



# SACRAMENTO REALTOR®

*Making Sacramento a Better Place to Call Home for Over 100 Years*

SEPTEMBER 2019

A PUBLICATION OF THE SACRAMENTO ASSOCIATION OF REALTORS®



**SEPTEMBER**  
IS  
**REALTOR®**  
**SAFETY MONTH**



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We send out the SAR Weekly Docket every Wednesday evening - are you receiving it? If you would like to keep up to date with what's happening at SAR, send a subscription request to [tvicari@sacrealtor.org](mailto:tvicari@sacrealtor.org).



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## Exercise REALTOR® Safety

Safety is a very important concern for REALTORS®. Our daily business puts us in potentially dangerous situations – alone with strangers in our cars and/or at properties for sale. How can we best protect ourselves? Keep reading for 4 important ways to do just that:

1. Be aware & proactive:
  - a. If you meet with a client and your instincts are telling you something isn't right, believe it! End the meeting or use the app (see #2) to get another REALTOR® there.
  - b. When holding an open house, get there early enough to walk the house and unlock a back or side door so you have an exit route if you need it. If someone comes in that makes you feel unsafe, end the open house early and leave.
  - c. Always meet a client somewhere with other people the first time – at your office, a coffee house, etc. Don't meet a stranger at a listing, or if you must then have someone go with you.
  - d. When showing homes, don't enter rooms without another exit ahead of your client. Let them enter first, then stand in or near the doorway.
2. Attend the September 10th Main Meeting (9am) which will focus on REALTOR® Safety and feature Sacramento PD Police Chief Daniel Hahn.
3. NAR has lots of safety resources, you can access them at: <https://www.nar.realtor/safety/planning-your-safety-strategy>.
4. Fortunately for all of us, MetroList™ cares about the safety of their members and provide us with the [RealSafeAgent](#) app to call for help if we're in a dicey situation and/or to help other agents be safe. More information below:

## At MetroList™, We Care About Your Safety!



Real Safe Agent is a comprehensive Personal Safety Program that empowers the real estate community to cooperate and collaborate to help keep each other safe. To learn more about this free MetroList™ "Subscriber Only" program and to download and the RSA app, go to <https://mic.metrolist.net/real-safe-agent/>. The more MetroList™ brokers and agents that sign up and participate, the safer everyone becomes.

I hope to see you at SAR on Sept 10th for the Main Meeting!



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**Legislation Update:****What You Should Know This Month****CARTER NELSON**

Below is the current status of the most important legislation affecting the real estate industry in California and which C.A.R. and SAR support or oppose.

**SB 5 (Beall, McGuire, Portantino) SUPPORT**

If passed, SB 5 would institute a state-local partnership in order to help local governments subsidize up to 86,000 affordable housing units over the next 10 years. This bill would allow cities and counties to utilize property tax to develop priority projects listed in state-approved plans. SB 5 also aims to develop more housing near transit to reduce greenhouse gas emissions.

**Current Status:** Set for first hearing, placed on Appropriations committee.

**SB 329 (Mitchell) OPPOSE**

SB 329 would essentially force all residential rental property owners to participate in the voluntary Section 8 housing program by entering into a binding contract with a government agency. This bill's goal is to end discrimination against those using Section 8 vouchers, however it wouldn't necessarily make more units available to Section 8 tenants. It wouldn't force a landlord to accept them, instead landlords who refuse those tenants would be subject to discrimination claims and potential litigation.

Currently housing authorities are understaffed, so if SB 329 were to pass it would likely cause huge delays in the application and inspection process, causing units to sit vacant for as long as 60 days.

**Current Status:** Set for first hearing, placed on Appropriations committee.

**AB 1482 (Chiu) OPPOSE**

This bill would create a statewide rental cap of 7% plus CPI and "just cause" eviction standards. The just cause eviction provisions came from AB 1481 which didn't clear the Assembly before the deadline in May. Under 1482, homes constructed in the past 10 years would be exempt. This bill would sunset in 2023.

**Current Status:** In committee: Referred to APPR. suspense file.

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Article #6: REALTOR® Safety:  
**Knowledge Awareness Empowerment**

## 14 Simple Steps for Safeguarding Your Office

By now, you are aware of potential dangers that face real estate agents when they are meeting clients, showing properties or hosting open houses, and in their cars. There is one more place to consider: the office where you work.

You can help safeguard your business's (and your personal) property, and the safety of all who work in the office, with a few procedures and precautions:

1. Know staff in other nearby businesses and be aware of their schedules.
2. Ensure that all doors other than the main entrance are secured.
3. Make certain windows are not obscured so that passersby can see in.
4. Make sure there is a clear exit route from the service desk to the door.
5. Never allow visitors to wander freely about the business. Have the person whom they want to see come to the front office area and escort the individual to the meeting area.
6. Have a visitor log book and policy on issuing visitor tags that limit access to certain areas and hours of the day.
7. If you encounter an individual while working late or alone, indicate to that person that you are not alone. Say something like, "My supervisor will be right with you and should be able to assist you."
8. Keep personal information private. Avoid discussing where you live, after-work or vacation plans in front of customers, new coworkers or anyone in general with whom you are not comfortable.
9. Never leave valuables, purses or wallets tucked behind counters or on desks.
10. Lock away personal letterhead and business cards to avoid use by unauthorized people.
11. Mark equipment for easy identification in the event of theft or damage. Maintain an inventory of all marked items.
12. Lock up audio/visual equipment when not in use.
13. Secure spare and master keys in locked cabinets.
14. Protect client information. Most offices keep sensitive personal information on their computers and/or in paper files—names, Social Security numbers, credit card or other account data—that identifies customers or employees. If this sensitive data falls into the wrong hands, it can lead to fraud or identity theft. \

(Source: Sonoma County Crime Crushers)

Visit NAR's REALTOR® Safety Web site at [www.REALTOR.org/Safety](http://www.REALTOR.org/Safety)

This article is part of the NATIONAL ASSOCIATION OF REALTORS®' REALTOR® Safety Resources Kit.





## 56 REALTOR® Safety Tips

You can use these Safety Tips in your office correspondence each week to remind your colleagues to practice REALTOR® Safety. The first 20 tips are featured below with a link to the full list at the bottom of this article.

All tips are taken from the NATIONAL ASSOCIATION OF REALTORS'® REALTOR® Safety Resource Kit.

### Tip #1

#### Keep it light

Show properties before dark. If you are going to be working after hours, advise your associate or first-line supervisor of your schedule. If you must show a property after dark, turn on all lights as you go through, and don't lower any shades or draw curtains or blinds.

### Tip #2

#### Checking in

When you have a new client, ask him/her to stop by your office and complete a Prospect Identification Form (Find a copy online at [www.REALTOR.org/Safety](http://www.REALTOR.org/Safety)). Also, photocopy their driver's license and retain this information at your office. Be certain to properly discard this personal information when you no longer need it.

### Tip #3

#### Don't be too public

Limit the amount of personal information you share. Consider advertising without using your photograph, home phone number and/or home address in the newspaper or on business cards. Don't use your full name with middle name or initial. Use your office address—or list no address at all. Giving out too much of the wrong information can make you a target.

### Tip #4

#### Touch base

Always let someone know where you are going and when you will be back; leave the name and phone number of the client you are meeting and schedule a time for your office to call you to check in.

### Tip #5

#### Open house: it ain't over till it's over

Don't assume that everyone has left the premises at the end of an open house. Check all of the rooms and the backyard prior to locking the doors. Be prepared to defend yourself, if necessary.

### Tip #6

#### Stranger danger

Tell your clients not to show their home by themselves. Alert them that not all agents, buyers and sellers are who they say they are. Predators come in all shapes and sizes. We tell our children not to talk to strangers. Tell your sellers not to talk to other agents or buyers, and to refer all inquiries to you.

### Tip #7

#### Sturdy doors are key to home safety

Make sure that all your home's doors to the outside are metal or solid, 1 ¾" hardwood and have good, sturdy locks.

**Tip #8****Block identity theft**

Contact the fraud department of any of the three consumer reporting companies— Equifax®, ExperianSM and Trans Union®—to place a fraud alert on your credit report. The fraud alert automatically lets credit card companies and other creditors know they must contact you before opening any new accounts or making any changes to your existing accounts.

**Tip #9****Keep track of colleagues**

Have a check-out employee board at your office, listing your name, destination, customer name, date and expected return time.

**Tip #10****Wear your REALTOR® ID**

Always wear visible company identification such as a badge. It is also best to drive a vehicle clearly marked with your company name. These will be invaluable for identification if you need to get assistance.

**Tip #11****Bring up the rear**

When showing a home, always have your prospect walk in front of you. Don't lead them, but rather, direct them from a position slightly behind them. You can gesture for them to go ahead of you and say, for example, "The master suite is in the back of the house."

**Tip #12****Pick up some self-defense skills**

The best way to find a good self-defense class is to learn what is available, and then make a decision. Many health clubs, martial arts studios and community colleges offer some type of class. You can also ask your peers, friends and family if they have taken a self-defense class that they would recommend.

**Tip #13****You take the wheel**

Whenever possible, take your own car to a showing. When you leave your car, lock it.

**Tip #14****Shield your computer from e-mail viruses**

Computer viruses can impair and seriously damage your computer. Viruses are often distributed via attachments in e-mail spam. Never open an attachment from someone you don't know, and, if you receive a strange or impersonal-sounding message from a familiar address, check with that person to make sure that they really sent it.





**Tip #15****Got cell service, everywhere?**

When you're showing commercial property, thick walls and/or remote locations may interfere with mobile phone reception. Check in advance to be sure your phone is serviceable in the area in which you are showing the property.

**Tip #16****Choose flight over fight**

While every real estate agent should take a basic self-defense course, the primary goal in any threatening situation is to escape from immediate danger and call for help.

**Tip #17****"Who's calling?"**

Install caller I.D. on your telephone, which should automatically reject calls from numbers that have been blocked. This will provide you with immediate information about the source of the call.

**Tip #18****Your trash is another man's Treasure**

Just bought a new entertainment system? A bunch of empty boxes out by the curb triggers an alarm to would-be thieves. Instead of putting boxes out in plain sight, cut them down, and stuff them in trash bags.

**Tip #19****Hide personal information**

Tell your sellers: DON'T leave personal information like mail or bills out in the open where anyone can see it. Be sure to lock down your computer and lock up your laptop and any other expensive, easy-to-pocket electronics, like iPods, before your showing.

**Tip #20****Agree on an office distress code**

Create a voice distress code, a secret word or phrase that is not commonly used but can be worked into any conversation for cases where you feel that you are in danger. Use this if the person you are with can overhear the conversation, but you don't want to alarm them. Example: "Hi, this is Jennifer. I'm with Mr. Henderson at the Elm Street listing. Could you e-mail me the RED FILE?"

To view the full list of all 56 REALTOR® Safety Tips, please visit  
<https://www.nar.realtor/safety/56-safety-tips-for-realtors>

## Are You Too Nice for Your Own Good?

We're taught to be kind to everyone, but that means keeping your guard down against potential predators. To stay safe, adapt your nature to a more dangerous world.

September 8, 2016

BY GRAHAM WOOD, SENIOR EDITOR FOR REALTOR® MAGAZINE

In Robert Siciliano's eyes, no one is ever truly prepared to defend themselves against an attacker. "It goes against human nature," says Siciliano, CEO of IDTheftSecurity.com, who teaches personal safety skills to real estate professionals. "We inherently need to trust one another in order to survive."

According to Siciliano, most of us went through "civilized conditioning" as children, where our parents taught us to be courteous to others. While that's a virtue of society, it also teaches us to keep our guard down — and hampers our ability to assess true danger — when dealing with strangers. "As good as it is to make [kids] behave, it also suppresses their instinctual need for survival. So when they come into contact with a predator, they don't know how to deal with it," Siciliano says.

Having the physical skill to thwart an attacker is only half the battle when it comes to personal safety. The attitude you've learned to adopt in social situations may be the biggest hazard to your safety. That's why some experts suggest reconsidering your outlook on the world, even if it's uncomfortable.

"A lot of people in society choose to ignore what's going on around them," says Gianni Cerretani, a martial artist and mortgage loan originator with HomeBridge Financial Services who teaches a mental-preparedness safety course for real estate pros in Atlanta. A year ago, the Georgia Real Estate Commission approved his class for continuing education credits for local REALTORS®. "We teach that you have to deal with the fact that violence happens and criminals are out there. If you're aware of it, you have a better chance of surviving."

### Is It Rude to Be On Guard?

Cerretani was inspired to begin teaching safety after the case of a man disguised as a woman who brutally attacked several agents in the Atlanta area. The suspect, Jeffrey Shumate, was arrested last year after one such incident, but he has been linked to other attacks dating back to 2000. His first intended victim was Alicia Parks, an agent who was showing him a vacant property. "He was wearing white high heels, black stockings, and bright pink lipstick," recalls Parks,

GRI, a sales associate with Keller Williams Realty Lanier Partners in Gainesville, Ga. "He had on leather gloves, and he said his hands were severely burned and he didn't want anyone to see them."

Though she says she was on high alert from the moment they met, Parks thought the incident was a joke — even after the man began using provocative language. But after calling her his girlfriend and trying to get her to follow him to the back of the house, she knew she was in trouble. The meeting only came to an end after Parks accidentally set off the home's alarm system, prompting the man to flee. "I didn't even mean to set it off. I just pushed the wrong numbers," she says.

Parks had an odd feeling when she first spoke to the man over the phone, but she went to the showing anyway. "Just the way he talked to me on the phone, he was so insistent that I come show him that house right away, and it was vacant. But I didn't know him so I didn't want to judge him."

Siciliano, who helped formulate the original REALTOR® Safety initiative with the National Association of REALTORS®, says most people ignore gut feelings of fear or mistrust because they don't want to come off as rude. They also don't think ahead about safety because they adopt the mistaken idea that if they don't think about it, it won't happen to them.

"They live under the myth that if you're prepared for a dangerous situation wherever you go, you're paranoid," he says. "It's the 'it-can't-happen-to-me' syndrome."

### Modifying Your Frame of Mind

Cerretani aims to change how people think about safety. Teaching physical combat is an important component of safety training, he notes, but "to try and teach someone who has never done self-defense in their lives how to do martial arts training in a four-hour class is a waste of time. They're never going to retain that information." So instead, he focuses on mental tips such as these:

- Look at yourself as a victim. "We ask people, 'How would you attack you?'" Cerretani says. That question gets people thinking about the weaknesses in their daily routine. Are you often working alone outside



the office? Are you aware of whether a door has been locked after you've entered a home with a client? Are you leaving a listing when it's dark? Are your keys in your hand before you get to your car? "One or two people in every class say they don't lock their house. People aren't aware that they're not aware of their vulnerabilities."

- Be hyperaware in "transitional zones." Stepping out of your car and into a parking lot, or entering a gas station, particularly at night, are situations in which your level of safety can swing widely. "If you really pay attention to a gas station at night — we call it the 'watering hole' for criminals — there's so much commotion going on that it's very easy to have a criminal activity happen," Cerretani says.
- Watch people's hands. Certain hand movements — such as balled-up fists — can signal an intention to attack. Other places to pay special attention to include beltlines and underneath shirts to determine whether a person is carrying a concealed weapon.
- Focus on what's near you. Most people focus on their final destination or goal, which can leave them vulnerable. For example, when entering a parking lot, those who are looking for their car are more focused on what's further away. "If attackers are closer to you and you're looking far out, you're vulnerable," Cerretani says.
- Watch your back when you're on your phone. Put your back against a wall when you're engulfed in texting or talking on a device so no one can come up behind you and surprise you.

#### Is the Industry Better Prepared?

Timperis Robertson, founder of the Interactive Real Estate Academy, works with Cerretani to set up his safety class at real estate offices in the Atlanta area. She took his course before it was added to the CE curriculum, and she says it had a big impact on the way she thinks about her day-to-day routine. "It really makes you think about where you're most vulnerable," says Robertson, who is also a practitioner with First Home

Realty in Lithonia, Ga. "It touches on the situations we face or may face every day. Those are things we don't think about. We're just so happy to have a client interested in a property."

While it takes a concerted effort to change your thinking around safety, it appears many real estate professionals are making strides. With 42 percent of REALTORS® saying they use a safety app on their smartphone, according to the National Association of REALTORS®' 2016 Member Safety Report — a staggering leap from the 13 percent who said so in NAR's 2015 survey — a sea change is evident in the way pros are preparing for danger.

More REALTORS® also say they carry a self-defense weapon in the field, the most popular ones being pepper spray, a firearm, or a pocket knife. However, fewer indicated that their brokerage has standard procedures for agent safety — 44 percent in 2016 versus 46 percent in 2015 — a possible indicator that agents are taking on more ownership of their own protocols.

Still, it can be difficult to get agents who have never experienced an attack to think about common-sense safety measures, says Kimberly Allard-Moccia, who helped develop the Massachusetts Association of REALTORS®' first safety class. "You think you're going to just run if something happens," says Allard-Moccia, GRI, broker-owner of Century 21 Professionals in Braintree, Mass. "Let's face it: If most of us in the room are over 50 and wearing inch-and-a-half heels, you're not going to make it."

If you don't think about safety ahead of time and prepare for the worst, "you will cycle in denial and delay," she adds, "and that's when you become a victim."

Source: <https://magazine.realtor/well-being/safety/article/2016/09/are-you-too-nice-for-your-own-good>

## Understanding Dual Agency – Is it Worth the Risk?

**Keith Dunnagan, BPE Law Group, P.C.**

Often times when we think about safety, the natural inclination is to discuss physical safety. But in the business world we also have to think about professional safety. That can take many forms, a primary form of safety deals with liability management. Taking steps to mitigate potential risks as they arise. In the world of real estate, one such area that is ripe for liability is dual agency. The concept of dual agency is often attractive to agents as well as buyers and sellers who wish to streamline transactions and commission fees. However, the role of a dual agent is complex and contains unique responsibilities highly regulated under the law. The question is, how do those responsibilities play out? And, are the rewards worth the risk?

A dual agent is an agent acting either directly, or indirectly through a salesperson or broker associate, as agent for both the seller and the buyer in a real property transaction. Under California law, agents are permitted to act as dual agents, but they must strictly comply with certain legal procedures and disclosures. For example, an agent must make written disclosures of the dual agency to both parties and obtain written consent prior to or concurrently with the execution of the residential purchase agreement. The courts have gone so far as to say that the failure to satisfy the disclosure and contractual representation requirements can so taint the relationship that even if the agent did nothing wrong through their actual conduct the agent could still be liable. *Culver & Assoc. v. Jaoudi* (1991). Agents must also thoroughly explain their duties to both the buyer and seller and include how those duties are affected by the dual agency relationship.

Just what duties does a dual agent have? A dual agent will owe the duty of honesty, duty of disclosure, duty to inspect, the duty to not self-deal, and the duty of loyalty to both the buyer and the seller. It is easy to imagine how providing all these duties to both parties to a residential purchase could prove difficult for the agent. Dual agents still cannot disclose confidential information between the parties, but the definition of confidential information is limited by law to the client's financial position, motivations, bargaining position, or other personal information that may impact price.

Common issues that lead to potential liability in a dual agency are the agent's failure to disclose material defects, the agent's failure to withdraw when an actual conflict arises, and the agent's failure to disclose their commission to both parties. Agents should also watch out for accidental dual agencies. A recent court decision, *Horiike v. Coldwell Banker Residential Brokerage Co.* (2016), held that dual agency is determined at the broker's level, meaning that if two agents working under the same broker's license represent the buyer and the seller respectively, those agents may be dual agents.

Another issue to be aware of is that an agent can inadvertently create a dual agency situation. Courts have held in some instances that negotiating a loan for a buyer, transmitting escrow instructions for a seller, or conveying counteroffers can be construed in some circumstances to create an agency relationship even when the agent did not intend to do so. In order to avoid such circumstances it is important to make sure that when dealing with a represented party one clearly and consistently communicates the lack of representative capacity.

While dual agencies can present both risks and rewards, the important thing to take away is that agents need to know and understand the rules surrounding dual agencies so they can make informed decisions in their representation of their clients and maintain legal compliance.

The information presented in this Article is for informational purposes only and not to be construed as legal advice. Every person's situation is different. If you are facing a legal issue of any kind, get competent legal advice in your State immediately so that you can determine your best options.





**REALTOR®  
SAFETY**  
PROGRAM

# FALL INTO SAFETY

## **SEPTEMBER** IS REALTOR® SAFETY MONTH

Here are three personal safety tips to remember this fall:

### **REPLACE YOUR SMOKE DETECTOR BATTERY**

Keep safe this season by replacing the battery in your smoke detector. This is also a good time to invest in a carbon monoxide detector as your furnace will be used more often in cold weather, which may increase the risk of a carbon monoxide leak.

### **SECURE YOUR HOME BY KEEPING A LIGHT ON**

This will deter potential criminals from attacking your house or vandalizing property. You don't have to run up the electric bill; even leaving a small light on may be enough to discourage intruders.

### **PROTECT YOURSELF WHILE IN YOUR VEHICLE**

Protect yourself from dangers like carjacking by always being aware of your surroundings. Keep your doors locked and windows rolled up, and call the police if you feel threatened. Keep an emergency pack in your trunk with non-perishable food, water and a blanket. And don't forget a phone charger!

Stay safe on the job, year-round  
with tips and tools from NAR at  
**[www.NAR.realtor/Safety](http://www.NAR.realtor/Safety)**



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## ROBYN DELONG

Excellence, Leadership, Generosity—this is what the SAR Masters Club stands for. Does it resonate with you? It sure does with me and continues to be why I love this profession.

Remember when you were a brand new REALTOR®? I do. Got my license 20 years ago, 9/11/1999. I remember going to MetroList™ to get my lockbox key and learning how to use it. Learning the mechanics of the business was easy. Capturing the vision of what being a successful REALTOR® looked and felt like really came two months later in November 1999, when I was invited to attend the Masters Club Annual Breakfast at Del Paso Country Club.

I could immediately feel the professionalism in the room. I was a bit star-struck, and yet I also knew this was a club I wanted to belong to. I listened to the program with beginner's ears. I loved learning about what was happening in the area, about the non-profits being helped, and I saw a vision for myself. "I can do this. It can be fun, rewarding, and I can make a difference."

I could sense that this community of caring individuals — REALTORS® who were full-time, professional, successful, and generous — this community was where I belonged. It gave me a standard to reach for and a vision for what was possible. It helped silence the doubts about whether I could not only survive but thrive in this business.

Now I'm a seasoned agent, an Outstanding Life Member of the Masters Club, a long term member of the Masters Club Steering Committee, and so proud of the work that we do in our community. I love being part of the selection process for the charities that will receive the funds raised by our annual golf tournament. Our club has donated over \$300,000 to local charities just since 2006.

This year our three beneficiaries are Wind Youth Services, Women's Empowerment, and Stanford Youth Solutions.

Wind Youth Services provides supportive services and opportunities for homeless and runaway children facing the dangers of the street. Wind helps with safety and shelter, and also addresses the root causes that can place youth at the risk of incarceration, violence, and long-term poverty. To learn more about their program and services or to volunteer, visit [www.windyouth.org](http://www.windyouth.org).

Women's Empowerment strives to end homelessness, one woman, one family, at a time. Their mission is to educate and empower women who are homeless with the skills and confidence necessary to secure a job, create a healthy lifestyle, and regain a home for themselves and their children. They are inspired every day by women who rise above immense barriers to lift themselves and their children out of homelessness. To learn more, visit [www.womens-empowerment.org](http://www.womens-empowerment.org).

Stanford Youth Solutions believes every child and young person deserves a permanent family relationship. To that end, they empower youth and families to solve serious challenges that threaten their ability to stay together. They provide intensive, individualized programs that have proven to be effective. To learn more, visit [www.youthsolutions.org](http://www.youthsolutions.org).

Support our charities by supporting the golf tournament on October 14th at Northridge Country Club. This is our 40th Annual and we will be celebrating. Volunteer, play golf, sponsor a hole, or just promote the event. To learn more, visit <https://www.facebook.com/SARMastersClub/>.

Our Mission Statement: The Sacramento Association of Realtors® Masters Club is dedicated to recognizing the excellence, leadership, and generosity of the region's top real estate professionals. Members must qualify each year to maintain their membership. In addition to strong sales figures, our members demonstrate a commitment to leadership, mentorship, and shaping the future of Sacramento's real estate community. Each year, Masters Club members generously devote their time to volunteering with and raising funds for area non-profits, providing numerous educational and networking opportunities, and contributing to the career development of their fellow SAR members.



**MASTERS CLUB**  
SACRAMENTO ASSOCIATION OF REALTORS®

## Article 12

*REALTORS® shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations. REALTORS® shall ensure that their status as real estate professionals is readily apparent in their advertising, marketing, and other representations, and that the recipients of all real estate communications are, or have been, notified that those communications are from a real estate professional. (Amended 1/08)*

### Case #12-25: Advertising Role in Sales After Changing Firm Affiliation

*(Adopted May, 2009. Revised May, 2017.)*

REALTOR® Q was a non-principal broker licensed with ABC REALTORS®. REALTOR® Q specialized in buyer representation. A prominent feature on her website carried the headline, "I sold these—and I can help you buy or sell, too!" Under the headline was a list of over a hundred street addresses of properties for which REALTOR® Q had found buyers.

For personal and professional reasons, REALTOR® Q chose to leave the ABC firm to affiliate with XYZ, REALTORS®. As she transitioned to her new firm, REALTOR® Q was careful to disclose the name of her new firm in a readily apparent manner on her website. Her website also continued to display the list of properties she had found buyers for during her time with the ABC firm.

REALTOR® Q's parting with ABC had been amicable, so she was surprised to receive a complaint brought by her former principal broker, REALTOR® C, alleging a violation of Article 12, as interpreted by Standard of Practice 12-7, based on her website's display of sales made while REALTOR® Q had been affiliated with ABC.

At the hearing, REALTOR® C, the complainant, noted that Standard of Practice 12-7 provides, in part, "Only REALTORS® who participated in the transaction as the listing broker or cooperating broker (selling broker) may claim to have 'sold' the property." "It was ABC, REALTORS®," REALTOR® C added, "that was the selling broker in these transactions, not our former

sales associate REALTOR® Q. Her advertising our sales under the umbrella of her new firm, XYZ, REALTORS®, is confusing at best, and potentially misleading to consumers who may get the impression the XYZ firm was involved in these transactions when that's not the case."

REALTOR® Q defended herself and her website, arguing that the fact that she had found the buyers for each of the properties listed on her website was still true, and that the only thing that had changed was her firm affiliation. "If it was true when I was licensed with ABC, then it's still true even though I'm now licensed with XYZ," she reasoned.

The hearing panel agreed that REALTOR® Q had, in fact, sold the properties, albeit while licensed with ABC. Her website, however, suggested that the sales were made while REALTOR® Q was licensed with XYZ, which was not the case. Consequently, REALTOR® Q was found in violation of Article 12.





# SAR EDUCATIONAL OFFERINGS

All classes listed below are held at SAR's Mack Powell Auditorium. To register online, visit [ims.sacrealtor.org](http://ims.sacrealtor.org). Questions - contact Marcus Arroyo at 916.437.1210. Prices listed reflect early-bird price, please contact us for non-Member pricing.

## SEPTEMBER

	CLASS	COST	INSTRUCTOR
5	9:30 – 11:30am <b>MEGA OPEN HOUSES</b>	\$10	Brent Gove
19	12noon – 1:30pm <b>NO B.S. TAX PLANNING</b>	Call for Details	Michael Ornelas
19 20	8:00am – 5:00pm <b>FOUNDATIONS FOR SUCCESS IN COMMERCIAL REAL ESTATE</b>	\$225	William Mohr, CEO of Mohr Financial
20	Most classes 9:00am – 1pm <b>RETI SERIES – JUMPSTART YOUR CAREER: 8 WEEK SERIES</b> THE REAL ESTATE TRAINING INSTITUTE Get RETI for your new real estate career or update your skills by attending SAR's premier educational series designed for new or returning agents. Learn from some of the area's most knowledgeable real estate professionals while networking with your peers.	New SAR Members – Full Series: \$90 SAR Members – Full Series: \$120 non-Members – Full Series: \$130 Individual Class: \$25  Contact <a href="#">Marcus Arroyo</a> (916.437.1210) for details	
20	9:00 – 10:30am <b>RETI SERIES – JUMPSTART YOUR CAREER – DAY 1</b> PART 1: REAL ESTATE – LIVING THE DREAM & PROFITING FROM IT		Dean Rinker
0	10:45am – 12:15pm PART 2: TIPS TO MAKE YOUR BUSINESS LIFE EASIER	\$25	Paula Swayne
21	8:30am – 5:00pm <b>DUANE GOMER'S ONE DAY CRASH COURSE</b> PASS SALESPERSON OR BROKER EXAM ON FIRST TRY	\$150	Duane Gomer Representative
24	10:30am – 12noon <b>BIG TRENDS TO WATCH IN THE MARKET</b> A HOUSING MARKET UPDATE	\$10	Ryan Lundquist, Appraiser
27	9:00am – 10:45am <b>RETI SERIES – JUMPSTART YOUR CAREER – DAY 2</b> PART 1: PRESENTING OFFERS		Rachel Thoene
7	11:00am – 1:00pm PART 2: BUYER CONSULTATION & PITFALLS	\$25	Aria Salehpour

## OCTOBER

	CLASS	COST	INSTRUCTOR
2	9:00am – 5:00pm <b>THE ULTIMATE GUIDE TO LIST &amp; SELL COMMERCIAL INVESTMENT PROPERTIES</b> WITH EMPHASIS ON WORKING WITH BUYERS	\$65	Michael Simpson, NCREA Founder
3	9:00am – 5:30pm <b>BRANDING YOURSELF 101</b>	Call for Details	TBD
4	9:00am – 1:00pm <b>RETI SERIES – JUMPSTART YOUR CAREER – DAY 3</b> LEGAL ASPECTS OF LISTING AGREEMENTS	\$25	Dave Tanner, Esq.
8	8:30am – 5:00pm <b>MLO CONTINUING EDUCATION</b> MEETS BOTH DRE & DBO NMLS CONTINUING EDUCATION REQUIREMENTS	\$139	Duane Gomer Representative
9	10:00am – 3:30pm <b>FUNDAMENTALS OF TRANSACTION COORDINATION</b>	\$100	Wendi Molina
10	9:00am – 12:30pm <b>TRANSACTION COORDINATION 2:</b> BEYOND THE CONTRACT	\$90	Wendi Molina
11	9:00am – 1:00pm <b>RETI SERIES – JUMPSTART YOUR CAREER – DAY 4</b> LEAD GENERATION	\$25	Joey Satariano

SEE MORE OCTOBER CLASSES ON THE SEPTEMBER ISSUE

# OCTOBER CALENDAR OF EVENTS

Monday	Tuesday	Wednesday	Thursday	Friday
	<b>1</b> SAR Main Meeting (EC – Full) 9:00 – 10:30am Charity Research Committee (P) 10:30 – 11:30am CanTree Committee (B) 10:30am – 12noon Volunteer Coordinating Committee (T) 10:30 – 11:30am	<b>2</b> Ultimate Guide to List/Sell Commercial Investment Properties (EC – E) 8:00am – 5:00pm SAR New Member Orientation (B) 9:00am – 12:30pm	<b>3</b> Branding Yourself 101 (EC – E) 9:00 – 10:30am Real Estate Finance & Affiliate Forum (EC – W) 9:00 – 10:30am	<b>4</b> SAR Toastmasters Club (T) 7:45 – 9:15am RETI Series (EC – W) 9:00am – 1:00pm Broker/Manager Forum (B) 9:30 – 10:30am WCR Oktoberfest (EC – Full) 6:00 – 10:00pm
<b>7</b> MetroList Training – Prospector Course I (T) 9:00 – 12noon WCR Board Meeting (B) 12noon – 1:30pm MetroList Training – Prospector Course II (T) 1:00 – 4:00pm	<b>8</b> MLO Continuing Education (EC - E) 8:30am – 5:00pm Regional Meetings <a href="http://www.sacrealtor.org/tours">www.sacrealtor.org/tours</a> YPN Advisory Meeting (B) 11:00am – 12:30pm Intern Class (B) 2:30 – 4:30pm	<b>9</b> AREAA Board Meeting (B) 9:00 – 10:00am Fundamentals of Transaction Coordination (EC – E) 10:00am – 3:00pm SAR New Member Orientation (B) 1:00 – 4:30pm	<b>10</b> Transaction Coordination 2 (EC – E) 9:00am – 12:30pm Your Business Online (EC - W) 9:00 – 10:30am Masters Club Steering Committee (B) 9:30 – 11:00am NARPM Class (T) 9:30 – 11:00am Intern Committee (B) 12noon – 1:30pm	<b>11</b> SAR Closed 7:30 – 8:30am SAR Toastmasters Club (T) 7:45 – 9:15am RETI Series (EC – W) 9:00am – 1:00pm Sac Area RE Exchange Network (T) 10:00am – 12:30pm
<b>14</b> SAR Office Closed Columbus Day Masters Club Golf Tournament (North Ridge Golf Course) 11:00am Shotgun Start	<b>15</b> Regional Meetings Visit <a href="http://www.sarcaravans.org">www.sarcaravans.org</a> Marketing/Communications Committee (B) 10:30am – 12noon Everything VA – Lunch & Learn (EC - W) 12noon – 1:30pm Scholarship Fundraising Committee (T) 1:00 – 2:00pm	<b>16</b> New Member Orientation – (B) 6:00 – 9:00pm	<b>17</b> Simple RE Tools to Increase Productivity (EC -E) 9:00 – 11:00am	<b>18</b> SAR Toastmasters Club (B) 7:45 – 9:15am RETI Series (EC – W) 9:00am – 1:00pm Public Issues Forum (T) 9:30 – 10:30am
<b>21</b> Education Committee (B) 9:00 – 10:30am MetroList Training – Mobile App Workshop (T) 9:00 – 12noon Leadership Academy (B) 1:00 – 2:30pm MetroList Training – Auto Prospecting w/Mapping Workshop (T) 1:00 – 4:00pm	<b>22</b> No Regional Meetings <a href="http://www.sacrealtor.org/tours">www.sacrealtor.org/tours</a> Luxury Homes Class (EC – W) 9:00 – 10:30am Cultural Diversity/Fair Housing Committee (B) 10:30am – 12noon Charitable Foundation BOD (B) 12:30 – 2:00pm Intern Class (B) 2:30 – 4:30pm	<b>23</b> No Events Scheduled	<b>24</b> No Events Scheduled	<b>25</b> SAR Toastmasters Club (T) 7:45 – 9:15am RETI Series (EC – W) 9:00am – 1:00pm SAR BOD (B) 9:00 – 10:30am
<b>28</b> No Events Scheduled	<b>29</b> Regional Meetings <a href="http://www.sacrealtor.org/tours">www.sacrealtor.org/tours</a> Business Planning – Starting Strong in 2020 & Beyond (EC – W) 9:00am – 12noon	<b>30</b> Getting Started in Property Management & New Laws (T) 9:00am – 12noon SAR Offices Closed 1:00 – 2:00pm	<b>31</b> No Events Scheduled	

## Calendar Information

\*For Regional Meeting locations and times, visit [www.sacrealtor.org/caravans](http://www.sacrealtor.org/caravans)

\*Various locations – Call for details

\*\* closed meeting

(EC) Mack Powell Event Center  
(B) Board Room, 2nd Floor  
(T) Training Room, 2nd Floor  
(U) Upstairs

*Meetings subject to change.*



# August 2019

## DESIGNATED REALTORS®

**Marilyn Festersen**  
AAA Roseville South

**Ryan Gwiazdon**  
Big Valley Mortgage

**Samsad Kumar**  
AAA - University Village

**Ross MacCarty**  
Platinum Home Mortgage Corp

## Brokers Associates

**Ladi Hamer**  
RE/Max Gold Elk Grove

## DESIGNATED REALTORS®

**Lynel Ford**  
Fordy Realty

**Tyler Happe**  
Tyler Happe

**Kevin Hayes**  
Absolute Mortgage Group, Inc.

**Nan Li**  
Legend Real Estate & Finance

**Justin Potier**  
Vylla Home, Inc.

**Lindsay Sills**  
CARE Real Estate

## New REALTOR® Members

**Jessica Abdollahi**  
Amen Real Estate

**Susan Abeldt**  
BHHS Drysdale Properties

**Cullen Ambrose**  
Mae Serkin Realty

**Bianca Andrade**  
eXp Realty of California, Inc.

**Denise Attebery**  
Coldwell Banker Residential Br

**Navdeep Bajwa**  
Berkshire Hathaway HS Elite

**Merren Bang**  
William DeFazio

**Meri Brimhall**  
Keller Williams Realty Folsom

**Richard Brooks**  
Eagle Eye Realty

**Kenyatta Burress**  
Coldwell Banker Residential Brokerage

**Robert Chikasawa**  
Keep It Realty

**Phanthip Chulaaksorn**  
Lyon RE Folsom

**Kelly Corvo Flynn**  
Keller Williams Realty

**Elizabeth Costa**  
Keller Williams Realty Natomas

**Joseph Croteau**  
Coldwell Banker Residential Brokerage

**Robert Duffy**  
Keller Williams Realty

**Justin Edwards**  
Keller Williams Realty Elk Grove

**Isabella Flynn**  
Keller Williams Realty

**Cameron Freelove**  
Century 21 M & M

**Mike Gill**  
Keller Williams Realty Natomas

**Gary Gill**  
Berkshire Hathaway HS Elite

**Veneranda Guardado-Abdulmalik**  
Charity Homes, Inc.

**Stephanie Handal**  
Lyon RE Natomas

**Donald Hiers**  
Keller Williams Realty

**Travis Hill**  
Open Home Professionals, Inc.

**Chun Ting Ho**  
Real Estate Source, Inc.

**Harwinder Jhajj**  
Lyon RE Downtown

**Jeffrey Johnston**  
Jeff Johnston

**Chase Jones**  
Coldwell Banker Residential Brokerage

**Hardeep Kandola**  
Berkshire Hathaway HS Elite

**Inna Kashtan**  
Keller Williams Realty Natomas

**Paul Keshishian**  
Lyon RE Fair Oaks

**Jeffrey Klein**  
McMahon Phillips Real Estate

**Kristen Koch**  
Coldwell Banker Residential Brokerage

**Wing Yee Lam**  
Yvonne Yu Realty

**Julie Lang**  
Diez and Sigg Properties

**Jenny Le**  
SkyWest Real Estate

**Tony Leaman**  
Copeland Realty

**Victoria Lee**  
E C & Associates

**Rutsell Lee**  
Realty One Group Complete

**Shannon Martin**  
Bunyan Realty

**Michala Merlino**  
Keller Williams Realty

**Steven Messer**  
Coldwell Banker Residential Brokerage

**Nathaniel Miles**  
Century 21 Select Real Estate

**Timothy Monahan**  
Lyon RE Folsom

**Travis Monson**  
The Vollman Company

**Muris Mulalic**  
eXp Realty of California, Inc.

**Michael Nguyen**  
Java Realty

**Jonathan Noble**  
eXp Realty of California, Inc.

**Thana Ny**  
HomeSmart ICARE Realty

**Heather Patton**  
Keller Williams Realty Natomas

**Donia Pestana**  
Reliant Realty, Inc.

**Harold Phillips**  
Keller Williams Realty Natomas

**Mark Prettyman**  
1st American Realty

**Manvir Purewal**  
HomeSmart ICARE Realty

**Janice Rubin**  
Donald Michael Rubin

**Jennifer Sapien**  
Lyon RE Natomas

**Ravi Sharma**  
NextHome American Dream

**Leslie Shull**  
Homeland Realty and Investment

**Lori Skinner**  
Linda Tice Real Estate

**Zachary Stilwell**  
Galster Real Estate Group

**Meredith Stuart**  
Greenhouse Real Estate

**Ashley Studebaker**  
Alexis McGee Group, Inc.

**Herman Suarez**  
Berkshire Hathaway HS Elite

**Valeriy Teplyuk**  
Keller Williams Realty Folsom

**Sheila Timmons**  
Lyon RE Folsom

**Samara Umer**  
Legacy Properties

**Teresa Wacaster**  
True North R E and Mortgage In

**Braxton Warren**  
Dean Adams Residential R.E.

**Jonathan Wellington**  
Fine Homes Real Estate

**Eva Wilson-Lee**  
True North R E and Mortgage In

**Brandon Wu**  
Berkshire Hathaway HS Elite

WELCOME



## July sales price inches towards August 2005 high

# JULY

July wrapped up with 1,693 total sales, a 10.9% increase from the 1,527 sales of June. Compared to the same month last year (1,598), the current figure is up 5.9%. Of the 1,693 sales this month, 201 (11.9%) used cash financing, 1,065 (62.9%) used conventional, 304 (18%) used FHA, 90 (5.3%) used VA and 33 (1.9%) used Other† types of financing.

The median sales price remained unchanged at \$390,000. This figure is up 5.4% from July 2018 (\$370,000). The Sacramento Association of REALTORS® recorded the highest median sales price in August 2005 at \$392,750. The current figure is .7% below the record.

The Active Listing Inventory increased 2.7% from 2,362 to 2,425 units. The Months of Inventory decreased from 1.5 to 1.4 Months. This figure represents the amount of time (in months) it would take for the current rate of sales to deplete the total active listing inventory. The chart to the right reflects the Months of Inventory in each price range.

The Median DOM (days on market) increased from 10 to 11. The Average DOM increased from 22 to 23. "Days on market" represents the days between the initial listing of the home as "active" and the day it goes "pending." Of the 1,693 sales this month, 77.6% (1,313) were on the market for 30 days or less and 91.5% (1,548) were on the market for 60 days or less.

The Average Price/SqFt of all homes sold increased from \$249.4 to \$252.2 from May to June.

See all statistical reports compiled by the Sacramento Association of REALTORS® [here](#).

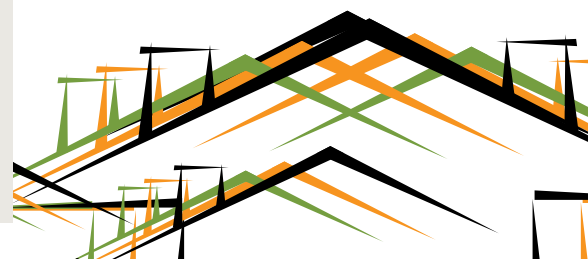
Let's Talk About Inventory			
Price Range	For Sale	Sold	Months of Inventory
\$0 - \$159,999	6	9	0.7
\$160,000 - \$179,999	3	5	0.6
\$180,000 - \$199,999	9	7	1.3
\$200,000 - \$249,999	77	69	1.1
\$250,000 - \$299,999	203	179	1.1
\$300,000 - \$349,999	293	304	1.0
\$350,000 - \$399,999	352	321	1.1
\$400,000 - \$449,999	265	212	1.3
\$450,000 - \$499,999	282	176	1.6
\$500,000 - \$549,000	183	118	1.6
\$550,000 - \$599,000	167	86	1.9
\$600,000 - \$649,999	97	64	1.5
\$650,000 - \$699,999	113	37	3.1
\$700,000 - \$749,999	49	15	3.3
\$750,000 - \$799,999	56	24	2.3
\$800,000 - \$999,000	124	35	3.5
\$1,000,000 and over	146	32	4.6
Total:	2,425	1,693	Total: 1.4

## Market Snapshot - July 2019

	Jul-19	Jun-19	Change	Jul-18	Change (from '18)
<b>Sales</b>	1,693	1,527	10.9%	1,598	5.9%
<b>Median Sales Price</b>	\$390,000	\$390,000	0.0%	\$370,000	5.4%
<b>Active Inventory</b>	2,425	2,362	2.7%	2,875	-15.7%
<b>Median DOM</b>	11	10	10.0%	12	-8.3%
<b>Avg. Price/SqFt</b>	\$250	\$252	-0.8%	\$244	2.5%

The Sacramento Association of REALTORS® is a professional association representing over 6,500 real estate professionals and commercial affiliates doing business in the greater Sacramento metropolitan area. All SAR statistics reports compiled by Tony Vicari, SAR Director of Communications. Statistics are derived from the MetroList® MLS database for Sacramento County and the City of West Sacramento.

†Other financing includes 1031 exchange, CalVet, Farm Home Loan, Owner Financing, Contract of Sale or any combination of one or more.



# MLS STATISTICS

## July 2019

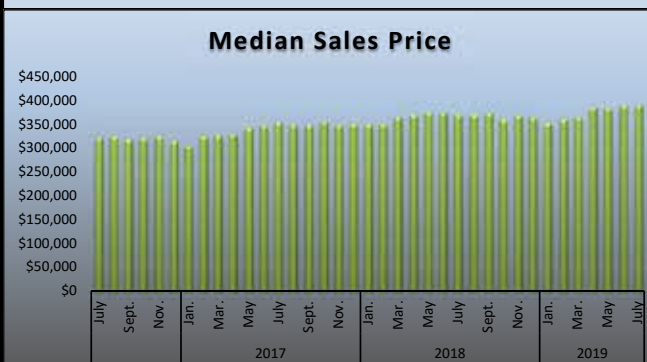
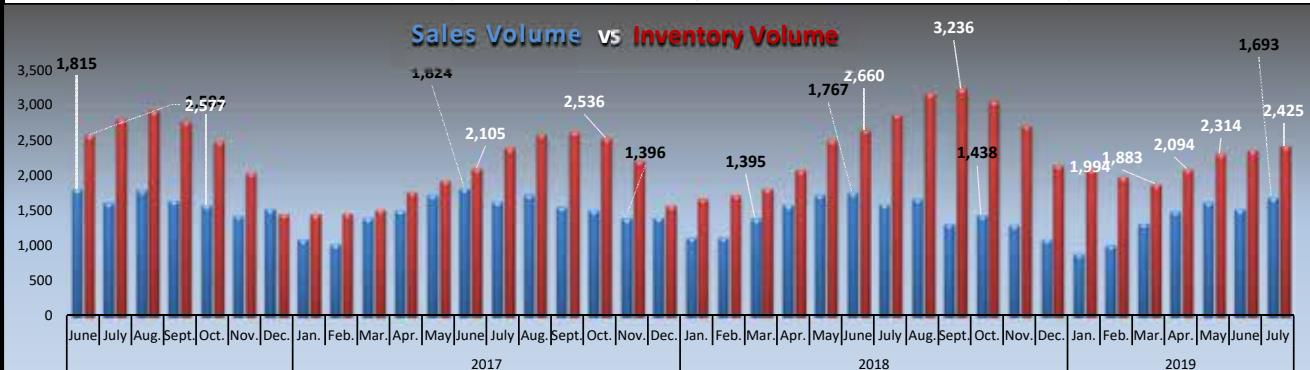
### MLS STATISTICS for July 2019

Data for Sacramento County and the City of West Sacramento



#### SINGLE FAMILY HOME RESALES

Monthly Statistics	Current Month	% of Total Sales	Last Month	Change	% of Total Sales	Last Year	% of Total Sales	Change
Listings Published this Month	2,138		2,048	4.4%		2,381		-10.2%
Active Listing Inventory †	2,425		2,362	2.7%		2,875		-15.7%
Pending Sales This Month*	2,030		2,110	-3.8%		1,207		68.2%
Number of REO Sales	18 1.1%		14	28.6%	0.9%	20	1.3%	-10.0%
Number of Short Sales	8 0.5%		5	60.0%	0.3%	12	0.8%	-33.3%
Equity Sales	1,667 98.5%		1,508	10.5%	98.8%	1,566	98.0%	6.4%
Other (non-REO/-Short Sale/-Equ)	0 0.0%		0	0%	0.0%	0	0.0%	N/A
Total Number of Closed Escrows	1,693 100%		1,527	10.9%	100%	1,598	100.0%	5.9%
Months Inventory	1.4 Months		1.5 Months	-6.7%		1.8 Months		-22.2%
Dollar Value of Closed Escrows	\$738,531,935		\$647,599,238	14.0%		\$648,550,774		13.9%
Median	\$390,000		\$390,000	0.0%		\$370,000		5.4%
Mean	\$436,227		\$424,099	2.9%		\$405,852		7.5%
Year-to-Date Statistics	1/01/19 to 7/31/19		1/01/19 to 7/31/19			1/1/2018		
	SAR monthly data, compiled		MetroList YTD data			7/31/2018		Change
Number of Closed Escrows	9,575		9,749			10,337		-7.4%
Dollar Value of Closed Escrows	\$3,928,834,131		\$4,048,169,820			\$4,140,615,278		-5.1%
Median	\$375,000		\$375,000			\$364,000		3.0%
Mean	\$410,322		\$415,239			\$400,563		2.4%



**Sacramento County Statistics**  
brought to you by:

**Your Real Estate Office**

Would you like to see your contact info here?  
Contact [tony@sacrealtor.org](mailto:tony@sacrealtor.org) for details.

**David Brooker**  
REALTOR/Specialist

\*SAR Members Only\*

† includes: Active, Contingent - Show, Contingent - No Show listings

\* The method for retrieving Pending Sales from MetroList® was updated for April 2019. Pending sales are now counted at a single point in time at the beginning of the month rather than by entering the date range of the month in question. This new method will now include any listings that have the status of "pending" in MetroList®.

Based on Multiple Listing Service data from MetroList® | 2019 SAR

Compiled monthly by Tony Vicari, Director of Communications | Sacramento Association of REALTORS® | [www.sacrealtor.org](http://www.sacrealtor.org) | 916.437.1205

# Data for Sacramento County and the City of West Sacramento

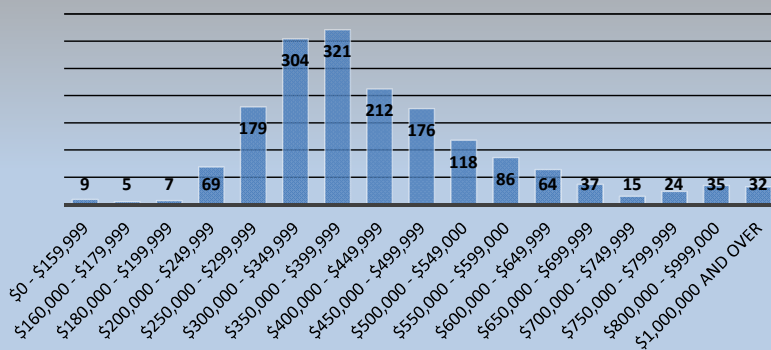
## MLS STATISTICS for July 2019

### Data for Sacramento County and the City of West Sacramento

#### BREAKDOWN OF SALES BY PRICE

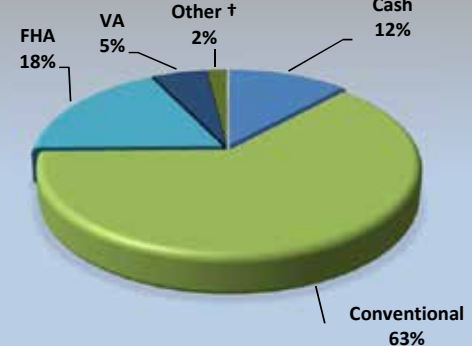
##### 1 House on Lot

Total: 1,693

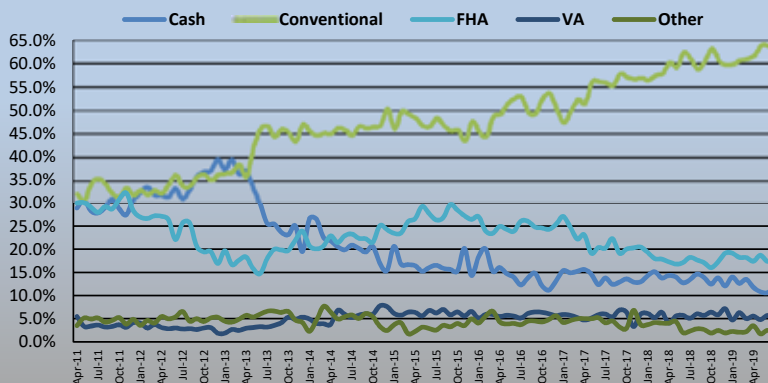


#### Type of Financing/Days on Market

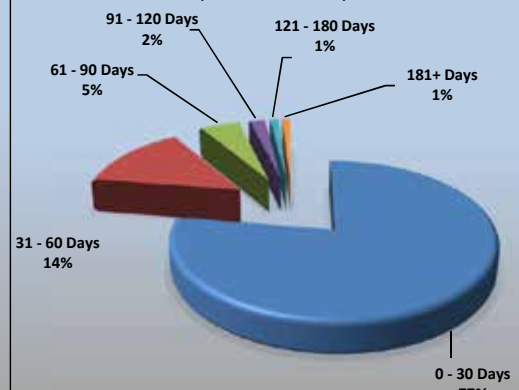
##### TYPE OF FINANCING (1 House on Lot)



##### Types of Financing Historical (% of Sales)



##### DAYS ON MARKET (1 House on Lot)



Type of Financing	Current Month		Previous Month		LENGTH OF TIME ON MARKET				
(Single Family Home only) Financing Method	# of Units	% of Total	# of Units	% of Total	(Single Family Only) Days on Market	# of Units	% of Total		
							Current Month	Last 4 Months	Last 12 Months
Cash	201	11.9%	162	10.6%	0 - 30	1,313	77.6%	76.9%	68.7%
Conventional	1,065	62.9%	975	63.9%	31 - 60	235	13.9%	12.7%	16.5%
FHA	304	18.0%	265	17.4%	61 - 90	80	4.7%	4.8%	7.9%
VA	90	5.3%	87	5.7%	91 - 120	31	1.8%	2.2%	3.6%
Other †	33	1.9%	38	2.5%	121 - 180	18	1.1%	2.1%	2.5%
<b>Total</b>	<b>1,693</b>	<b>100.0%</b>	<b>1,527</b>	<b>100.0%</b>	<b>181+</b>	<b>16</b>	<b>0.9%</b>	<b>1.1%</b>	<b>0.9%</b>
					<b>Total</b>	<b>1,693</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

† includes: cal vet, contract of sale, creative, farm home loan, owner financing.

<b>Median DOM:</b>	<b>11</b>	<b>10</b>
<b>Average DOM:</b>	<b>23</b>	<b>22</b>
<b>Average Price/Square Foot:</b>	<b>\$249.9</b>	<b>\$252.2</b>

This representation is based in whole or in part on data supplied by MetroList. MetroList does not guarantee, nor is it in any way responsible for, its accuracy. Data maintained by MetroList does not reflect all real estate activity in the market. All information provided is deemed reliable, but it is not guaranteed and should be independently verified. For the most current statistical information, visit <https://www.sacrealtor.org/consumers/housing-statistics>.

Based on Multiple Listing Service data from MetroList® | 2019 SAR

Compiled monthly by Tony Vicari, Director of Communications | Sacramento Association of REALTORS® | [www.sacrealtor.org](http://www.sacrealtor.org) | 916.437.1205



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