposed tax credit to all sales of single family residences intended to be the principle residence of the purchaser, and if so amended, will remove its opposition.

A vote on the main motion, as amended, CARRIED, that C.A.R. "OPPOSE" SB 49 unless amended to apply the proposed tax credit to all sales of single family residences intended to be the principle residence of the purchaser, and if so amended, will remove its opposition.

Action of Directors: Amended Motion from Legislative Committee Approved

It was reported for information only that since the October 2008 meeting, the trustees reviewed and approved the following 4 cases:

**Legal Action Fund
Trustees**

Michael Ferlisi, Chair

Hovaneisan v. Couveau

A prospective buyer entered into a contract to purchase property. The contract had an appraisal contingency. During escrow, the buyer indicated the appraisal was lower than the purchase price and informed the seller the transaction would not close if the seller did not reduce his price. The seller cancelled the sale and sold it to another person for over \$100,000 more than the first buyer's purchase price. The second escrow closed and the first buyer sued and lost. The Trustees approved a brief on the issue of whether the communication about the contingency was actually a cancellation of the contract.

Kazanjian and Rodeo Investors v. Bapna

Bapna, a non-licensee met with this friend, Kazanjian and introduced him to a potential buyer for a commercial property on Rodeo Drive. The non-licensee also asked for financial statements, sat in on negotiations, presented an offer, analyzed the pricing of the property and the market, actively tried to convince the buyer to pay the full asking price, transmitted a counter offer, and conveyed details of terms, among other things. There was also a licensed broker involved and the commission agreement with the broker allowed for the payment of a finder's fee to Bapna for \$175,000. Bapna sued to collect the finder's fee of \$375,000 from the seller, his friend. The jury awarded the finder's fee of \$375,000 plus attorneys fees of \$140,000 to the non-licensee. The seller appealed. The Trustees approved an amicus brief in support of the seller on the issue of whether a non-licensee can collect a fee for activity that involves much more than a mere introduction of parties in a commercial transaction.

Robinson v. Greenwood

The owners of a 6-unit apartment building had been notified by the city of the need for repairs. The property was sold with a provision that the city must issue a release/letter that the repairs would be completed. The city issued such a letter before close and the buyer also conducted inspections of the property. Three years later, tenants complained to the city which issued a notice to vacate in 2006. The tenants also sued the buyers (now the owners). The buyers cross-complained against the seller. The trial court ruled in favor of the broker citing the lack of reliance on the broker because the buyers had inspected the property and the city had cleared the property before escrow; the

buyer appealed. The trustees approved an amicus brief on the issue of whether claims against the broker fail due to lack of reliance when the buyer had an unfettered right to inspect the property, the buyer did inspect the property, and the buyer was aware of defective conditions of the property before close of escrow.

Updates on cases in which C.A.R. participated as amicus:

UAS Management Inc., v. Mater Misericordiae Hospital et al.

This was an antitrust case unrelated to real estate but which cited the Palsson decision for the proposition that the antitrust laws required opening of the MLS not only to nonmember brokers but also to members of the public. In response to C.A.R.'s request, the court removed the words "members of the public" in the published decision.

County of Humboldt v. McKee et al.

This issue relates to the renewal of a Williamson Act parcel and whether new changes to the County requirements enacted after the Williamson Act contract was signed automatically are incorporated into that contract which automatically renewed per its terms. Although the Trustees supported an amicus letter on behalf of the property owner who is seeking review before the California Supreme Court, the Court did not grant a hearing.

Witt Home Ranch v. Sonoma County.

This case involves whether a subdivision that was created in 1915 that was government approved and complied with then existing law, can be used to subdivide property in 2005 even through the 1915 subdivision does not comply with current subdivision requirements. Although the Trustees approved an amicus brief supporting the petitioner to get a hearing before the California Supreme Court, the Court did not grant a hearing.

Brand v. George Chung Realty.

The issue in this case was whether a broker had a duty to investigate the extent of a proposed freeway expansion effecting the front yard of a buyer, even though the fact that one was proposed was disclosed in the TDS. In an unpublished opinion, the Court ruled against the broker on procedural grounds unrelated to the issues briefed by C.A.R. Since it is unpublished, it cannot be cited as authority.

It was Moved, Seconded and CARRIED, that C.A.R. "SUPPORT" a DRE license endorsement implementing the federal SAFE Act allowing loan origination by a real estate licensee.

Legislative
Heath Hilgenberg,
Chair

The SAFE Act (the Secure and Fair Enforcement of loan origination Act) requires state law regulating loan originators to include:

- Pre-license education
- Passage of an examination
- Annual maintenance of continuing education
- Effective regulation by the state licensing authority.

Action of Directors: Approved

It was Moved by Heath Hilgenberg, Seconded and CARRIED, that C.A.R. take the following positions on ballot propositions that will be placed on the next statewide ballot (proposition numbers pending):

State Lottery Revenues (SCA 12) - Not Real Estate Related
 State Lottery Revenues (SCA 13) - Not Real Estate Related
 Public funding Secretary of State candidates - Not Real Estate Related
 State Lottery Revenues (AB 1654) - Not Real Estate Related
 State Lottery Revenues (AB 1741) - Not Real Estate Related

Action of Directors: Approved

It was reported for information only that the Legislative Committee rejected a motion to sponsor legislation creating a "Shortclosure" process. Instead, the Committee recommends that the C.A.R. President's Distressed Property Advisory Group consider ways to expedite short sales raised in the "Shortclosure" Issues Briefing Paper for the January 21, 2009 Legislative Committee meeting.

It was reported for information only that the Legislative Committee rejected a proposal to create an anniversary inspection and retrofit program as an alternative to Point of Sale legislation. The committee directed staff to maintain existing policy to oppose point of sale mandates and continue to study the issue in a working group and bring further options back at the June 2009 meeting.

It was reported for information only that the Legislative Committee rejected a proposal to consider creating lender access to pre-foreclosure properties, and directed staff to explore making the maintenance of REO property provisions of SB 1137 (Perata) pre-emptive of local government property maintenance ordinances.

See Consent Agenda (Attachment A) for an action item from the Membership Committee.

Membership
 John Torres, Chair

It was Moved, Seconded and CARRIED that, subject to NAR approval, the C.A.R. Model MLS Rules be revised to adopt all required and discretionary terms of the NAR VOW rules and policy per the DOJ vs NAR Final Settlement Order as set forth in the MLS Committee Issues Briefing Paper posted online. The discretionary provisions contained in the MLS Committee Issues Briefing Paper are summarized below:

**MLS/Computer and
 Business Technology
 Committee**
 David Barca, Chair

A. Parity Provisions: [VOW rules contain a "parity mandate" which provides that certain restrictions can only be imposed on VOW brokers as long as the same restrictions are imposed on non-VOW brokers]

1. That both non-VOW and VOW rules prohibit display to consumers of (a) expired, withdrawn, or pending ("under contract") listings; (b) compensation offered; (c) listing type; (d) personal seller information; and (e) broker-only showing instructions. [12.15.2 and 12.19.15]

2. That both non-VOW and VOW rules prohibit MLS content from being altered but allow it to be augmented with additional permissible information as long as the other source is clearly identified. [12.15.1(a), 12.16(e) and 12.19.16]

3. That both non-VOW and VOW rules require placement of a disclaimer i.e. "data deemed reliable but not guaranteed" on display of listing data. [12.15.1(d) and 12.19.17]

4. That both non-VOW and VOW rules require that display of listings (online and in all other mediums, i.e. client sheets, emails, etc.) identify the name of the listing firm and the listing broker or agent in a readily visible color, in a reasonably prominent location, and in typeface not smaller than the median typeface used in the display of listing data. [12.15.1(b) and 12.19.18]

5. That both non-VOW and VOW rules limit the number of listings that a consumer may view in response to an inquiry. [12.15.1(c) and 12.19.19]

B. Non-Parity Optional Rules: [These discretionary rules outline permissible regulations that an MLS may impose on a VOW]

1. That VOW Registrants' passwords be required to be periodically reconfirmed. [12.19.20]

2. That VOWs be subjected to regulation regarding placement of Participant's logo and contact information to reduce risk of misleading advertising and co-branding. [12.19.21]

3. That VOWs be required to identify the source of any listing displayed that is not from the operative MLS. [12.19.22]

4. That listings displayed on a VOW from sources other than the operative MLS be required to be searched separately from the operative MLS. [12.19.23]

5. That VOW Operators/AVPs be required to execute a license agreement with the MLS. [12.19.24]

6. That a listing broker be required to provide a copy of a Seller Opt Out (where seller has requested listing or address of listing not to appear on the Internet) to the MLS within 48 hours. [12.19.25]

Action of Directors: Approved

It was reported for information only that in October 2008, the C.A.R. Board of Directors Approved adoption of a procedure to allow local associations to appoint an Ethics Advocate Subcommittee, whose members would assist parties to a disciplinary complaint through the process, by helping with paperwork and representing the party at the hearing, at the option of the party, subject to final approval from NAR. NAR has approved The Ethics Advocate program, and implementation documents are being distributed to local associations now, so that California REALTORS® can be the first in the nation

**Professional
Standards**
Jim Keith, Chair

to participate in such a program.

It was reported for information only that the Committee (SFAC) received reports from 10 Regional Representatives. The SFAC approved the following forms for release in April:

New Forms

- Contract Paragraph Matrix (CPM)
- Cash for Keys (CFK)
- Qualified Substitute Declaration of Possession of Transferor's Affidavit of Nonforeign Status (QS)
- Loan Broker-Sales Broker Disclosure (LSB)
- Notice of Prospective Buyers/Transferees (NPB)
- Notice of Identified Properties (NIP)
- Confidentiality and Non-Disclosure Agreement (CND)

Commercial Forms

- Bill of Sale (BOS)
- Notary Acknowledgement (NA)
- Commercial Confidentiality and Non-Disclosure Agreement (CML-CNDA)
- Commercial Environmental Issues Addendum (CML-EIA)
- Commercial Landlord's Environmental Consent (CML-LEC)
- Commercial Release Agreement (CML-REL)

Revised Forms

- Commission Agreement (CA)
- Cooperating Broker Compensation Agreement and Escrow Instructions (CBC)
- Contingency Removal (CR)
- Independent Contractor Agreement (ICA)
- Notice to Buyer to Perform (NBP)
- Notice to Seller to Perform (NSP)
- Residential Income Property Purchase Agreement and Joint Escrow Instructions (RIPA)
- Request for Repairs (RR)

The SFAC also approved a time extension to the Commercial Forms Study Group until the June business meetings to complete review of comments they have received on existing C.A.R. commercial forms and provide further input regarding the AIR library. The SFAC was advised about the possibility of C.A.R. adopting the DRE sample advanced fee loan modification agreement and approved the release as timely as possible. The SFAC was advised about the possibility of C.A.R. creating a package of three forms to help standardize documentation used with a short sale transaction and supports C.A.R.'s efforts in this regard. The SFAC spent significant time reviewing comments on the protection clause in the Residential Listing Agreement (RLA) and decided to leave the form as it is currently written. The Committee will continue to discuss and receive member input on if/what changes should be made. The RPA Study Group held their third meeting this week and will continue to review comments for consideration. Finally, the SFAC reviewed 13 of the 52 comments received. The balance of the comments will be reviewed on an upcoming conference call.

See Consent Agenda (Attachment A) for an action item from the Strategic Planning and Finance Committee.

Standard Forms

Advisory

Ken Neufeld, Chair

**Strategic Planning
and Finance**

Beth L. Pearce, Chair

It was Moved, Seconded and CARRIED, that C.A.R. "SUPPORT" the Property Tax: New Construction Exclusion: Seismic Retrofitting. Legislative Constitutional Amendment. (Proposition number pending)

Taxation
Cynthia Carley, Chair

Action of Directors: Approved

It was reported for information only that C.A.R. would "SUPPORT" legislation, if introduced, informing homeowners via their property tax bill as to the tax benefit available under Propositions 60 and 90.

There being no further business, the meeting was adjourned at 7:50 a.m. on January 24, 2009.

ADJOURNMENT

ATTACHMENT A – CONSENT AGENDA

1. That the following applicants be granted C.A.R. Honorary Member-for-Life status:

CONSENT AGENDA

Amador County AOR
Lois James

Membership

California Desert AOR
Margo Bell
Donald Perfetti
Mary Zimmerman

Conejo Valley AOR
Kathy White

Downey AOR
Dorothy Nassar
Isabel Roldos
Alice Yamada

Glendale AOR
Diane Sauer

Humboldt AOR
Al Babich
Don Murrish
Don Tonini

Inland Valleys AOR
Don Atkinson

Marin AOR
Evelyn Becker
Golda Boeck
Robert Busse
Aileen Hune
Gee Kampmeyer
Marie Marquet
Bernard McCarthy
Beryle McGreevy
Amanda Jane Reynolds
Patricia Semple
Monterey AOR
Bert Aiello
Alfred Scharinger

Nevada County AOR
Robert Fenton

North Bay AOR

Kurt Ackermann
Jean Knapp
Christina F Mc Bride
Norman Skeels

Orange County AOR
Mary Aileen Matheis

Pacific Southwest AOR
Bob Crane
Phyllis Russell

Pacific West AOR
Sara Adamo
Juanita Holley
Robert McFadden
Sets Mori

Palm Springs AOR
Flora Lenes

Palos Verdes Peninsula AOR
Howard Rockoff

Pasadena Foothills AOR
Audrey Jensen
Sacramento AOR
Don Redmond
George Wheeler

Santa Cruz AOR
Robert Clark
Edna Lee Kelly
Gloria Sargent
Jack Western

Scenic Coast AOR
Phyllis Carruthers
Shirley Lyon
Solano AOR
Verna Mustico
Victorino Santos

Southland Regional AOR
James Hasler
Donald Hunt

Victor Valley AOR
Robert Stubbs

2. That the Statement of Income and Expenses by program for the eleven months ending November 30, 2008 be approved.

CONSENT AGENDA

**Strategic Planning
and Finance**

Total C.A.R.
Revenue of \$27,269,400
Expenses of \$22,919,200
An excess of income over expenses of \$4,350,200

Political Activities Fund
An excess of income over expenses of \$1,813,900

Issues Action Fund
An excess of income over expenses of \$1,018,900

The C.A.R. Balance Sheet as of November 30, 2008
Total assets of \$57,148,300 (of which \$37,862,300 are current assets)
Total liabilities of \$3,743,600 (of which \$3,712,900 are current liabilities)
C.A.R. Fund Balance of \$53,404,700

3. That the Projected Statement of Income and Expenses by program for the year ending December 31, 2008 be approved.

CONSENT AGENDA

**Strategic Planning
and Finance**

Total C.A.R.
Revenue of \$27,937,400
Expenses of \$26,314,300
An excess of income over expenses of \$1,623,100

Political Activities Fund
An excess of income over expenses of \$1,763,200

Issues Action Fund
An excess of income over expenses of \$841,800. This amount will be allocated to IMPAC as approved by the Directors.

ATTACHMENT B

**CALIFORNIA ASSOCIATION OF REALTORS®
A RESOLUTION OF GRATEFUL APPRECIATION
TO WILLIAM E. BROWN
January 23, 2009**

- BE IT KNOWN:** The Board of Directors of the CALIFORNIA ASSOCIATION OF REALTORS® does hereby adopt this Resolution as a means of recording for posterity its appreciation for your outstanding leadership as the 101st President of this great Association.
- WHEREAS,** William E. Brown has established a lengthy and exceptional record of personal commitment and volunteer service to the real estate industry at the local, state and national levels; and
- WHEREAS,** Your leadership was a guiding force for the implementation of programs, services and educational opportunities that benefit members as they conduct their daily business, and that address the increasing need for effective stewardship of the environment through the Association's Green Initiative; and
- WHEREAS,** Under your direction, the Association made important strides to reach out to a broad diversity of members and prospective members; and
- WHEREAS,** During your term, the Association was well represented in its efforts to implement sound public policy at both the state and national levels; and
- WHEREAS,** By virtue of your friendship, loyalty, dedication and commitment to the real estate community and the public, you leave this Association a legacy of leadership and progress that will endure; therefore, be it
- RESOLVED,** That your fellow officers, directors and members of the CALIFORNIA ASSOCIATION OF REALTORS® do hereby convey to you, William E. Brown, our gratitude for your outstanding leadership, and look forward to your continued contributions in the future.

ATTACHMENT C

**CALIFORNIA ASSOCIATION OF REALTORS®
A RESOLUTION OF GRATEFUL APPRECIATION
TO LESLIE MUNGER
January 23, 2009**

RECIPIENT OF THE 2008 CALIFORNIA DISTINGUISHED REALTOR® AWARD

- BE IT KNOWN:** The Board of Directors of the California Association of REALTORS® does hereby adopt this resolution as a means of recording for posterity its appreciation for your outstanding contributions to organized real estate which led to your selection as recipient of the 2008 California Distinguished REALTOR® Award -- the highest honor the Association can bestow upon any member; and
- WHEREAS,** You have established a continued exceptional record of personal commitment and service to the cause of REALTORS® as an active member of the California Desert Association of REALTORS®, the California Association of REALTORS®, and the National Association of REALTORS®; and
- WHEREAS,** You have met or exceeded all of the criteria necessary to be considered for this award, including at least 20 years as a California REALTOR®, demonstration of outstanding service to the Association for at least 20 years, in particular serving as a C.A.R. Director-for-Life; and
- WHEREAS,** Your vision and many contributions have helped the Association and its members through many challenging years marked by a host of major housing issues and an ever-changing real estate environment; therefore, be it
- RESOLVED,** That the officers, directors and members of the California Association of REALTORS® do hereby convey to you, Leslie Munger, 2008 recipient of the California Distinguished REALTOR® Award, our gratitude for your many years of outstanding service and leadership, and look forward to your continued contributions in the future.

ATTACHMENT D

PUBLIC POLICY REORGANIZATION TASK FORCE
Final Report

January 22, 2009

Final Report

Public Policy Reorganization Task Force

Mission Statement:

To re-examine C.A.R.'s "2-tier, 3-track" system to create a more efficient policy and legislative body. To report recommendations to the Board of Directors in 2008.

The members include:

Annette Graw, Chair	Robert Bailey	Kevin Brown
Don Faught	James Irving	Art Nellessen
Patricia O'Niell	Ann Pettijohn	Heidi Rickerd-Rizzo
Leigh Rutledge	Sherry Tietjens	

The Task Force met in person and by conference call throughout 2008. The Task Force tenure was extended to consider Director input at the October 2008 meetings and report in 2009.

Summary of Recommendations

- 1. The existing Public Policy Committee process at C.A.R. is too complex, with multiple overlapping committees that impedes efficient and effective decision making, and needs to be reorganized.**
- 2. The Committee structure should reorganized as shown in the accompanying chart, with four Policy committees and two Level of Government committees that will handle the same issues now addressed by more than a dozen committees, and that information and networking functions take place in a public policy issues forum open to all directors.**
- 3. Motions from Policy committees should be reported to Level of Government committees for approval, and any decisions to disapprove a policy committee motion be reviewed in a report to Executive by both involved committees. Unless Executive committee concurs in the decision to disapprove a motion, both recommendations will be reviewed by the Board of Directors.**

Detailed Recommendations:

After discussion of the existing policy structure and various alternatives the Task Force recommends that C.A.R.'s public policy committee structure be reorganized as follows:

- 1. Level of Government Committees.** Two overarching "level of government" committees to direct the implementation of policy decisions. They are "Legislative" dealing with state issues; and "Federal" dealing with federal issues, each of which will make or approve recommendations to the Board.
- 2. Reporting structure.** Consolidate policy issue jurisdiction into four general policy committees that can modify existing policy or recommend new policy. The policy committee recommendations will be reviewed by a level of government committee. If a motion is disapproved, that decision will be reported to Executive Committee by the two involved committees. The Executive

Committee may independently approve the policy committee's motion; if so, the two conflicting recommendations will be reviewed and the conflict resolved by the Board of Directors. If Executive Committee does not, the motion does not move forward. The Executive Committee's role is otherwise unchanged from the existing structure.

3. Issue Chairs. Each Policy Committee will have within it several appointed "Issue Chairs" designated to manage various issue areas as needed within each Policy Committee. These issue areas will roughly correspond to the existing policy committees that are being reorganized or consolidated. The Policy committees may appoint working groups or sub-committees as the chair deems appropriate.
4. Leadership opportunities. The Task Force recognizes the importance of raising up new leadership through the opportunity to serve in the policy committees. The existing policy committee structure has 39 appointed leadership (13 chairs, 26 vice chairs); the proposed structure will be approximately the same at 38 (8 chairs, 11 vice chairs, 19 issue chairs).
5. Informational Forum Functions. Create a standing "Realtor Forum and Information Committee" that will oversee and sponsor regular open forum presentations at each Board meeting. The Forum presentations will be guided by timeliness and relevance to the members, and take the place of guest speakers within the policy committees. The committee will consist of a chair, vice chair and members that are designated by the chairs of the four policy and two level of government committees. Staffed by Government Affairs.
6. Existing Forums Not Changed. Realtor® Consumer and Risk Management Forums are not included and will continue unchanged and staffed by C.A.R. Legal Department.
7. Local Governmental Relations will continue as a Forum staffed by Governmental Affairs staff.
8. Start Date. The new structure should be implemented in 2010, beginning with the appointments process during late-2009.
9. Committee meeting times are not integral to the reorganization, but the Task Force recommends that two policy committees meet on Thursday morning; the remaining two policy committees meet Thursday afternoon, followed by Federal and Legislative Committees. [Please see attached chart displaying proposed meeting times].
10. Same Number of Directors; Same Issues. The Task Force recommendations anticipate the same number of members serving in the process, and dealing with the same policy issue areas. The new structure will concentrate their expertise in four larger committees, with more comprehensive agendas, that can all meet in one day, reducing schedule conflicts. The resulting policy recommendations, including any conflicting or competing motions, can all be dealt with in an afternoon meeting of the federal or state committees and be ready to report to Executive Committee and the Board of Directors the next day.