



# HCBR Newsletter

November 2023

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## Board Christmas Party Set for Dec. 11

At the November Board of Directors Meeting, the Board appointed Diana Carson to head the Christmas Party Committee with Kara Moyer and Lori Rubley. The committee will plan decorations, games, and table centerpieces as well as helping with set up and take down for the evening. **The party is scheduled for Monday evening, December 11 at the Hillsdale Elks. There will be a buffet dinner offering Prime Rib and Roast Turkey Breast with salad, vegetable, potatoes, dinner rolls and dessert. There will also be some tasty new appetizers and a cash bar.**

President Tjay Fitton will present the REALTOR® Awards this year to the REALTOR® of the Year, the Rookie of the Year and the Lifetime Achievement Award winners. REALTOR® Awards recognize those who shine in the REALTOR® profession as well as giving back to the community and the organization.

Russ Martin will provide live music for the event again this year and a Christmas photo op will be available as well.

The party will begin with a social hour from 5 to 6 p.m. and dinner will be served immediately after. The Christ-

mas Party meal and evening are free for members, but guests will be charged \$35 per person.

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### *Kat Snips*

The Board has a new charity to support this year that represents a carryover from the November Lunch N Give program. Kat Snips is an organization that provides for the neutering and spaying of feral cats and of cats whose owners may not be able to afford to neuter or spay.

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### *Gift Basket Charity Raffle*

The Charity Gift Basket Raffle is a highlight of the Christmas Party and has successfully raised funds for local charities such as CAPA, King's Kupboard, Hospice and the Hillsdale County Humane Society. Each year the money raised is split between the two charities that receive the most votes from the members who attend. Last year the money was split between two

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*As always, the Board thanks the many Sponsors and Affiliate Members, all of whom make it possible to have this wonderful celebration. Sponsors will be named and recognized at the party.*

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*Also, don't forget to RSVP to have your name in the drawings for the many prizes offered. You MUST be present to win!*

According to Renee Goshorn, Kat Snips President, the program is designed to help alleviate the problem of multitudes of cats reproducing and creating problems for the community.

At the party there will be envelopes provided for donations to Kat Snips, and there will be a drawing for a cash prize of ten times the amount donated. There will be a limit of \$10 per envelope, but donors may give as many enve-

charities, each of which received over \$400. Each broker office will be asked again this year to donate a gift basket with a value of \$50 or more. Baskets are usually creative, colorful and full of great gifts, many valued at much more than the minimum donation. All attendees, when they sign in at the party will receive a ticket to vote for the charity of their choice. The gift baskets will be raffled off and guests may put their raffle tickets in the bowl for the basket they want to win. Winners will be drawn from the ticket bowls midway through the evening.

*(Continued on page 2)*



## Local Bell Ringers Help Out Needy

The Board of REALTORS® has once again signed up to help with Salvation Army Bell Ringing at the Hillsdale Market House. Board members will be ringing on Wednesday, November 29 from 9 a.m. to 6 p.m. at the Hillsdale Market House.

Members should contact the Board Office at 439-1770 or email hcboard@yahoo.com to sign up for 1 hour shifts. Board Aprons will be distributed to those who ring.

Monies raised by the Salvation Army benefit needy families in the Hillsdale area.

In addition, participating in community service fund-raising events helps the Board of REALTORS® maintain Core Standards Compliance with the National Association of REALTORS® and earns Board Dollars for participants.



# 2023 RPAC Donors Recognized

The Hillsdale County Board of REALTORS® has reached and exceeded its 2023 goal set by Michigan REALTORS®! The 2023 goal was \$4,314. The Celebrate Summer Event, thanks to sponsors: **Barrett Insurance, Southern Michigan Bank & Trust, American Title Company of Jackson, Brandy Titus, Century Bank & Trust, Check All Inspections, County National Bank, Devon Title Agency, DMP Home Inspections, Elevate Title, Mutual Title Agency, Olde Carriage Barn Event & Reception Venue, Public Title Company, Shelters Home Inspections, Smokin' Steve's BBQ & Fried Pies, and The Gospel Barn** and a record turnout of participants, netted \$2775. Thank you to all sponsors and members who made it possible to support RPAC. (Members who donate \$100 or more for the year are recognized on the NAR website.) The members listed below have invested in RPAC for 2023.

## Platinum Level Donors (\$100 or more) Shirley Smith

## Gold Level Donors (\$75-\$99) Bill Butler

## Silver Level Donors (\$50-\$74)

Ray Baxter  
Dawn Buehrer  
Jewell Burkwalt  
Diana Carson  
Brian Coe  
Tom Dunn  
Tjay Fitton  
Karen Foust  
Alicia Galloway  
Cathy Galloway  
Julie Games  
Kaitlyn Girdham  
Sherri Groves  
Tim Groves  
Claire Halliwill  
Fred Halliwill  
James Hartman  
Jessica Hayes  
Michael Heisler

Dennis Irelan  
Becki Jaeger  
Blake Jenkins  
Brad Jenkins  
Brock Liby  
Risa Mains  
Michael McCarthy  
Adam McLafferty  
Stephen Moore  
Trevor Morin  
Kara Moyer  
Gretchen Oberdick  
Terry Ohrman  
Scott Phillips  
Bryan Playford  
Mary Playford  
Christie Plemmons  
Mike Plemmons  
Brandon Podolak  
Tamarah Rusk  
Dan Satow  
Carolyn Scholfield  
Annette Scoville  
Jerry Slade  
Christopher Smith  
Rene' Spahr  
Mark Williams  
Joe Wollet  
Michelle Wollet  
Matthew Yoder

## Bronze Level Donors (\$15-\$49)

Beverly Bradstreet  
Aaron Buehler  
Crystal Dane  
Heather Dawson  
James Driscoll  
Amy Dryer  
Barb Groves  
Corey Hartshorne  
Lisa Hayes  
Katryna Jenkins  
Lenya Keller  
Tamra Kies  
Tami Lehman  
Samantha Moore  
Tami Morris  
Ben Oliverio  
Holly Paige  
Donna Plemmons  
Kassy Plemmons  
Tammy Regner  
Pat Rising  
Lori Rubley  
Keegan Smith  
Megan VonDeylen  
Robin Walling

# NAR Fails to Win 1st Round in Sitzer/Burnett Trial, but Will Move Forward with Appeals

The National Association of REALTORS® and two code-defendants were found liable Tuesday in the federal Sitzer/Burnett trial, which challenged MLS rules and the real estate compensation model. The eight-person jury also found liable HomeServices of America and Keller Williams Realty, which were named in the lawsuit.

During the 11-day trial, NAR presented the facts and law about pro-consumer, pro-competition MLS rules, which class-action attorneys called into question. The case covers the Missouri markets of Kansas City, St. Louis, Springfield and Columbia.

"NAR rules prioritize consumers, support market-driven pricing and promote business competition," the association said in a statement. "This matter is not close to being final, as we will appeal the jury's verdict."

In presenting their case, plaintiffs argued buyer representation is obsolete and should only be afforded to wealthy buyers who can pay for the services out of pocket. They also alleged commis-

sion rates are too high, buyer brokers are being paid too much and NAR rules, along with the corporate defendants' practices, lead to fixed pricing.

NAR countered that consumers are better off and business competition is able to thrive because of MLS rules and how well local broker marketplaces function. NAR's cooperative compensation rule ensures efficient, transparent and equitable local broker marketplaces. Sellers can sell their home for more and have their home seen by more buyers, while buyers have more choices of homes and can afford representation. NAR also argued that REALTORS® are everyday working Americans who are experts at helping consumers navigate the complexities of home purchases, as well as advocating for fair housing and wealth-building for all.

NAR plans to appeal the jury's verdict, but that process could take years to resolve. NAR says it remains committed to pro-consumer, pro-competition practices and is confident the association will ultimately prevail.

## Key Points from the Trial

### About NAR

- The very reason NAR exists as a trade association is because there was a need, identified more than 100 years ago, for a higher level of ethical practice in real estate.
- NAR rules are made as part of a public rulemaking process and are consistently shared and made available publicly.
- NAR does not seek, track, receive or set commissions for buyers' or sellers' agents.
- NAR is an advocate and resource in the real estate market for its members and their clients, and only NAR members can call themselves REALTORS®.
- NAR membership includes robust benefits, such as exclusive access to health, home and auto insurance. NAR offers business and marketing services, as well as extensive opportunities for learning through designation and certification programs.

### About REALTOR® Value

- Agents who are REALTORS® play a critical role in guiding consumers through all the legal, financial and community complexities of buying a home. They also make local broker marketplaces, which online housing portals tap into, possible because of all the information they input into those databases.
- Real estate agents are consumers' advocates. They lead as entrepreneurs, experts and philanthropists to protect consumers, build generational wealth and contribute to local and national economies.
- Having a local expert manage the process is more important than ever. All of the sellers who testified in the case said they used an agent and were very satisfied with the services provided to them.

### About Broker Compensation

- Agent compensation is set between brokers and their clients and has always been negotiable at any point in the transaction, as set forth in NAR's publicly available guidance for members. And those costs are spelled out to buyers and sellers.
- If buyers had to pay out of pocket for representation, that would reduce the number of buyers and the money buyers have to purchase homes from sellers.
- Every plaintiff in this case knew the commission they were paying to their agent and agreed to it in writing.
- The cooperative compensation rule ensures both buyers and sellers are well represented and that the buyer broker knows what they will be paid before they commence work.

### DUES INCREASE

Local, state and national Dues billings will be sent out for Hillsdale members in mid-November and are due January 1st. For 2024, there is a MR dues increase of \$36. The dues breakdown for the year will be as follows:

Local Dues and Fees:	\$898.00
NAR Dues:	\$150.00
NAR Consumer Advertising:	\$45.00
MR Dues:	\$186.00
MR Issues Mobilization Fund:	\$40.00
MR Legal Action Fund:	\$3.00
RPAC Voluntary Investment:	\$50.00
TOTAL 2024 Dues & Fees:	\$1372.00

(All fees except the RPAC investment are mandatory.)



# Op Ed: Burnett vs NAR Court Case May Make Buying/Selling Homes More Difficult

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By Tracy Kasper, 2024 President

An ongoing federal class action lawsuit challenging the long-standing practice requiring the brokers representing home sellers to offer compensation to the homebuyers' brokers may upend the U.S. residential estate market as we know it. The plaintiffs in the case allege that the National Association of REALTORS® (NAR) Participation Rule, which requires listing brokers to advise buyer brokers how much they will be compensated for finding a buyer in order to list a property in REALTOR®-affiliated local Multiple Listing Service ([MLS](#)) broker marketplaces, is an antitrust violation that inflates seller costs.

As a REALTOR® for 30 years and President of NAR, I can emphatically state that nothing could be further from the truth, and I'm concerned about the negative impact these misrepresentations—and ultimately a verdict for the plaintiffs—could have on homebuyers and sellers across America. However, most Americans who are less familiar with the intricacies of the real estate market do not understand what's at stake, the magnitude of this trial and its potential implications for buyers and sellers who are already facing housing affordability and supply crises.

It all starts with local MLS broker marketplaces. Hundreds of these virtual marketplaces exist around the country as databases of all the homes for sale in a given market. That means a buyer can work with any agent participating in the local broker marketplace and get access to the widest selection of properties. Meanwhile, sellers get access to the largest pool of buyers. These marketplaces are by far the largest and most trusted resource to make the best and most informed decisions about buying and selling a property.

Because listing brokers and buyer brokers come together in these marketplaces, there is greater efficiency and equity for first-time, low-income and other homebuyers across the country. What's more, because the commission is shared between the seller's broker and the buyer's broker, first-time, low- and middle-income buyers get a better shot at affording a home and professional representation. If buyers had to pay their real estate broker themselves, it would make it harder for many Americans to afford a home because they would need more money upfront for the down payment, closing costs and agent fees. Or they could forego using a broker in one of the most complex and expensive transactions of their lives—a risky choice for even experienced buyers.

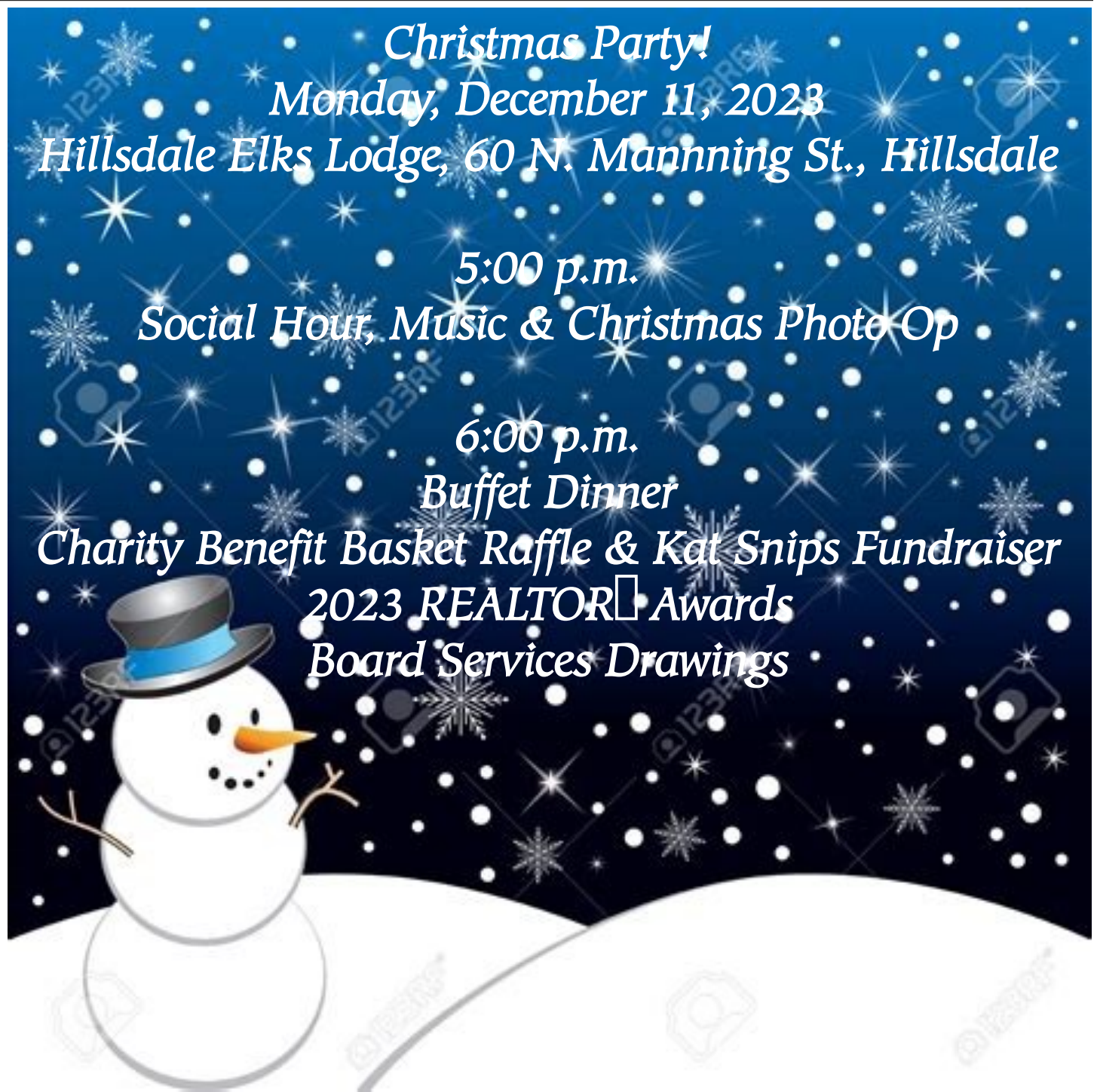
Without [MLS](#) broker marketplaces, there would be no dedicated home for all the verified, up-to-date listings. Information on homes would be inaccurate, unreliable and scattered across real estate sites. Buyers and sellers likely would have less choice among brokerages, services and compensation models because all those businesses would not have one place to come together. Instead, these marketplaces provide everyone with a means of entry to the same set of verified and complete housing information. That's because buyer and seller brokers are putting their most complete and up-to-date information into these centralized databases.

Real estate agents who know or have worked in other nations recognize that these local broker marketplaces in the U.S. create efficiency, equality and value for consumers. The U.S. operates in a free market with no hidden or extra costs or fees and with information that is accessible and accurate. Everyone can count on that kind of transparency to make the best choices in selling or purchasing real estate. Compensation is negotiable and can be negotiated at the outset or as agreed to by the parties at any time before the transaction closes.

Having access to MLS local broker marketplaces is what makes it possible for professionals like me to best serve both buyers and sellers, creating the most consumer-friendly market possible. And the beauty of it is that in the process, I can connect more sellers and buyers and create greater access to more homes for sale. It's a win-win all around.

To ensure the most consumer-friendly market possible, NAR's Participation Rule must be upheld for the sake of efficiency, transparency and accuracy. Greater cooperation among real estate professionals will always bring more buyers—particularly first-time, low-income, and first-generation buyers—to the table with sellers. And, at the end of the day, isn't this what we want, for more people to be able to achieve the American dream of homeownership?

For more information, visit <https://www.nar.realtor>.



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**(Members Free, Guests \$35.00)**