

**THE MULTIPLE LISTING SERVICE OF THE
BERKSHIRE COUNTY BOARD OF REALTORS**

MINUTES OF MEETING OF MARCH 26, 2003

Attendance:

Present: Mary Jane Dalmaso, MLS President; Sheila Wood, MLS V.P.; Franz Forster, Secretary; Sheila Thunfors, Treasurer; Debbie Dwyer, Director; Al Gelinias, Director; Eileen Taft, Director; Deane Christopolis, Director; Sandy Carroll, CEO; Sue O'Brien, Executive Assistant; Stacy Radzick, Office Assistant. **Excused:** Will Brinker, Past President

Call to Order:

The meeting was called to order at 9:34 a.m.

Previous Meeting Minutes:

Motion was made to approve the previous meeting's minutes as presented. Passed unanimously.

Treasurer's Report:

Motion was made to accept the treasurer's report as presented. Passed unanimously.

President's Report:

Mary Jane Dalmaso, Sandy Carroll, Debbie Dwyer and Sheila Wood attended a meeting on March 13, 2003 at MAR to discuss VOWS. Currently, NAR has no policy in place regarding rules and regulations for a VOW. MAR has been discussing parameters; who determines VOW; how much income is "significant" regarding referrals, etc. There is a policy to be put in place pending approval in May. This is a topic that President Dalmaso would like the MLS Board to keep in mind as it will come up for discussion and MLS consideration soon.

Unfinished Business:

Commercial Division Update: Sandy Carroll will be attending a class at the AE Institute at the end of the month and will bring info back to the MLS board at their next meeting.

Assessor's Update: I-Berkshires is excited at the prospect of working with the Board to obtain assessor's information. They will be getting together a quote and will get back to us in the near future.

Market Report from ProMatch Option: ProMatch confirmed that they can provide the "Data by Zip-Codes" statistics and the "Housing Market" quarterly comparison with the exception of "# of New Homes Built" and that they can provide this info in pdf format for posting to our website. Sue will check to see if their information can be presented in chart format as well as in a workbook format. Sheila Thunfors made a motion to purchase the National information at a cost of \$325. Al Gelinias seconded the motion which passes unanimously.

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Contract Modification Update: A letter was sent to the individual in violation of modifying our contracts and a response had been received. The Board directed Sandy to follow-up with a response to reiterate the fair housing issues, to inquire about the "web based form" that was mentioned in the response letter and to send a copy of our contract to Emil George for the legal interpretation of "Seller's signed acceptance". A general letter is in the process of being mailed to the membership regarding alteration of copyrighted forms.

Other: Sue contacted Glenn Drohan of The Berkshire Eagle to determine where he has received his information quoted in his January 17th article. He informed her that the info had come directly from the bulletin board of the member in question and that it stated that the info had come from the Berkshire MLS. He was mortified to hear that the facts had been misrepresented and offered to write a piece regarding housing statistics in general that would portray the market in a fair way with positive PR for Realtors® in general. Sandy will get together info used in a press release regarding Housing Opportunities.

New Business:

Disclosure of Commission to Seller on Contracts: The Board agreed that their burden is to inform participants about changes to Standard of Practice 1-12 of the Code of Ethics and not to mandate a specific way for participants to disclose information to sellers. Sandy will seek advice from legal counsel about including wording in our Exclusive Right to Sell Contract and will put out a notice to the members regarding Standards of Practice 1-12 and 16-13.

Board Legal Counsel: Currently the Board does not hold our legal counsel on retainer. Sandy will speak to the BCBR Board about sending out RFP's, if we decide to hold an attorney on retainer.

Pocket Listings: Tabled as an upcoming issue

Extended Status: The Board agreed that they could not foresee any issues with eliminating the "extended" status from ProMatch. Sue will contact Karl Balbach to see if he can foresee any problems and, if not, will instruct ProMatch to eliminate this status.

Fine Waiver Request: Brockman Real Estate requested a waiver of \$50 fine for a listing that was temporarily taken off the market and then placed back on. Sheila Thunfors made a motion to approve a waiver of the fine with a letter to the DR reminding him that any new MLS# created in the system requires documentation to be submitted to the MLS. Debbie Dwyer seconded and the motion passed unanimously.

Excess Insurance Coverage: The Board agreed to revisit excess insurance coverage when VOWs and all the liability they foresee associated with them "come down the pike".

Next Meeting:

The next meeting will be held on April 30, 2002 – 9:30 a.m. at the Board Office.

Adjourn:

The meeting was adjourned at 11:37 a.m.

Respectfully Submitted,

Sue O'Brien