

AGENDA



THURSDAY, NOVEMBER 7, 2019

CALIFORNIA NAR DIRECTORS ISSUES BRIEFING

NATIONAL ASSOCIATION OF REALTORS®

2019 REALTOR® CONFERENCE & EXPO

Metropolitan II, Second Level

The Park Central Hotel

San Francisco

9:30 am – 11:30 am

PRESIDING:

Jared Martin, C.A.R. President

Staff:

Matt Roberts, Federal Governmental Affairs Manager

I. WELCOME

II. KEY CALIFORNIA EVENTS AT THE 2017 MIDYEAR LEGISLATIVE MEETINGS

A. NAR 360. Thursday, November 7, 2019 from 3:45 p.m. to 4:45 p.m., Yerba Buena Ballroom, Lower B2 Level, Marriott Marquis Hotel.

B. Federal Issues Update. Friday, November 8, 2019 from 7:30 a.m. to 8:30 a.m., Room 2001, 2003 & 2005, Level 2, Moscone West.

C. MLS/ProStandards Committee Briefing. Friday, November 8, 2019 from 5:30 p.m. to 7:15 p.m., Pacific A ,4th Level., Marriott Marquis Hotel. All Californians serving on the MLS and ProStandards Committee should attend. For more information please contact June Barlow at juneb@car.org or (213) 739-8277.

D. Region 13 Caucus. Sunday, November 10, 2019 from 4 p.m. to 5:30 p.m., Golden Gate C, B2 Level, Marriott Marquis Hotel. All Californians serving as NAR directors are expected to attend.

E. California Club Reception. The California Club Reception for Californians attending the NAR meetings will be held on Sunday, November 10, 2019 from 5:30 p.m. to 7:00 p.m. Atrium, 2nd Level, Marriott Marquis Hotel. All Californians attending the NAR meetings are invited.

F. Delegate Body Meeting. Please note: The Delegate Body meeting scheduled for Monday, November 11, 2019 has been canceled.

III. ISSUES FOR NAR FALL MEETINGS

A. Commitment to Excellence Changes

B. MLS “Clear Cooperation” Policy Statement 8.0

[Proposal Landing Page](#)

NAR currently has an MLS Policy Committee proposal on deck for the upcoming November NAR meetings. NAR’s “Clear Cooperation Policy” proposal would require MLS participants to share listings with other brokers in the MLS if those listings are being publicly marketed. This policy would change the current allowable pocket listing practice. Now, a seller can withhold consent for

an agent to place a listing in the MLS by way of a signed seller exclusion form, and if so, an agent can do whatever off-MLS marketing he or she likes. With the policy change, a seller opt-out would only go so far – if agent is engaged in any form of public marketing (signs, flyers, Facebook, private networks, Zillow, etc.), the listing would have to be submitted to the MLS. Seller could, though, opt out of dissemination on the Internet, making it viewable only to MLS participants but not going out to agent IDX/VOW sites or any other Internet portal or destinations through the MLS. Under the proposed new policy, the only exception to the requirement to submit to the MLS would be for “office exclusives” - those shared between brokers and agents within a single brokerage and their clients, but not marketing which that broker puts out to the general public.

C. Proposed Bylaws Change

Proposed Amendment to Article XI of the NAR Bylaws

Recommendation: That Article XI "Misconduct" of the NAR Bylaws be removed.

Rationale: [NAR's Code of Conduct and Sexual Harassment Policy](#) was revised and adopted by the Board of Directors in 2018. That policy sets forth NAR's commitment to providing a productive and welcoming environment free from harassment, defines unacceptable behavior, and describes how complaints regarding unacceptable behavior will be received, investigated, and resolved. The Policy addresses discipline for harassment in a clearer and more comprehensive way than bylaw Article XI, thus eliminating the usefulness of the bylaw.

MISCONDUCT

~~Any member or appointed officer of the Association may be reprimanded or removed from a committee or an appointed leadership position for sexual harassment of an Association member or employee. The discipline to be imposed shall be determined by the President, President-Elect, First Vice President, Treasurer and one member of the Board of Directors selected by the President after an investigation in accordance with established procedures and after consultation with legal counsel. Any elected officer of the Association may be reprimanded or removed from office for sexual harassment of an Association member or employee. The discipline to be imposed shall be determined by five members of the Executive Committee selected by the highest ranking officer not named in the complaint after an investigation in accordance with established procedures and after consultation with legal counsel. If the recommendation is to remove the elected officer from office, the officer will be given the opportunity to resign. If he or she refuses to resign, the report from the investigatory team will be provided to the Executive Committee for final determination. The Executive Committee may remove the officer from office by a two-thirds vote.~~

IV. NAR Policy Committee Action Items and Hot Issues

A. Administration's Mortgage Finance Reform Proposal (*Conventional Financing and Policy Committee*)

B. FIRPTA Repeal Work Group Recommendation (*Federal Taxation Committee*)

C. Work Group to Evaluate Tax Incentives for Buying and Owning a Home (*Federal Taxation Committee*)

D. FHA as Independent HUD Agency (*Federal Financing & Housing Policy Committee*)

V. OTHER BUSINESS

VI. ADJOURN