

A publication of Michigan Realtors®

# MICHIGAN REALTOR®

## WIRE FRAUD



DANGERS THAT CAN BE AVERTED



PLUS

RPAC Tribute

Capitol Report

President's Report

2019 Officers & Directors



Relevant Appraisal  
Characteristics



MICHIGAN REALTORS®

# ACHIEVE

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JW Marriott, Grand Rapids • January 31 – February 1, 2019

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BY MATT DAVIS



## Getting started on the right foot

It is my pleasure to address you as the 2019 Michigan Realtors® President. I am humbled to have been chosen to represent you and excited for what is in store for the organization, our industry and for each of us in the coming year.

Whether you are a new member, emerging leader or a long-standing pillar of this organization, each and every one of you plays a critical, key part within our profession and Michigan Realtors®.

Multiple opportunities for networking and development are in the works for 2019, and I encourage you to take in as many of them as you possibly can. These events will not only help you stay current, but can prove to be a concrete source of inspiration on many levels for both new Realtors® and seasoned professionals alike.

As you consider your goals and aspirations for the coming year, do yourself a favor and register now for Achieve. Attending the Michigan Realtors® premier leadership event is the perfect way to root yourself with a growth mindset for 2019. Achieve is an incredible opportunity to network with some of the biggest influencers while taking in the new trends in our industry, legislative developments and leadership. Open your mind to meeting colleagues, building relationships, and laying the foundation for success.



I am **HUMBLED** to have been chosen to represent you and **EXCITED** for what is instore for the organization...

**ACHIEVE**  
**ENGAGING REALTORS® - BUILDING LEADERS**  
**January 31, 2019 - February 1, 2019**  
**JW Marriott, Grand Rapids**

And while you are at Achieve, be sure to participate in two very special events as we will honor some very important members of our organization.

- **RPAC Recognition Lunch**  
*Join in the celebration of the 2018 Local Association RPAC Achievement Award winners and all Michigan RPAC investors.*
- **President's Reception**  
*Be my guest and attend the installation of the 2019 President-Elect, Treasurer, and newly-elected Directors.*

Be sure to watch for other Michigan Realtors® special events and announcements throughout the year on our website, in this publication and on social media. Also, follow us on Facebook and Twitter so you don't miss a thing!

I come to you with over 20 years of experience as a Realtor®, having served for many of those years in various roles on task forces, boards and committees. To maximize my time in this office, I am committed to amplifying your voice in our industry and our state and I am committed to supporting a strategic vision as we move forward together.

As your President, I also encourage you to take the time to stay on top of industry trends. Discover a new tech tool that will help your business and your life, then share it with other Michigan Realtors® to help them become the very best they can be. Reach out to your professional network in the coming months to develop relationships and to pick up real life tricks and tools for improving your pipeline, your skills, your efficiency, your progress. Take advantage of every opportunity around you and make each one count.

In the coming weeks, I look forward to settling into my new role and being empowered by those around me - including each of you - and to growing this organization (and ourselves) without limits. Here's to a healthy, happy, and very prosperous 2019 for us all. ●

# MICHIGAN REALTORS®

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GRI

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# COMING EVENTS

**January 30 - February 1, 2019**

Achieve

JW Marriott, Grand Rapids

**April 24, 2019**

Broker Summit

The Westin, Detroit Metropolitan Airport

**October 2-4, 2019**

The Convention

Detroit Marriott at the Renaissance Center, Detroit

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## Lame Ducks and Loose Ends

Before you begin reading, let us consider this article as part one of two. It will have plenty of information on the bills currently moving through the legislature, but it will lack ultimate resolution for all of these issues. Bad for you because it will read as a cliffhanger, good for me because it gives me an immediate topic for my next Capitol Report without any agonizing brainstorms.

The holiday season is upon us, and so is the lame duck legislature. As I mentioned in my last Capitol report, lame duck is the name given to the period of time between the election of a new legislature and the end of the current legislative session. This year's lame duck will be different from the last because 2019 will see divided Government in Michigan, with the Republicans maintaining control in the House and Senate, and the Democrats taking the Governorship for the first time in 8 years.

At the time of writing, lame duck week one of four is in the books; week two is about to begin. The legislature is scheduled for three session days per week right up until December 20th. If week one is any indication of how the rest of the weeks will go, the word "crazy-busy" sums it up. Michigan Realtors® staff is working around the clock in Lansing to make sure that our bills that are moving find a satisfying conclusion, and those bills that we oppose stall out in the process—or find changes to make them acceptable.

Below you will find a compiled list of everything that we are keeping our eye on at this time, with a brief synopsis of where it is in the legislative process.



This year's lame duck will be different from the last because

**2019 WILL SEE DIVIDED GOVERNMENT** in Michigan...

### FIRST-TIME HOMEBUYER SAVINGS ACCOUNTS (SB 511-512)

These bills provide tax incentives for saving-up for a down payment on a first-time home purchase in Michigan. Not only do they serve as a great talent retention tool for our young men and women graduating from great Michigan colleges and universities, they also build equity and wealth in that first home.

These bills passed the Michigan House and Senate overwhelmingly and are currently on Governor Snyder's desk for his review and hopefully signature.

### STATEWIDE SEPTIC CODE (HB 5752-5753)

This bipartisan package creates a statewide septic code to provide uniformity in the process of inspecting, a uniform definition of failure, prevents local government from stopping a closing, and provides for statewide approval of alternative septic technologies. This bill has been 20 years in the making and is just gaining legs with a series of workgroup meetings and a second committee hearing in the House this week. If the momentum holds, this bill may be flushed through the process and law by next year.

### PREEMPTION OF LOCAL TREE ORDINANCES (SB 1188-1194)

These bills were introduced once lame duck started. Essentially these bills prevent local governments from enacting tree ordinances on industrial, commercial, and agricultural property, except for certain defined "heritage trees." This would include eliminating the requirement to pay tree replacement fees for smaller trees and vegetation. The Michigan Realtors® Public Policy Committee support for these bills is pure private property rights.

This legislation was fast tracked through the Senate last week and is currently in the House Local Government Committee. While we do support the current versions



of the bills, you may notice that the list of exempt property types does not include residential at the time. We are working closely with the bill sponsor and the committee chair to see if there is an ability to amend the bill to include residential property as well. My prediction

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is that the legislature should be able to chop this issue down for delivery to the Governor before December 20th.

### **COMMERCIAL TRANSFER FEE (CONCEPT)**

I covered this in my last Capitol Report. At the time, a new commercial real estate transfer fee was being eyed as a potential revenue source to fund the cleanup of orphaned contaminated property. Since my last writing, it appears that Michigan Realtors® was able to pollute the waters on this idea before any legislative action. We will remain vigilant to any other potential funding mechanisms that come up in lame duck.

### **FLOW-THROUGH ENTITY TAXATION (SB 1170)**

Under the U.S. Tax Cut and Jobs Act, a \$10,000 cap was placed on the deduction for State and Local Taxes (SALT). This cap directly impacted those Michigan businesses organized as flow-through S Corporations, L.L.C.s, and partnerships, by limiting their SALT deductibility, whereas C Corporations did not lose that deduction under the federal tax cut package. This bill would give businesses the option of utilizing the proposed Michigan flow-through tax to take advantage of the full deductibility of SALT, just like C Corporations.

This bill looks to have bipartisan support coming out of the Senate, so when the final audit is done on Lame Duck, there is a good chance that this will now be an option for pass-through entities.

### **PREMISES LIABILITY LAW CODIFICATION (SB 1071)**

This bill seeks to codify decades of case law concerning the liability of possessors of real property for injuries sustained by individuals who have the possessor's permission to be on the property. As is often the case when trying to craft legislation to reflect over 30 years of case law on a subject, this bill presented some unintended consequences for our industry. We were concerned that, without express language, real estate agents could be considered "possessors" for the purposes of liability. We were able to expressly exempt real estate licensees from the scope of liability through an amendment.

There is vocal opposition to this legislation from attorneys and the insurance industry so there is a possibility that the bill slips during the process.

### **PREEMPTION OF LOCAL OCCUPATIONAL LICENSURE (HB 5955-5965)**

Michigan Realtors® is supportive of this bill package. Where an occupation is already regulated on a statewide basis, there is no need for duplicative licensing measures by local government. This would eliminate the possibility of duplicative licensing between the state and local government. In the end, I expect that the legislature will pull local governments license on this one.

### **MARKETABLE TITLE (SB 671)**

Many areas of the state find land development blocked by ancient restrictions on the use of the property. These ancient restrictions often conflict with current zoning ordinances and frustrate their intent. The technical change proposed in this legislation is a simple fix that would carry out the original intent of the legislature by further "simplifying and facilitating land transactions" and by providing certainty to land titles.

The bill has been the subject of a workgroup and is scheduled for a hearing in the House so it is anticipated that it will be unencumbered through the remainder of the legislative process.

### **CYBER-SECURITY (HB 6405)**

While these bills seek to establish a workable statewide framework to report and quickly address cyber-crime, we remain concerned with the unintended consequences and the imposition of new burdens on businesses. We continue to work with the sponsor of this legislation to avoid any unintended consequences. A large business coalition has come out in opposition to the bill so the chance at easy passage at this point in lame duck might get hacked.

As a reminder, we are still in week two of four of lame duck, right now these are the issues that Michigan Realtors® is monitoring closely. Stay tuned to the next edition of the Capitol Report to find out the fate of each piece of legislation. Please follow along with breaking news through our social media and E-news publications. Additionally, be the first to receive Call for Action alerts on your mobile phone by texting the word "REALTOR" to 30644. ●

# Appraisers Relying on Other Sources for Subject Property-Related Data

BY MICHEAL R. LOHMEIER, MMAO(4), PPE,  
MAI, SRA, FASA, RES

A critical component in every appraisal is identifying the subject property's relevant characteristics, given the appraisal assignment's

- *Type and definition of value (e.g., true cash value, market value, fair market value, insurable value) and*
- *Intended use of the appraisal (e.g., property tax, collateral for financial institution use, non-cash charitable donation).*

The subject property's relevant characteristics include legal, economic and physical characteristics. Legal and economic characteristics are often gathered from owners, other professionals and documents such as zoning ordinances, city planners, leases and the like. Generally the most reliable way to gather information and develop opinions about the subject property relating to its physical characteristics is to physically inspect the property.

## APPRAISERS HAVE A UNIQUE INSPECTION PERSPECTIVE

Inspecting a subject property by an appraiser is not the same as a home inspector. Appraisers are not inspecting a property to ascertain whether or not they are built to code, or if the electrical wiring is done to certain standards. Appraisers are experts in recognizing and identifying various building features, designs and physical characteristics. Appraisers identify these various building components in order to develop opinions of how they are being recognized in the marketplace between buyers and sellers. They do this in order to determine how these building components contribute overall to the property's marketability and ultimately its value. Home inspectors are mechanical and structural experts while appraisers are valuation experts.

There are times in appraisal assignments when appraisers have relied on home inspection reports and associated cost to cure estimates as part of their appraisal process in order to develop their appraisals. But in these situations, they assume the home inspection reports are correct as relating to the reported deficiencies. They don't second guess or analyze the home inspection reports. The appraiser's inspection of the property, interior and exterior, is not the same as a home inspector's.

It's important to understand appraisers are also not looking at a property from any other professionals' perspectives. This includes a real estate broker, construction accountant, insurance agent, home decorator or any other professional perspective. For market value, appraisers are attempting to emulate the perspective of the 'usual' buyer and seller interaction during a sale. This does not always agree with the local assessor's, the developer's or the specific seller perspectives.

## APPRAISER'S INSPECTION IS MORE THAN JUST COLLECTING PHYSICAL DATA INFORMATION

Inspecting and gathering subject property characteristics is much more than just collecting physical data about a property. It's not just assembling a property's street address, age, square footage, bedroom count, bathroom count, and some common factual data. If that were the only kind of information needed, then much of the data could probably be done without the use of appraisers, and the hundreds of classes developed for training appraisers would be unnecessary.

Identifying the physical characteristics is only part of the collection process. The other part of the process is analyzing those characteristics and determining value-related opinions including age/condition analysis, economic life analysis, depreciation, functional utility analysis, highest and best use analysis and being able to apply this data to all three approaches to value, such as comparative analysis both qualitative and quantitative.

The appraiser's knowledge relating to the physical characteristics of a subject property goes beyond just having factual information, it extends into the very core of the analytical study underlying the validity of the analysis and credibility of the results of the appraisal itself. It takes a specialized appraiser mindset to recognize deferred maintenance, functional inutility, external obsolescence and other related positive and negative influences relating to a property which may not be identified by any other professional or by any other means if not inspected by the appraiser him/herself.

These subject property-related conclusions are important to keep in mind by anyone who may consider

substituting appraiser-involvement with an outside or other source involvement of data or opinion/conclusions. Can it be done? Certainly it can in some cases. But every client and intended user needs to understand they inherently shoulder an increasing risk as they substitute an appraiser's involvement with that of someone else.

### INSPECTION IS PART OF SCOPE OF WORK EXERCISE

There is a misconception that the appraiser must inspect, even to some varying degree, every property he/she appraises. However, this is not true. In fact, the *Uniform Standards of Professional Appraisal Practice (USPAP)* requires the appraiser to disclose in its Certification whether the appraiser did or did not inspect the property. This disclosure is required because it is inherently evident that there are times when the information gathered about the subject property may be from other sources deemed reliable by the appraiser. Although the client is the one who initiates the condition for not inspecting the property, ultimately the appraiser shoulders the final decision-making, as the assignment results of the appraisal must still be credible.

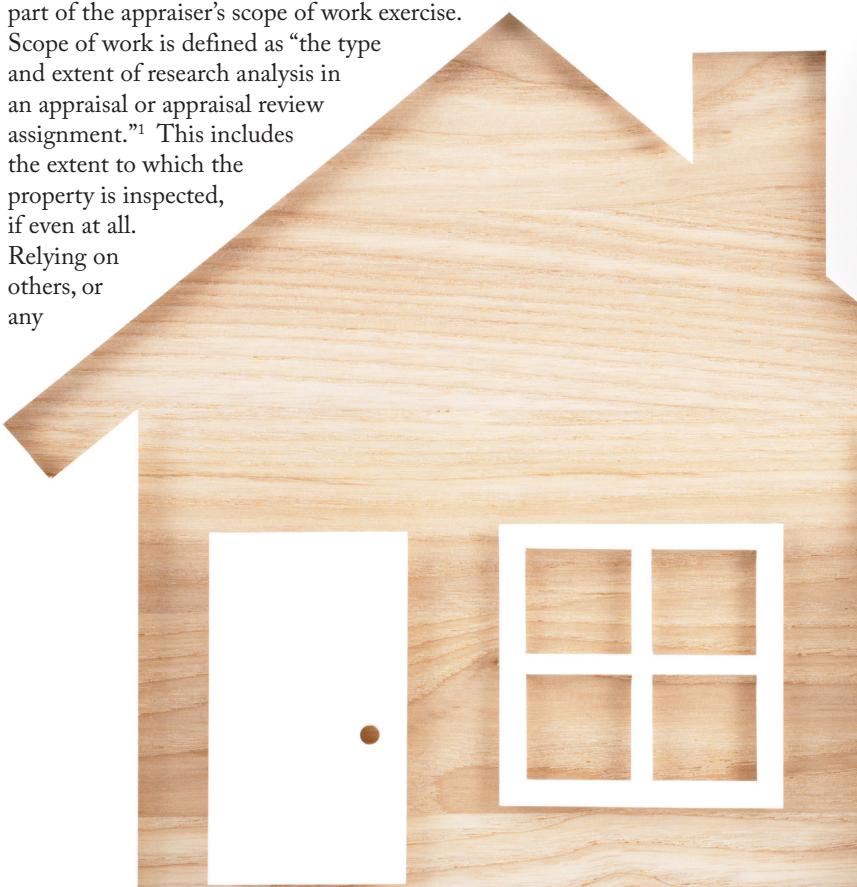
This appraiser-related decision-making process is a part of the appraiser's scope of work exercise. Scope of work is defined as "the type and extent of research analysis in an appraisal or appraisal review assignment."<sup>1</sup> This includes the extent to which the property is inspected, if even at all. Relying on others, or any

resource information, about the subject property as part of this process is an inherent part of an appraiser's scope of work decision-making process. The appraiser's decision is driven by the appraisal assignment's type and definition of value and the intended use of the appraisal. The appraiser's decision is also combined with the availability and reliability of the subject property's data from the other source.

There may be assignments where the appraiser determines the information is not reliable and the assignment results will not be credible. In these instances the appraiser has three choices: (1) go back to its client and have the scope of work expanded to include gathering additional information necessary to identify relevant information, such as performing an inspection to some degree; (2) use of an Extraordinary Assumption for any related uncertainties (and fulfill USPAP disclosure requirements in the appraisal report); or (3) withdraw from the assignment.

### RELYING ON OTHER SOURCE(S)

Traditionally the subject property has been inspected, to some varying degree, by the



appraiser with information collected directly. The inspection has been done by either an interior and exterior inspection of the property or an exterior inspection with a combination of other sources of information.

Increasingly, appraisers are being asked to limit their involvement with the subject property further and are provided with subject property information gathered from other sources. This information may include:

- **Property inspection reports prepared by real estate agents**
- **Home inspection reports from home inspectors**
- **Plans and specifications**
- **Public records, such as assessment, building, clerk, and other municipality-related records**
- **Engineering reports**
- **MLS records**
- **Photographs (interior and exterior)**
- **Prior appraisal reports**

Recently, a new direction by some clients has occurred where they are providing inspection reports to appraisers, prepared by non-appraisers. These are commonly referred to as Hybrid Appraisals. The question I'm being asked today is ...

*"When the information is from other sources or non-appraisers, what is my responsibility as the signing appraiser on an appraisal report?"*

My response is pretty simple, straight-forward and reverts back to what we have been doing in the past. This is simply an outside source of information of what might be relevant information pertaining to the subject property. Some of which might be (1) factual data and some of which might be (2) information based on someone's opinions.

The reason I differentiate between factual data versus opinions is if it is simply factual data then it's important to note that professional assistance has not technically been provided to the appraiser. Factual data does not require professional expertise; it is merely collecting data about the property, such as site size, building size,



Inspecting  
a subject  
property by  
**AN APPRAISER  
IS NOT THE  
SAME AS  
A HOME  
INSPECTOR.**



chronological age, bedroom count, etc. In many instances relying on factual data from others may not require the use of an extraordinary assumption. However, when the appraiser is relying on opinions regarding the property itself, such as the opinions about the functional utility of the subject floor plan, the condition of the property, existence of deferred maintenance, or other opinions about the property which the appraiser is the valuation expert in determining, and after analyzing the property, then this is professional assistance. These opinions will require the appraiser's judgment as to their uncertainty relating to being true, which may often lead the appraiser to use and disclose the use of an extraordinary assumption(s).

In a routine appraisal assignment, if professional assistance was provided by another appraiser, the other appraiser's name and the extent of the assistance would be required in the Certification in the report. But the Certification

disclosure requirement only applies to appraisers; it does not apply to non-appraisers. Although it is not required to disclose the non-appraisers it has been found helpful by many appraisers to continue to disclose within the report the source of the information provided since that information was relevant. This is similar to disclosing the scope of work performed and carrying through with detailing the extent of the research conducted in gathering relevant information of a physical nature about the subject property.

If the appraiser does not do the inspection on the subject property the appraiser is required to have a reasonable basis to verify that the information provided by others is credible. Per USPAP, the appraiser who signs the appraisal report's Certification accepts full responsibility for the work. Therefore the information about the subject property, its relevance and accuracy are critical.

## **EXTRAORDINARY ASSUMPTIONS**

An extraordinary assumption is "an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinion or conclusions."

The least rigorous example of an appraiser's physical

inspection would be to not inspect the subject property at all and to gather or have all information provided by another source(s). This type of inspection provides the greatest opportunity of potential risk to the client but is one the client has decided to accept when it established the assignment at the onset with the appraiser. The appraiser still has the responsibility to determine whether the information is acceptable, or sufficient, to enable him/her to develop a credible assignment result. If an inspection is necessary, to some degree, then the appraiser needs to look to my earlier three options, and may require the use of an extraordinary assumption. This may also include providing the appraiser with opinions about the property itself, such as condition, utility and deferred maintenance, which may also require the use of an extraordinary assumption relating to these opinions.

The most rigorous example of an appraiser's inspection would be to inspect the interior and exterior of the subject property personally, taking measurements of the exterior, viewing all the rooms of the inside. This type of inspection provides the least opportunity of potential risk to the client. From this example, the appraiser may determine opinions from its own analysis. This type of scope of work may involve the greatest certainty, and not require the use of any extraordinary assumption(s).

Between the least and most rigorous examples there are numerous types of services appraisers can provide in between and still produce credible assignment results every time. Even with the least rigorous examples, where information about the subject property is provided from a different source there are assignments that can be provided with credible results, serve clients' needs and meet USPAP-related requirements.

### CONCLUSION CAVEAT

As all appraisal assignments will continue to change over time, so will our practices. There are a few practices you could consider implementing to maintain good quality performances when relying on information provided by others. You may consider addressing with your client your own verification process of the information using public records and multiple listing services and/or any other tools you may have available. These verification resources would then be disclosed in your report and demonstrate the added due diligence you provided in the assignment. This provides you great assurances in your decision-making as well as to your client. ●



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<sup>1</sup> The Appraisal Foundation, Uniform Standards of Professional Appraisal Practice (USPAP), Washington, D.C., 2018-19



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FOR FUNDS LOST IN  
**WIRE  
FRAUD  
SCAM**





BY GAIL A. ANDERSON, ESQ.  
MCCLELLAND & ANDERSON, LLP

Last year, a federal court in Kansas considered the question of whether a real estate licensee may be responsible for a buyer's funds lost in a wire fraud scam. In that case, Jerry Bain ("Bain") had agreed to purchase a home in Kansas City for \$197,622 cash. The home had been listed by Kathryn Sylvia ("Sylvia"), an agent with Platinum Realty, LLC ("Platinum Realty"). Bain did not have a buyer's agent. Continental Title Company ("Continental Title") was asked to handle the closing.

As is typically the case, the parties in this lawsuit had different versions of the facts. What follows is Bain's version which has been chosen for two reasons: first, because it is apparently this version of the facts that the jury found most persuasive and second, because this version provides a good reminder of how things can go wrong.

The closing on the Bain's purchase of the home was scheduled for Tuesday, March 1, 2016. On Tuesday, February 23rd, Continental Title sent the HUD-1 document and wiring instructions to Sylvia so that Sylvia could forward that information on to Bain. Sylvia never received the email that Continental Title actually sent. The email from Continental Title to Sylvia was hacked, and the wire instructions were changed. The hacker created an email address that was close to that of the Continental Title employee and emailed the falsified wire instructions to Sylvia. Sylvia did not notice that the email address allegedly from the Continental Title employee was not exactly correct (i.e., [brendawi@ctItle](mailto:brendawi@ctItle) vs [brendawi@ctLtle](mailto:brendawi@ctLtle)).

Sylvia forwarded the HUD-1 document and the fraudulent wire instructions to Bain attached to the following email:

*Jerry, see attached. Once the wire is sent kindly forward me a copy of the confirmation slip for my file.*

*Thank you.  
Kathy Sylvia  
Platinum Realty*

Bain then forwarded the fraudulent wire instructions to his bank, First National Bank of Omaha, Inc. ("First National").

Sylvia did not review the wire instructions before she forwarded them on to Bain. Had she done so, she might have questioned why the funds to be deposited with a title company in Kansas City were to be sent to a bank account in New York. Moreover, 40 minutes after receiving the fraudulent wire instructions, Sylvia received a second email from Continental Title containing the correct wire instructions, but she never compared the two, never asked Continental Title why she had received two emails with wire instructions and never forwarded the second set of wire instructions to Bain.

The next day after receiving the wire instructions, Bain received an email from Sylvia stating that Continental Title was requiring that the funds be deposited with the title company 48 hours before closing. Bain called Sylvia and confirmed this requirement via telephone. Bain then contacted First National and arranged for the wire to occur on or before Friday, February 26th.

The sale closed on Tuesday, March 1st. After Bain signed all of the closing documents, he learned that Continental Title had never received the funds. It was at that point that the participants discovered that the wire instructions Bain had provided to First National had been fraudulent. Bain's money was never recovered.

Bain sued Continental Title, First National, Sylvia and Platinum Realty. In their filings with the court, Bain's lawyers emphasized the following facts that were uncovered during discovery. Sylvia had regularly used her personal unsecure email address in her business dealings. Her broker, Platinum Realty, had no policy or procedure that required Sylvia to use the broker's email account that was more secure and less susceptible to being hacked by a third party. After the fraudulent transfer was discovered, Sylvia told Bain that she had not reviewed the wire instructions before forwarding them to him and that had she done so, she would have recognized that they were fraudulent.

Both Continental Title and First National settled with Bain before trial. The only remaining defendants at trial were Sylvia and Platinum Realty. While Bain had originally argued that Sylvia was responsible because she had breached her fiduciary duties, this argument was abandoned prior to trial. Presumably, Bain's attorneys recognized that as a listing agent, Sylvia owed no fiduciary duties to Bain who was the buyer.

The one remaining question at trial was fairly straightforward – i.e., had Sylvia made a negligent misrepresentation? In other words, by forwarding the fraudulent wire instructions to Bain, had Sylvia represented that those were the wire instructions that Bain should use, and if so, was it reasonable for Bain to rely on this representation? The judge determined that these were factual questions that a jury must decide. The jury found Sylvia and Platinum Realty to be 85% responsible

for Bain's losses. The court entered a judgment against both Sylvia and Platinum Realty in the amount of \$167,129.

We have all learned quite a bit about wire fraud since the 2016 events that led to this lawsuit. It is also true that this case would not necessarily have come out the same way under Michigan law. Nonetheless, there are a few lessons to be learned.

First and foremost, when it comes to the exchange of wire instructions, real estate licensees should not insert themselves in the process. Wire instructions should be sent directly from the title company to the buyer. There is absolutely no reason for a real estate broker to have this information.

Second, real estate licensees should not use unsecure email accounts to transact business. If a broker has hired experts to try to secure its business email accounts from hackers, obviously this will not protect agents who use their own unsecured personal email accounts for transacting business.

Third, clients and customers should be told that if they receive an email containing wire transfer instructions, regardless of who the sender appears to be, they should not respond to the email. Instead, the recipient should call the title company and/or lender immediately using previously known contact information and NOT information provided in the email to verify the wire transfer instructions prior to sending funds.

Fourth, when replying to emails about scheduled closings or other transaction details, licensees should get in the habit of using "Forward" and the addresses from their own address books rather than using "Reply" or "Reply All." Like the scammer who passed himself off as the title company employee in this case, criminals will set up email addresses that look very close to the addresses of the parties to a particular transaction.

Fifth, agents should be suspicious of anyone who suggests that funds should be wired prior to the closing date. Funds are almost always wired on the actual day of closing. Criminals want the funds wired prior to closing so that they have more time to withdraw the funds before the fraud is discovered.

Finally, remember that MR has put together a Wire Fraud Notice for Realtors® to provide to their clients and customers. It is available in the Michigan Realtors® law library, entitled "Wire Fraud Notice to Clients." In the Bain lawsuit, as well as in other similar lawsuits across the country, the victims of wire fraud have emphasized the fact that while the real estate licensees involved in the transaction had been well aware of instances of wire fraud around the country, they had not warned the parties to the transaction of such a possibility. Realtors® are encouraged to adopt a policy whereby they provide the Wire Fraud Notice at the time their client signs the listing contract or buyer's agency contract. ●



Realtors® are encouraged to adopt a policy whereby they **PROVIDE THE WIRE FRAUD NOTICE** at the time their client signs the listing contract or buyer's agency contract.



# 2019 Officers & Directors

## Officers



### President: Matt Davis, Battle Creek Area

Matt Davis, GRI, grew up in Historic Marshall Michigan graduating from Marshall High School in 1988 and subsequently a BS degree from Miami University in Oxford, OH in 1992. Matt, is a second-generation REALTOR® and Broker with Rosemary Davis REALTORS® in Marshall and has been active in community and REALTOR® association service throughout his 21-year career. He has served 15 years on the BCAAR Board of Directors including 2 stints as President, was BCAAR's REALTOR® of the Year in 2004, 2007 and 2015. In 2015 Matt was recognized as Michigan REALTORS®, REALTOR® of the Year as well. Matt has served the Michigan REALTORS® as Treasurer, President-Elect and as a member of; Public Policy Committee (Past Chair), Board of Directors District 7 Director, RPAC Trustees (Past Chair), Convention Committee, Budget Finance Committee, numerous task forces and was the proud recipient of the Michigan REALTORS® REALTOR® Active in Politics (RAP) Award in 2005. In 2012, Matt was appointed by Michigan Governor Rick Snyder as a professional member of the State Board of Real Estate Brokers and Salespersons. He was re-appointed in 2016 and is the current Chairperson of that licensing board. Nationally, Matt was appointed as the Michigan RPMIC (REALTOR® Party Member Involvement Committee for NAR from 2006-2018, serving as a "whip" for Michigan's 16 Federal Political Coordinators (FPC's) as well as coordinating NAR grassroots activity in Michigan. He is the current FPC for Congressman Tim Walberg (MI-7), and was FPC for former Congressman Joe Schwarz (MI-7) in a prior term. Matt has also served on the NAR Grassroots Strategic Plan workgroup and the NAR Public Policy Coordinating Committee. Married to Leigh for 16 years, he has 2 daughters at home, Kendall (15) and Madelyn (12). Matt enjoys Contemporary Christian music, singing, shooting, fine dining, and spending time with his family.



### President-Elect: Maureen Francis, Greater Metropolitan

In 1992, Maureen Francis left the United States to work as a business advisor in the first group of US Peace Corps volunteers to serve in the former Soviet Union. After nearly a decade in advertising and management consulting in Ukraine, Maureen found a new calling: residential real estate sales in Birmingham, Michigan. Maureen and her husband, Dmitry Koublytsky, have helped home buyers and sellers share their love for all that Metro Detroit offers since 2001. Maureen was President of the Greater Metropolitan Association of REALTORS® in 2014 and was honored as REALTOR® of the Year in 2015. She's served on the Realcomp Shareholders Committee and numerous committees at the local, state and national level. Maureen is a graduate of NAR's Leadership Academy and an RPAC Golden R President's Circle investor.



### Treasurer: E'toile Libbett, Greater Metropolitan

E'toile's (pronounced A-twal) thirty-two years of full-time real estate consulting and training has given her experience in everything from buyer agency, first -time buyers, multifamily housing, relocation, short sales to condos and new construction. Because she believes in trying to make a positive impact anywhere she can, she is an active member of the Greater Metropolitan Association of REALTORS®, the Grosse Pointe Board of REALTORS® and the Detroit Association of REALTORS®, as well as, a past President of the Detroit Association and the Greater Kalamazoo Association. E'toile also serves on the Board of Directors of Michigan REALTORS® and has chaired and served on many committees and task forces. She is currently the Treasurer – elect for Michigan REALTORS®. E'toile has also chaired the following committees at the National Association of REALTORS® (NAR): Housing Opportunity Advisory Subcommittee, Board Leadership Forum, Medium Board Sub forum, the Equal Opportunity/Cultural Diversity committee and the Equal Opportunity-Cultural Diversity forum. While chairing the Cultural Diversity Committee, the strategic plan for minority outreach was developed, along with, the original "At Home with Diversity" course. She has served on the following NAR committees: Strategic Planning, Public Policy Coordinating Committee, Federal Housing Policy, Issues Mobilization Committee and numerous working groups and forums and has been a Federal Political Coordinator to former Congresswoman Carolyn Cheeks Kilpatrick, former Congressman Hansen Clark and currently Congresswoman Brenda Lawrence. Currently she is a member of the Housing Opportunity Committee. Dr. Libbett is a strong advocate for Fair Housing and Equal Opportunity. She is a Fair Housing and Diversity instructor and a past board member of the Metropolitan Detroit Fair Housing Center. In 2003, E'toile received an award from the Fair Housing Center of Southwest Michigan, having helped to establish that organization. In 2005, she received the Fair Housing Leadership award from the Metropolitan Detroit Fair Housing Center. E'toile believes in community service and serves on the Southfield Nonprofit Housing Board and as the precinct delegate for the 12th district. Dr. Libbett's alma mater is Howard University, where she received a B.S. and D.D.S. degrees. E'toile is a veteran of the United States Army. She is an active member of Delta Sigma Theta Sorority, Inc., a national service sorority. She is married to Dave Libbett, III.

## Board of Directors

The Michigan Realtors® 2019 board of directors is made up of 14 district directors (see next page) and six other representatives, which are listed below. District directors are elected during the One Realtor®, One Vote Online Election, which takes place every fall.

### Appointed Directors:



**Bill Milliken**  
CBOR  
Past President



**John North**  
GMAR  
Large Office



**Jim Fase**  
GRAR  
Large Office



**John Francis**  
CAR  
MiCAR



**Cyd Debol**  
CBOR  
MiCAR



**Patty Young**  
Midland  
MRAEC Rep

# 2019 District Representatives

District representatives serve as liaisons between the Michigan Realtors® and local associations in their region.



**Christopher Germain**  
District 1  
Expires in 2020



**Michelle Teitsma**  
District 2  
Expires in 2019



**Michael L. Bass**  
District 3  
Expires in 2019



**Rick Loose**  
District 4  
Expires in 2020



**Sue Shangle**  
District 5  
Expires in 2019



**Natalie Rowe**  
District 6  
Expires in 2020



**Mark Baker**  
District 7  
Expires in 2019



**Marianne McCreary**  
District 8  
Expires in 2019



**Jane Lowell**  
District 9  
Expires in 2020



**Shelley Schoenherr**  
District 10  
Expires in 2019



**Jamie Iodice**  
District 11  
Expires in 2020



**Sandi Smith**  
District 12  
Expires in 2019

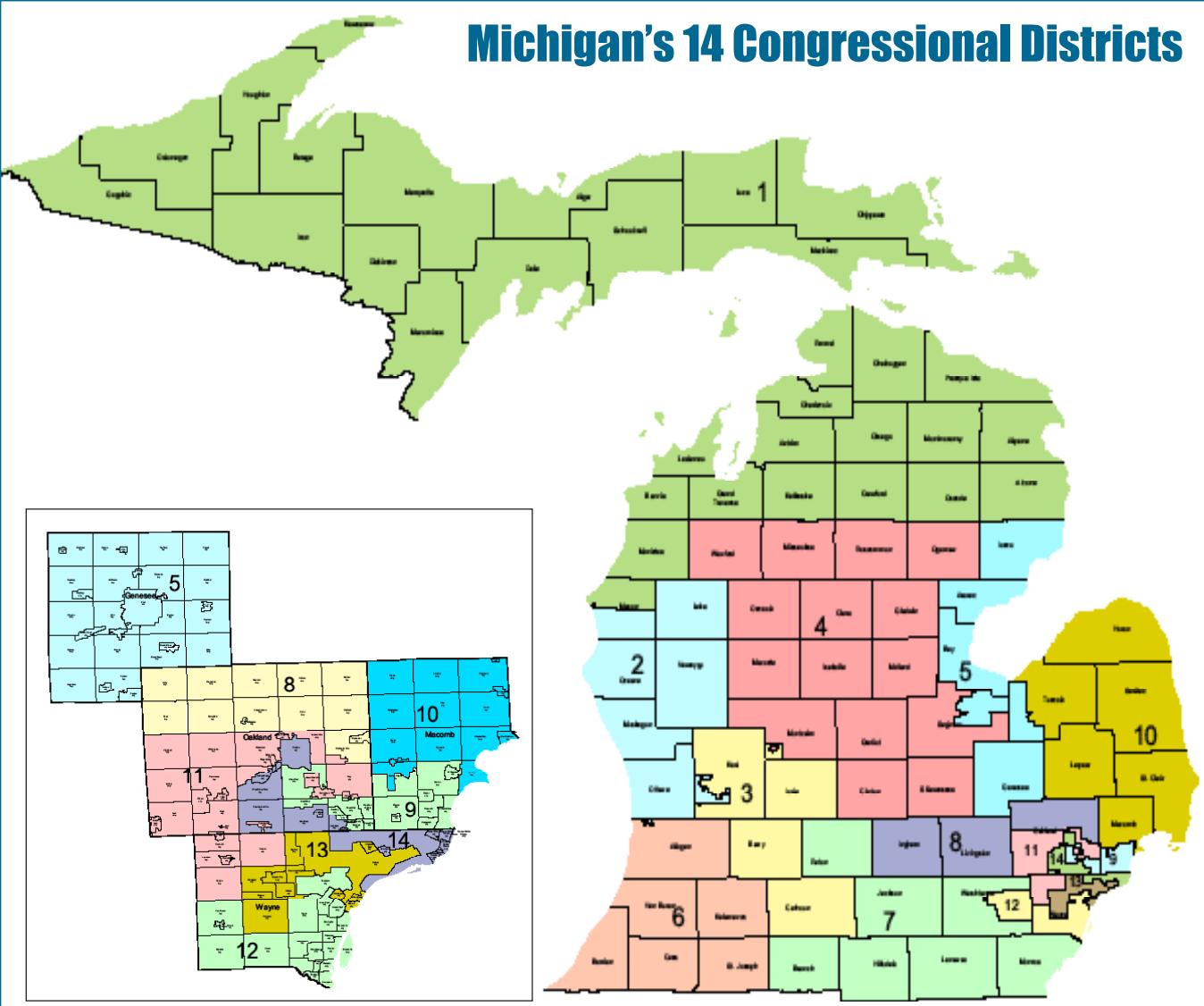


**Reggie Fluker**  
District 13  
Expires in 2019



**Kamal Cheeks**  
District 14  
Expires in 2020

## Michigan's 14 Congressional Districts



# 2018 RPAC Major Investor Tribute

INVESTORS AS OF 12.11.18

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Lenawee County



**Robert Campau**  
Michigan Realtors®



**Dan Coffey**  
Southwestern Michigan



**Pat Combs**  
Greater Regional Alliance



**Chris Courtney**  
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**Ted Edginton**  
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**Stu Elsea**  
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West Michigan Lakeshore



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**Sara Lipnitz**  
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**John McArdle**  
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**Gordon McCann**  
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**Michel Metzner**  
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Michigan  
Association of  
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**Ryan Eashoo**  
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Traverse Area Association of Realtors®

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**Gold, Silver, and Century Circle Investors can be viewed by visiting [mirealtors.com/advocacy-initiatives](http://mirealtors.com/advocacy-initiatives)**

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# STERLING R

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The Westin  
Detroit Metropolitan Airport

### The Convention

October 2-4, 2019  
Detroit Marriott at the Renaissance Center  
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