

ND REALTOR®

August 2021

Summer Issue

Interview With The Candidates

The NDAR Nominating Committee and Executive Committee met in June and interviewed the following candidates to be presented to the membership to be elected to office at the September 16, 2021 Board of Directors meeting in Pierre: Kevin Fisher (Fargo) – NDAR President Elect and Nick Olson – NDAR Vice President (Fargo). Shawn Ostlie will automatically advance to the office of NDAR President.

Following are questions answered by each NDAR candidate for office. Please note an absentee ballot can be found on pages 21-22 if you will not be present at the General Membership Meeting in Pierre, SD during the Dakotas Convention.



Kevin Fisher
Park Co., REALTORS®, Fargo
For President Elect

1. Please share why you have decided to submit your name to run for office to serve your peers and the real estate industry as a whole? I feel it is appropriate to give back to the industry that has given so much to me.

2. What previous leadership positions have you held either within the REALTOR® organization or outside of it? I was President of FMAAR in 2013 and I am currently Vice-President for NDAR.

3. How (or why) did you get started in real estate? I became a REALTOR® in 2004. I did so because I wanted to help clients achieve their dreams and I was tired of overnight travelling.

Kevin Fisher see page 3



Nick Olson
Coldwell Banker Element Realty, Fargo
For Vice President

1. Please share why you have decided to submit your name to run for office to serve your peers and the real estate industry as a whole? Being involved in our association and industry is something that I strongly believe in. You really cannot attach a value to the amount of information that is learned, ideas that are shared with peers, and the friendships that are made. None of us volunteer our time simply for the friendships, but those are so crucial to the cohesiveness of the Board. This industry has given me so much over my 18+ years in the business and I want to give back to the membership in any way that I can. I hope to create a spark in members that are not currently involved in hopes that they consider becoming more actively participating in the association.

Nick Olson see page 3

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President's Message



Mary Shelkey Miller
2021 NDAR President

Hi from your NDAR State President!

I know you are all staying very busy in this crazy market that we've been experiencing. I continue to hear of multiple offers and homes selling as soon as they are listed, as well as continued issues with buyers with financing losing out to cash buyers.

We're all hoping for a bit of a reprieve, but it doesn't sound like that will happen for a while; until then, let's do everything we can for our buyers and sellers to help them through the maze.

NDAR has now moved into their new building!! After having the furnaces and central air replaced, ductwork redone, some electrical updates done, painting and general cleanup, they are all getting situated in their new offices. We're excited to have a larger conference area to hold meetings instead of having to find space off site.

As of August 1, Brokers no longer need an interest-bearing trust account. Make sure and contact your bank to have them switch to non-interest bearing.

The new Property Condition Statement rules also went into effect on August 1. All residential sales up to 4 units now need to fill out the disclosure whether its owner occupied or not. The exceptions to this rule are foreclosures, transfer of property from a family member to another, transfer/quit claim deed from one spouse to another, and new construction.

We are still looking for people to serve on some of the Work Groups and Task Forces for the State Association. We have a Membership Talent and Benefits Work Group in which we are researching how to utilize the talents and previous occupations of our membership, and a Health Group Task Force to look at health care options for our members. Those are just a couple areas where we could use some more volunteers to help research options. If you would like to volunteer on either of these, please let myself or the NDAR staff know, and we can add you to the group.

It has been a very busy year so I apologize if I missed some information. It was not intentional!

I hope you all finish your year strong and I THANK YOU for the opportunity to be your State President!



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Kevin Fisher continued from page 1

4. What is the most memorable moment in your real estate career? My most memorable moment was when the mother of the buyer came to me and asked me if she could give me a hug. She was so appreciative of the assistance I had provided her daughter - the transaction was a rough one, but it worked out in the end.

5. Your strong points? The ability to listen and to understand the other points of view.

Nick Olson continued from page 1

2. What previous leadership positions have you held either within the REALTOR® organization or outside of it? I have been the President of Fargo-Moorhead for two years as we had a hold over year due to Covid-19. This is my 7th year serving on the BOD in Fargo-Moorhead. I am also the President-Elect (glorified title) of our local RMLS and have served on that BOD for numerous years. Also have served as Director at Large for NDAR in 2020, Director at NDAR and numerous committees, Sub-Committees, PAG's, etc. for our local, state and NAR.

3. How (or why) did you get started in real estate? I graduated with a major in Elementary Education with a minor in Coaching. I genuinely enjoy helping people learn and grow. Now I am simply helping bigger "kids" buying and selling property or teaching Real Estate Agents how to serve their clients in the best way possible. I quit my job as an employee in the Auditor/Treasurer office at Norman County, MN shortly after getting married in 2002. My wife and family thought I was crazy for sure, but it was one of the best decisions that I have made in my life. I have only held a job for 6 months where I was required to be there from 8-5 and I HATED it. In real estate, I am afforded the ability to set my own schedule, which can be difficult for many, but I thrive in that type of situation.

4. What is the most memorable moment in your real estate career? The commonplace answer would be to say that my first transaction and \$643 commission check is my most memorable, but I won't use that although I will never forget it for sure.

For me, my answer would be the sale of my grandparent's home after their deaths. They had been married for just shy of 68 years, they died within 5 months of each other and spent so much time together in that house. It was the house that my mom and her

6. Your specific plans or ideas for NDAR? My plan is to work with the current President to establish long range goals that are passed down from one President to the next. It is hard to achieve everything in one year, but working together with the current and future Presidents we should be able to establish a long-term plan.

siblings were raised, where we would have holidays and many gatherings over the years. It was the only time in my career that I honestly was emotional at the closing table.

5. Your strong points? Communication and listening are what I believe are my strong points. Hearing what membership needs are is crucial to advancement of the association on behalf of our members. We may not always agree but I am always willing to listen. I am also a level-headed person and don't get rattled easily which I believe is a key leadership trait when conducting business at any level.

6. Your specific plans or ideas for NDAR? It is too early to determine what my plans or ideas are as I'd love to hear from membership if there are things that they are wanting or needing. It is not about me and I want to keep it as a "this is about US."

That being said, I am a huge proponent of the Statewide Forms in ND so I would like to see that becomes a reality, although that might be completed before I am president in 2024.



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Did You Know?



Jill Beck
NDAR CEO

Changes are all around and as stressful as change can be it is a good thing.

"If you can't fly, then run. If you can't run, then walk. If you can't walk, then crawl. But whatever you do, you have to keep moving forward" -Martin Luther King Jr.

With that statement let me point out some, and I stress some, as there have been many changes around the North Dakota Association of REALTORS® lately.

I want to welcome two new local board Association Executives we have in our ranks. Kylie Simenson, Williston Board of REALTORS®, replaced Schuyler Froehlich and Mike Thompson, Grand Forks Area Association of REALTORS®. Mike stepped into the position upon the retirement of John Colter. We wish them both well and are enjoying working with both of them.

The North Dakota Association of REALTORS® will again be the hosts for the state "REALTOR® Convention of the Dakotas" when it is held in North Dakota. A Presidential Advisory Group was put together to look at the convention and its overall operation. For about the last 22 years the local boards have been the hosts/sponsors with the NDAR there for assistance. We thought it may be a few years until it went to this, but several boards in the rotation have released their commitment and due to changes in hotel ownership in Dickinson we will be hosting the upcoming 2022 as well.

After five to six years of looking for a new office building we found one (not an easy task even being in the real estate industry). The building needed several months of work to get the HVAC and electrical up to par, and as of the last week we are moved in but still settling in. We moved in as the carpet cleaner went out the door and were amongst the last of the


workers in the building – I think we had eight different vendors/businesses in here the day we moved furniture from the end it was stored in to the end we now occupy. This fall we will start preparing the south end for lease. See article in this newsletter for our new address and stop in sometime.

The legislative session brought many changes as well that became effective August 1, 2021. The Real Estate Trust Account program will slowly dissolve as the banks pay the last of the interest on the brokers trust account. You now should have changed your trust account from an interest-bearing account to a non-interest-bearing trust account. An email was sent to all brokers and a Q&A was created that is on our website.

Also changes to the property condition disclosure laws. See article elsewhere in this newsletter.


Another big step for NDAR and our members is that we have a candidate for NAR 1st Vice President 2023. Daryl Braham, Fargo-Moorhead Area Association of REALTORS® has the qualifications and is the right person for the job. We spent the summer working with Daryl and a marketing firm and per NAR rules the campaign launched on August 2 mid-morning. His background and qualifications are in a press release in this issue.

This is a few of the big things happening the last few months. Enjoy the last few weeks of summer! Until next time.....




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Daryl Braham Announces Candidacy For NAR First Vice President 2023

(Fargo, ND) Daryl Braham, President of the JSE Family of Companies — which includes Keller Williams, Regency Title, Spire Custom Homes, Forward Mortgage, and several others — announced his candidacy today for the National Association of REALTORS® First Vice President in 2023. Information on why he's running can be found at his campaign website, www.LetsGo23.com



The son of a Mountie, Daryl began his business career early, starting his first company in Canada at age 15. He moved to the US in 1997 and helped build several real estate-related companies, working up through the ranks until he and his partner purchased them outright in 2006. After eight years of exponential growth as CEO, he expanded his coaching, went into finance, and is now the President of a group of rapidly growing real estate-related companies in the Midwest.

Daryl has been local and state Association president, as well as a Regional Vice President and as liaison twice for the national association. "Our association has done incredible things," says Daryl. "We have big issues that we need to confront head-on, and we need leaders prepared to do it."

"Daryl's running a different kind of campaign," says Jill Beck, CEO of the North Dakota Association of REALTORS® and Daryl's campaign manager. "It's about WE, not 'me.' It's about how NAR can best serve our members, and about how, working together, we can reshape the future of the association — and the nation."

Daryl is also a certified ethics instructor, Strategic Planning Facilitator, Business of the Year award-winner on the local, regional, and national level, and the only member in NAR's 113-year history to be awarded REALTOR® of the Year in two states in the same year (Minnesota and North Dakota). Daryl has the expertise and experience needed to lead the largest trade association on the planet.

"Together, we can do something incredible," Daryl says. "We have an opportunity to reshape our future. To focus our association on crucial priorities. To truly connect with our members so they know all we do for them, and what else we can do. We can ensure that the doors that may have seemed closed to some, are finally open to all."

Learn more at www.LetsGo23.com



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Breidenbach Appointed to second term with the North Dakota Real Estate Commission

Congratulations Scott!

Governor Doug Burgum has appointed Scott Breidenbach, Beyond Realty in Fargo to a second term with the North Dakota Real Estate Commission (NDREC).

Breidenbach is broker associate at Beyond Realty, Fargo and was licensed in 2001. He was NDAR REALTOR® of the Year in 2015, Past President of NDAR, having served as President in 2013, and was local board President of the Fargo Moorhead Area Association of REALTORS® in 2009.

The North Dakota Real Estate Commission consists of five members appointed by the governor for five-year terms. Three of the commissioners must be licensed real estate brokers. Their mission is to protect the public by licensing and regulating real estate agents in North Dakota.

The other commissioners are Steve Bitz (Bismarck), Steve Link (Fargo), Sandra Meyer (Grand Forks), and Tate Cymbaluk (Williston).



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Chips From The Board

Badlands

BOARD OF REALTORS®

Yikes!! Where is the year going! We are already halfway through, and kids are going back to school. I don't know about the rest of you, but I can't wait for the kiddos to start school again.

The Badlands Board of REALTORS® Blood Drive Committee hosted their annual Blood Drive back on March 16th. As always, it was a successful event and supplied the communities with much needed supplies.

The BBR held their Annual Red & Black Night on April 29th. This event has turned into a time to celebrate the BBR Business Partners and all they do for us. They deserve every bit of gratitude!

The BBR has invested in Navica for an Association Management Software. Tanya has been working on onboarding all association records. It has been quite the undertaking, but it will be well worth it to have everything in one place for both REALTORS® and the Association. If Covid taught us anything, it's been that things can change rapidly - it will be very beneficial to the members to have this.

Tanya has also been working on an updated website for the BBR and it will hopefully be able to be launched by the beginning of next year.

The BBR Board of Directors has appointed a taskforce to look at remodeling and updating the current Boardroom and Board office. This will be a welcome adventure! The Association has grown so much in the last couple of years, they are outgrowing the current space.

August 19th the BBR will announce the winners of the REALTOR® of the Year, Business Partner of the Year, and Rookie of the Year. It's a very well attended event and most are excited to support their fellow agents.

The Badlands Board of REALTORS® membership is at 142. There are 109 Primary members and 33 secondary members.

Tanya Keck,
Association Executive

Bismarck-Mandan

BOARD OF REALTORS®

The month of June was a whirlwind of events. We started with our first live membership event since the pandemic set in, the Affiliate Appreciation social. While busy workloads and threats of bad weather kept some folks away, the taco bar went over

well and the affiliate members appreciated the door prizes that were provided just for them.

The second event held in June was a RPAC Corn Hole event held at a city park. It turned out to be a fun evening bringing in over \$1,100 for RPAC.

Winding up the events for the month was BMBOR's inaugural charity golf scramble. The weather couldn't have been more perfect, sponsors couldn't have been more generous, and the golfers couldn't have had more fun! The best part is we raised about \$18,000 for charity and received a \$15,000 match from an anonymous REALTOR®. Check presentations will be made at the August Member Connection.



A Legal Review



Casey Chapman, Attorney at Law, NDAR Legal Counsel

MAKING OFFERS OUTSIDE OF YOUR LOCAL BOARD

As real estate practice spreads across the traditional boundaries of local boards, it is understood that, on some occasions, an agent will be asked to handle a transaction outside the comfort of the agent's own board. It

is clear that confusion, and thus problems, and thus potential liability, can arise if care is not exercised in these inter-board transactions.

As an example, assume that an agent from another board, let's refer to them as the Outside Agent and the Outside Board, is working with the buyer who wants to make an offer on property listed through your board, let's call you the Local Agent who is associated with the Local Board. Let's also assume that the Outside Agent, in presenting the offer, is using forms developed by the Outside Board. Hopefully, the Outside Agent has considered the impact which using a form, which is unfamiliar to the Local Agent, could have on the chances for offer acceptance, and has talked with the buyer about this issue. At that point, I sometimes get a telephone call from the Local Agent, hoping to hear me say that it is illegal, or at least improper, to use forms which have not been created by the Local Board. Actually, it is neither illegal nor improper; forms are created by our local boards for the convenience of its members, and there is nothing in the law which requires the Outside Agent to use forms developed by the Local Board.

However, the use forms from the Outside Board for property listed through the Local Board creates a dilemma for the Local Agent. In representation of the seller, the Local Agent obviously has greater familiarity with the Local Board forms and, if forms from the Outside Board are used, the Local Agent will be required to review the unfamiliar forms, line by line. That, not surprisingly, can make a Local Agent very unhappy. I have heard, on at least one occasion, that the Local Agent intended to refuse to present the Outside Agent's purchase offer, unless it was presented on forms created by the Local Board. Such an approach would have created two potential problems. First, absent consultation with, and consent from, the seller, the Local Agent would have unilaterally made a decision to turn away a potential buyer, thereby calling into question the Local Agent's duties to the seller. Second, such an approach would have violated the provisions of Section 43-23-11.1(1)(t), North Dakota Century Code, which requires an agent "to submit all

offers to a seller when the offers are received before the seller accepting an offer in writing and until the broker has knowledge of acceptance." Thankfully, in the Hotline conversation which I recall, the agent's resistance was moved to a more congenial stance.

Congeniality does not, however, remove the dilemma. Local Agent now has an offer on a multi-page form, which may never have previously been seen by the Local Agent. Again, options are available. One viable option, of course, is to take the time to carefully read the form and to consult with Local Agent's broker for any insight on interpretation. Another option, sometimes employed by a Local Agent, is to make a counteroffer on the form developed by the Local Board. That latter option simply shifts the dilemma into the lap of the Outside Agent. Again, before taking that option, the Local Agent will want to consult with the seller in order to avoid any subsequent claim that moving to the Local Board form jeopardized the prospects for making a deal.

At some point, one of the agents is going to be looking at an unfamiliar form. There is a vast difference in the purchase agreement forms, and in other forms (inspection contingency, contingency on sale of buyer's home, etc), among the various boards. There is nothing wrong with those differences, it becomes a matter of local preference. However, just as an example, there is a wide range of approach to title documentation. In some boards, the form suggests that the seller will pay for a title policy; in other boards, the seller will only pay for an updated abstract or a title commitment. If you, as the Outside Broker, utilize the local form and do not understand the difference, you may have a very surprised, and unhappy, buyer at the closing table. Thus, the clear caution is this, if you are using an unfamiliar form, it is your absolute duty to make the effort to understand the unfamiliar form.

We need to understand that the practice of days "gone by," in which an agent's activity was generally limited to that agent's local board, is just that, "gone by." An agent's professional activities are ever-expanding geographically. There is no legal mandate on how these transactions, and the forms used in those transactions, will be handled. Instead, it is the duty of all agents to understand, and to be ready to address, the issues which arise as you cross into another board.



Shirley Dukart



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“The 2021 North Dakota Legislature made substantial revisions to the property disclosure law, which is found at Section 47-10-02.1, North Dakota Century Code.

Please remember that the previous version of the law is still effective until August 1, 2021. Just as a reminder, the prior version states that, in the sale of an owner-occupied primary residence, where a real estate licensee “represents or assists a party to the transaction,” the seller is required to make a written disclosure of adverse material facts to the buyer “before the parties sign an agreement.” Under this prior version, if no real estate licensee is involved in the transaction on either side, the disclosure requirements do not apply.

On August 1, 2021, the new version of Section 47-10-02.1 takes effect. The new law creates two categories of transactions and has different disclosure requirements in each category.

If a real estate licensee “represents or assists a party to the transaction,” and if the transaction involves “a residential dwelling with no more than four units,” the seller is required to give the buyer a written disclosure form either “before the parties sign the final acceptance” or “as otherwise provided in the offer to purchase agreement.” Thus, the parties could agree a later deadline for the written disclosure form. This written disclosure form must include adverse material facts of which the seller is aware, and must be substantially similar to the written disclosure form made available through the Real Estate Commission. However, use of the Real Estate Commission form is not mandatory, and thus the property disclosure forms currently utilized by local boards can still be used. The new law is clear that a written disclosure form, as opposed to a simple written statement, is required. Most members will experience no change under the new law. However, it must be recognized that, when representing a buyer client or assisting a buyer customer in an offer on a FSBO, the law requires a written disclosure form.

In transactions involving “a residential dwelling with no more than four units,” where no real estate licensee is involved in the transaction on either side, the seller must, either “before the

parties sign the final acceptance” or “as otherwise provided in the offer to purchase agreement,” disclose in writing to the buyer adverse material facts of which seller is aware. Those requirements mimic the requirements in a transaction involving a real estate agent, including the option to select a different deadline for written disclosure, with one notable exception. If no real estate agent is involved, use of a written disclosure form is optional and, instead, the new law could be satisfied by a simple written statement identifying the adverse material facts.

In addition, the new version of the law adds a subsection 7 which excludes certain transactions from the disclosure requirements. As an example, those exclusions include, among others, court-ordered sales, foreclosure sales, deeds from a personal representative, a guardian, a conservator, or a trustee, deeds between co-owners of property, deeds between certain family members, and new construction with no previous occupancy.”

Casey Chapman, NDAR Legal



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BMBOR staff has been facilitating the Great North MLS Board meetings and preparations for the FlexMLS conversion. The GNMLS Board has been spending time on establishing data fields for all of the listing types, statuses, required fields, system settings, dashboards, and more. The anticipated launch date is in February of 2022.

The purchase of a new building finds us (along with NDAR) coordinating the installation of the HVAC system (now complete), electrical work, painting, carpet cleaning, movers, IT work, the phone system, and more. We hope to be moved in completely in early August. Next up will be preparing the tenant space for lease. The crews that worked in the building during the extreme heat are to be commended for tolerating the heat while working in the very, very hot attic space and in the building without an A/C system and adjusting work schedules to avoid being in the building during the hottest parts of the day. Meanwhile, the Building Task Force has identified a few more projects for immediate attention and will be prioritizing an overall list of projects for the future.

Nancy Deichert,
Association Executive



Fargo-Moorhead Area ASSOCIATION OF REALTORS®

In the Fargo-Moorhead and surrounding areas it is HOT outside and our market is HOT! As of June 30th, the residential market was down 12% in listings, down 1% in new listings, up 9% in pended listings, up 27% in sold listings, up 41% in sold volume and up 11% in average sale price.

FM REALTORS® hosted their 32nd Annual Golf Outing on June 21st at The Meadows in Moorhead. The event sold out and a great time was had. About \$1,400 was raised by the sale of string and mulligans to benefit Issues Mobilization.

We are excited to announce that we are hosting a Cornhole Tournament on August 10th at Spicy Pie in West Fargo. This event is to raise money for RPAC/Issues. First, Second and Third place teams will be taking home cash prizes.

The FM REALTORS® Awards Luncheon is August 17th at the Delta Hotel by Marriott. At this event we announce the FM



North Dakota REALTOR®

REALTORS® REALTOR® of the Year and NDAR REALTOR® of the Year Candidate. We will also honor members with several other awards including Business Partner of the Year, Distinguished Service Award, Jim Fay Award, 25 Year Pins, and NDAR Life Membership. In addition to awards, we'll announce the 2020 Board of Directors election results. Congratulations to our REALTOR® of the Year Nominees: Amber Carlton, Gloria Palm Connor, Josh Hanson and Jay Nelson!

Other upcoming events include a Bowling Tournament on September 2nd (to raise money for RPAC/Issues) and our 100 Year Celebration the evening of October 18th. Check out our website for more information on these and all of our events and continuing education.

Enjoy your summer and we hope to see you in September at Convention!

Marti Kaiser,
Association Executive

Grand Forks Area Association of REALTORS®

The market in the Grand Forks area has seen an increase in the 2nd quarter of 2021 from last year's 2nd quarter. Listings sold: 481 in 2021 compared to 349 in 2020. Average sale price: \$225,346 in 2021 compared to \$204,648 in 2020. Average days on market: 130 days in 2021 compared to 158 days in 2020.

We just held our annual golf tournament and RPAC raffle on July 21st. We added a cornhole tournament this year for members that do not golf. We had a great turnout for golf and cornhole and everyone had a great time. We cannot thank our amazing affiliates enough for everything they do for this event.



We also had a Pizza in the Park event for our members June 17th. Attendance was a little smaller than usual but that meant more pizza for the rest of us!!

We are holding our Stars Banquet on August 19th. Where we will announce the REALTOR®, Rookie and Affiliate of the Year.

The Mission BBQ was July 28th. We grill hamburgers and serve food to the mission and surrounding area residents.

Other events that our members are involved with: Meals on wheels, Yard of the Week, St Joseph's summer lunch program, and North Country Food Bank.

We are in the process of building a new website for our association. We hope to have the new website live by the end of October.

Mike Thompson,
Association Executive

Jamestown BOARD OF REALTORS®

The Jamestown Board of REALTORS® has kept busy with in person meetings, Zoom meetings, training, education, fundraising events, and general day to day business.

In May we held a food drive and provided a carload of items to the local food pantry. We followed that with an event to support a local member experiencing health issues. A group of members

created S'mores kits to sell and donate the proceeds. The sales raised over \$2,100 for cancer support agencies.

June saw our RPAC summer event. We gathered at Sabirs in Valley City. Enjoyed food, fun and fellowship while raising over \$1500 to invest in RPAC.

Our July membership meeting was dedicated to Fairhaven training. As a group we logged in to the Fairhaven site and proceeded to experience the benefits of group discussion. Members were encouraged to login separately and complete the training after our meeting.

July also included our REALTOR® of the Year announcement. Jessica Clemens of C21 Morrison is our 2021 ROTY. She has been involved in our board locally, serving on several committees and as Secretary of or Board of Directors. She is also involved with the regional MLS.

In addition, committees have been very active. We are busy working on promoting Code of Ethics training, education, membership involvement activities, and supporting community events.

Scot Nething,
Association Executive

Minot BOARD OF REALTORS®



Where did this summer go? It's been so busy it seems like in the blink of the eye school is starting again. 2021 has shattered our records for Median DOM, Average Sale Price and number of Single - Family Home Sales.

In June, we held our annual Golf Social at the Minot Country Club. Weather was great, and the golf was good...depending on who you talk to. Our next event is the Annual Cornhole for RPAC event, which will be held on August 19th at the Moose Lodge. Team Livesay-Fettig is looking to uphold their title. Time will tell!

Immediately preceding the Cornhole Tournament, we will hold the quarterly MBOR meeting, with featured speaker Lance Meyer, Minot City Engineer. We will also award the 2021 REALTOR® of the Year, Rookie REALTOR® of the Year and Affiliate of the Year. It is so refreshing to be able to meet in person again.

Beth Mayer
Association Executive

Williston BOARD OF REALTORS®

The Williston Board of REALTORS® recently held our Don Bintliff Memorial Golf Social. We had an amazing turnout with over 100





participants between the Golf Tournament, Social, and Auction! There were 24 golf teams that participated and had a blast with an American theme. Our auction after the golf tournament was very successful! We raised a little over \$31,000 to go towards a couple local community members. We have a list of candidates that the Board will choose from as the beneficiary of the funds at our next Board Meeting in August. We are very proud of our Association Members and Business Partners for coming together to raise funds for our community.

Our committees are busy planning the next couple events for the year. We are currently taking applications for the REALTOR® of the Year Award. The ROTY Award will be given out on August 18th, 2021.

We look forward to what the rest of the year has to offer and we plan to finish 2021 strong!

Kylie Simonsen,
Association Executive



Dave Lanpher

It is with our deepest sympathy that we announce last month we lost an influential member of the North Dakota REALTORS® family. Dave Lanpher, passed away early July following an accident. Dave was a dedicated REALTOR® for over 20 years. Dave was very active in the real estate industry, serving on many committees on the local, state, and national levels. Dave was President of the Fargo Moorhead Area Association of REALTORS® (FMAAR), and 2009 President of the North Dakota Association of REALTORS®. He was honored with the coveted "NDAR REALTOR® of the Year" award in 2010. Dave also served a five-year term on the North Dakota Real Estate Appraiser Qualifications and Ethics Board.

At the time of his death Dave was serving as the NDAR Government Affairs Committee Chair as well as leadership on the Executive Committee of the Minnesota Association of REALTORS®.

Dave will be missed for his many years of dedicated service to the REALTOR® organization.



SAVE THE DATE!

**NDAR October Education –
October 12-13 in Bismarck
Class information will be available soon!**

3 classes will be available for 9 hours of CE
– One of which will be Code of Ethics



Calendar of Events

Updated 8/3/21

Aug 11-13	State AE Mtg.,	Roanoke, VA
Aug 12	NDREC Mtg.,	Bismarck, ND
Aug 17-18	Sell-A-Bration (RRC)	Lake Tahoe
Aug 23-24	NAR Leadership Conference,	Chicago, IL
Sept 15-17	REALTOR® Convention of the Dakotas,	Pierre, SD
Sept 28-Oct 3	REALTORS® Are Good Neighbors Volunteer Days,	Nationally
Oct 12-13	NDAR October Education,	Bismarck, ND
Oct 14	NDREC Mtg.,	Bismarck, ND
Nov 12-15	NAR Convention,	San Diego, CA
Dec 3	ND REALTOR® Ring Statewide Day,	
Dec 8-9	NDAR Leadership Planning Retreat,	Bismarck, ND
<u>2022</u>		
Feb 9-10	NDAR BOD & Committee Mtgs.,	Grand Forks, ND
March 11-14	AE Institute,	Atlanta, GA
May 1-6	NAR Legislative Meetings,	National Harbor, Maryland
June 8-9	NDAR BOD & Committee Mtgs.,	Medora, ND
Oct 19-20	NDAR BOD & Committee Mtgs.,	Minot, ND
November 11-14	NAR Convention,	Orlando, FL
Dec 2	ND REALTOR® Ring Day,	Orlando, FL



The bottom line? Complete Fairhaven by September 10, and you'll be entered into a drawing to win one of TWO \$250 gift cards.

Here's the deal: In order to promote Fairhaven, NDAR is giving away two \$250 gift cards which were generously donated by FM Title in Fargo and Quality Title in Jamestown. Any member who completes Fairhaven by September 10, 2021, will be entered into the drawing, and all members who have completed Fairhaven since it first began will be included. Names will be drawn at the REALTOR® Convention of the Dakotas the following week in Pierre, SD, but you do not have to be present at the convention to win!

For those of you that may not be familiar, Fairhaven is a virtual simulation training for REALTORS® created by NAR to help members identify, prevent, and address discriminatory practices. This training is inspired by real stories, and provides customized feedback that learners can apply to daily business interactions. Completion times will vary, but generally it takes less than an hour to complete.

What are you waiting for? Visit www.fairhaven.realtor



August 2, 2021, News for next NDAR newsletter from NDREC and posted on NDREC website

News from the N.D. Real Estate Commission – some changes to annual license renewals

The N.D. Real Estate Commission (NDREC) alerts all licensees to the following changes and important processes affecting annual license renewals coming up this fall.

- E&O certificates – The N.D. Real Estate Commission decided that licensees will not need to upload their certificate of proof of errors and omissions (E&O) insurance with their license renewals. However, at the time licensees renew, they must have renewed individual E&O insurance through Rice Insurance or have current E&O insurance through their firm or another provider. NDREC has ongoing processes in place to determine if all licensees have current E&O insurance throughout the year.
 - Individual insurance through Rice Insurance -- NDREC gets daily digital updates from Rice Insurance that include all licensees who have renewed or purchased new policies.
 - Other E&O insurance that is not purchased through Rice Insurance -- NDREC contacts all firms or individuals with E&O insurance in the month before the E&O insurance expires. This email contact is a reminder to email NDREC the ACORD25 form with proof of insurance before the current insurance expires.
- Continuing education (CE) – Remember: there is no mandatory CE topic this year. Also remember that the timing of completing CE is very important. Though this is not new, the commission stresses that active licensees must complete 9 hours of NDREC-approved continuing education and provide proof of this to their designated

broker before they renew. As part of each renewal, the designated broker certifies that the licensee has completed the 9 hours of continuing education at the time they are renewing. When NDREC audits licensees' CE, NDREC looks at when continuing education was completed. Not only must it have been completed by the November 15 due date, but also it should have been finished before the broker certified that the licensee's CE was done. NDREC can begin disciplinary actions if CE is not completed as required.

- Due dates and late fees –

November 15, 2021 – Continuing education must be completed if a licensee renews as active.

November 15, 2021 -- Renewals must be submitted by this date or late fees are assessed.

November 16, 2021 – Late fees begin for all renewals submitted on this date or later.

January 15, 2022 -- All inactive or active licensees must renew their license by this date or their license is cancelled. The January 15 deadline is a new law change made by the 2021 legislature. The January 15 date moves up the deadline, which used to be March.

As always, check out www.realestatend.org first if you have questions about licensing, transfers, certificates of licensure, other online services and forms, the license law, and other information.



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2021 REALTOR® Convention of the Dakotas

September 15-17, 2021

Ramkota Hotel and Conference Center | Pierre, SD



Jared James
National Speaker

National Speaker/Educator

You've learned the business side, now learn why Jared does what he does and where his journey started.

His story starts as a typical "entrepreneur". He worked for a newspaper delivery route but instead of just working one route himself, he picked up 8 routes and handed them off to other kids to make a profit. As he got older he became an award winning REALTOR® with no intention of doing anything other than selling real estate. A few years later he was contacted by a publishing company to write a book and after accepting reluctantly, the book was a hit. The awards continued to pile up and Jared started to get asked to speak at events for the first time in his life. It began locally and grew so quickly that he was speaking nationally and internationally before he knew it. Fast forward to the founding of **Jared James Enterprises**.

- **Elevate your Expertise.** Your convention experience includes learning and networking sessions where you can easily engage and connect with like-minded participants about issues that are relevant to your goals, ask questions, and share real solutions with your peers.
- **Energy and Excitement.** Your convention experience includes recognition of your peers as they are honored for their service to the organization, their industry and communities.
- **Experience a Great City.** Your convention experience includes something for everyone. From the Missouri River scenery and recreation to Capitol building and museum tours, the Capital City welcomes you and don't forget to hit the links at Hills View Golf Course!

Register at www.2021ConventionoftheDakotas.com

2021 REALTOR® Convention of the Dakotas



CONVENTION HEADQUARTERS

Ramkota Hotel and Conference Center
(Reserved for NDAR and SDAR BOD)

Hotels Available with Convention Rates

Americinn - 605-223-2368
Club House Inn & Suites - 605-494-2582
Governor's Inn - 605-224-4200

REGISTRATION INFORMATION

Please fill out a separate registration form for each registrant

Date of Registration _____

Name _____

NRDS Number (if known) _____

Company Name _____

Company Address _____

Address (billing address of credit card) _____

City _____ State _____ Zip _____

Contact Phone _____

Email _____

Registration Fees - Full registration includes all convention activities and education except the Golf Tournament and Dakota RRC Education.

REALTOR® / Assn. Staff Early Bird Registration (Sept through Dec 2020) \$190 _____

REALTOR® / Assn. Staff Registration (January 1, 2021 through July 31, 2021) \$220 _____

REALTOR® / Assn. Staff Registration (August 1, 2021 through to convention) \$250 _____

Licensee Non-Member Registration Fee (ends July 31, 2021) \$250 _____

Licensee Non-Member Registration Fee (August 1, 2021 through to convention) \$300 _____

Affiliates \$170 _____

Non-Licensed Spouse/Guest \$100 _____

Total \$ _____

Members registered for convention are eligible to register for the events below:

♦ Golf - see separate registration form**

♦ Additional Registrants (vendors/sponsors) - see separate registration form**

[] Check Payment (Payable to: Central SD Board of REALTORS®)

SEND CHECKS TO: South Dakota REALTORS®, PO Box 1175, Pierre, SD 57501

[] Credit Card charge my (MasterCard___) (VISA___) (Discover___)

Card # _____ - _____ - _____ - _____ Exp. Date _____ - _____ CSC _____

Authorized Signature _____

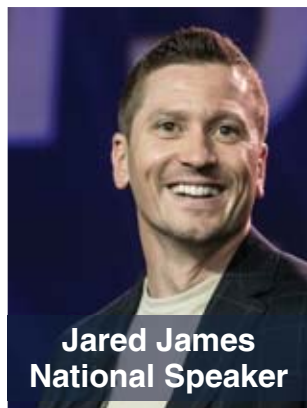
(Required for Credit Card Charges)

Refund Policy: With a written cancellation before July 31, 2021, Central SD Board of REALTORS® will refund your registration fee minus the administrative processing fee. After July 31, 2021, one-half of the registration fee will be refunded. No refunds available after August 15, 2021, No shows will not be refunded. All refund requests will be processed following the convention. All requests for refund must be sent to the South Dakota REALTORS® at PO Box 1175, Pierre, SD 57501 or e-mail to dholben@sdrealtor.org

www.2021conventionofthedakotas.com



**Price not included in registration fee and requires completion of separate form



Jared James
National Speaker



Hillview Golf Club

Wednesday, September 15, 2021
4201 SD Hwy 34 | Pierre | SD | 57501

Fee: \$99/per person





2021 NDAR Leadership Team!

**President Mary Shelkey Miller, Vice President Shawn Ostlie,
President Elect Kevin Fisher, Director at Large Lorrie Nantt,
and Past President Jill Lee**



NDAR Has a New C2EX Challenge! Win Your State & National Dues Paid for 2022!

It's time for the 2021 C2EX Challenge! The new NDAR contest is now running from July 2, 2020 to October 1, 2021 and encourages REALTORS® to earn their C2EX endorsement. The last NDAR contest ended July 1, 2020 with Scott Louser winning the \$2000 voucher for a Convention. If you completed to 100% and became endorsed after July 2nd, 2020 you will automatically be entered into the new drawing!

Did You Know?

C2EX 100% completion also qualifies as fulfilling your required Code of Ethics for the current cycle.

Current cycle is January 1, 2019 to December 31, 2021

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Industrial Commission Approves Expanded Mortgage Lending Capabilities for HFA

BISMARCK, N.D. – The North Dakota Industrial Commission has approved changes to North Dakota Housing Finance Agency's (NDHFA) North Dakota Roots program that will allow the agency to finance mortgage loans for higher-income individuals and families and to refinance residential real estate loans.

"As Bank of North Dakota exits the residential lending market, it is imperative that North Dakota Housing Finance Agency be equipped to help the state's financial institutions address their lending challenges," said members of the Commission in a joint statement. The Industrial Commission, which consists of Governor Doug Burgum, Agriculture Commissioner Doug Goehring and Attorney General Wayne Stenehjem, oversees both the NDHFA and Bank of North Dakota (BND).

During the 2021 legislative session, in anticipation of BND discontinuing its residential lending program, SB 2014 provided NDHFA with the same lending authority as BND. Prior to the change, NDHFA's authority was limited to serving households with income up to 200% of Area Median Income.

"Expanding North Dakota Housing Finance Agency's Roots program enhances the services the NDHFA was already

providing residential mortgage lenders across the state and allows for a continuation of the services BND offered," said Dave Flohr, the agency's executive director.

NDHFA and BND began meeting in 2019 to discuss ways to implement a directive from Burgum to increase efficiency in state government. They took the first steps toward consolidating the roles they play as state agencies in financing residential real estate on April 1, 2021, when BND transferred the servicing of more than 2,000 loans to NDHFA. It is expected that BND will discontinue its residential lending program by Aug. 1, 2021.

NDHFA is a self-supporting and mission-driven state agency dedicated to making housing affordable for all North Dakotans. The agency offers affordable home financing to low- to moderate-income families and helps to ensure the continued availability of suitable rental housing for households of modest means while focusing on the overall housing needs of the state's growing communities.

Also available at the following link:

[News-HFARoots_RefisApprovedFINAL210727.pdf \(nd.gov\)](#)

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OFFICIAL NOTICE OF MEETING

ALL REALTOR® members of the NDAR are hereby notified of the Annual General Membership Meeting as follows:
Thursday, September 16, 2021 – 1:45 pm

ELECTION OF OFFICERS

The Election

The election of officers shall take place from Wednesday, August 11th – Monday, September 6th with election results to be announced on Thursday, September 16th at the General Membership Meeting.

ARTICLE VIII. Section 1. Nominations Task Force

The Task Force shall nominate at least one candidate for each office and position on the Board of Directors, which is filled by election of the membership. Additional candidates, who must be members in good standing, may be placed into nominations by submitting a nominating petition, provided by the Association that contains signatures of at least 50 members in good standing. Such petitions must be received at the Association office no later than 45 days before the election.

Nominations by the Nominating Task Force and by petitions shall be disseminated to the general membership at least 30 days prior to the election. The election is held during the Annual Membership Meeting of the Association.

As the need should arise, the Task Force shall additionally nominate candidates for the position of Director to the National Association of REALTORS®.

ARTICLE VI. Section 1. Annual Membership Meeting

The Association shall have an Annual Membership Meeting for its Members in the month of September at a time and place as has been designated by the Board of Directors. The meeting will always be held in conjunction with the Annual Convention of the Association. Members, as listed in Article II, Section 1, B, C, and D, and who are considered to be in good standing per Article III, Section 3, are entitled to fully participate and vote on all matters which come before the Annual Membership Meeting without any further restriction as to qualifications.

Section 1(A). Voting procedures for REALTOR® Members. Voting in Person

REALTOR® and REALTOR® Associate members who are present at the annual or special membership meeting and who are members in good standing (Article III Section 3) shall be entitled to vote at such meetings.

Absentee Voting

REALTORS® and REALTOR® Associates who are members in good standing (Article III, Section 3) and who are not present at the annual or special membership meeting may vote by absentee ballot. Absentee ballots will be published to members by the Association with descriptions of the substance of any proposals at least 30 days prior to a membership meeting.

Section 1(B). Absentee Ballots

Absentee ballots must be received by the Association office 10 days prior to the annual membership meeting.

2021 ABSENTEE VOTING BALLOT

Any REALTOR® member who will not be able to attend the General Membership Meeting on September 16, 2021 at 1:45 pm may vote by Absentee Ballot. Ballots can be sent in or by electronic voting. **ALL ELECTRONIC & ABSENTEE BALLOTS MUST BE RECEIVED AT THE NDAR OFFICE NO LATER THAN CLOSE OF BUSINESS ON SEPTEMBER 6, 2021.**

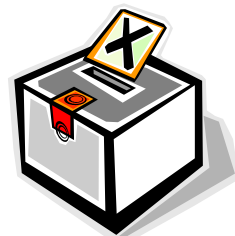
NDAR Election of Officers

The Nominating Committee places in nomination the following REALTORS®:

*Note: Shawn Ostlie automatically advances to President per Bylaws.

For President Elect: Kevin Fisher ☐

For Vice President: Nick Olson ☐



Mail in Ballots must be received at the NDAR Office no later than September 6, 2021.

NDAR ♦ 318 W Apollo Ave ♦ Bismarck, ND 58503-1404 ♦ Phone: 800-279-2361 ♦ Fax: 866-665-1011 ♦ e-mail: robyn@ndrealtors.com

Official Notice of Bylaws Change Proposal

All REALTOR® members of the NDAR are hereby notified of the General Membership Meeting as follows:
Thursday, September 16, 2021 at 1:45 pm

Bylaws Change Proposal

Recommendation from the NDAR Board of Directors is to add to Bylaws: Article V, Board of Directors, Section 7 and Article VI, Meetings, Section 5 “To the fullest extent permitted by the law, the Association may conduct business by electronic means.”

Bylaws Change Proposal

Article V. Board of Directors. Section 7

Article VI. Meetings. Section 5

Approve as Presented: ☐ NO ☐ YES

I hereby certify that I am a REALTOR® in good standing.

Print Name

Local Board

Signature

Date

Electronic Voting Link (instead of mail in ballot)

Electronic Voting Link <https://rogorman.wufoo.com/forms/xw8t7ua1reu6ig/>

Electronic Voting must take place no later than September 6, 2021.

NDAR ♦ 1616 Capitol Way ♦ Bismarck, ND 58501 ♦ Phone: 800-279-2361 ♦ e-mail: robyn@ndrealtors.com

2021 ND NAR Committee Members



Jill Beck
Board of Directors



Daryl Braham
*Board of Directors
Executive Committee*



Amber Carlton
*Housing Opportunity
Committee*



Shane Cullen
*Data Strategies
Committee*



Karin Haskel
*RPAC Major Investor
Council*



Amy Hullet
*RPAC Participation
Council*



Marti Kaiser
*Membership Policy
and Board Jurisdiction
Committee*



Greg Larson
Insurance Committee



Jill Lee
*Professional Development
Committee
REALTOR® Safety
Advisory Committee*



Larry Louser
*Single Family
Investment Management
Committee*



Scott Louser
*Consumer Advocacy
Outreach Advisory Board
RPAC Trustees Feredal
Disbursement Committee*



Jamie McLean
*Idea Exchange
Council for Brokers*



Corey Mock
*State and Local
Issues Policy
Committee*



Desri Neether
*Data Strategies
Committee*



Nicholas Olson
*Broker Engagement
Council*



Shawn Ostile
*Multiple Listing
Issues and Policies
Committee*



Vicki Roller
*Board of Directors
Risk Management
Issues Committee*



Mary Shelkey Miller
*Board of Directors
Professional Standards
Committee*



Mary Splichal
*REALTOR® Party
Member Involvement
Committee*



Diana Zietz
*Risk Management
Issues Committee*



North Dakota Association of REALTORS®

North Dakota REALTOR®

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Broker Associate
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2014 President, ND Association of REALTORS®



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