RE Magazine Spring Digital Edition



IT'S MORE THAN JUST A MONTH!

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REALTORS® BUILD COMMUNITIES. FAIR HOUSING

Make sure you are upholding the Fair Housing Act and helping to create thriving communities.

Celebrate Fair Housing Month with NAR—advocate for accountability, culture change and training. Elevate your community, advance homeownership and earn recognition. Take action now for a more inclusive tomorrow.





2025 PRESIDENT

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WASHINGTON **REALTORS**°





Washington Association of REALTORS®.

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PRESIDENT'S MESSAGE

Leadership means taking action. It is not enough to identify a problem or recognize a need for improvement, true leadership means taking steps to leave the world a better place than before.

Fair housing is a critical element of what it means to be a REALTOR®. Within the REALTOR® pledge, we commit to "broaden the opportunity to enjoy (homeownership." Saying those words does not make that a reality, which is why I am incredibly proud of the work WR did last year passing the Covenant Homeownership Act.

The Act uses a modest increase in the Document Recording Fees to fund a downpayment program for the children, grandchildren, or greatgrandchildren of Washington Residents who faced racial discrimination when it came to housing. We all know that homeownership is critical to building generational wealth, and these individuals or families were denied that.

Since going into effect, the CHA has helped nearly 300 families purchase a home that might not have qualified otherwise. This year, legislation was introduced to broaden the pool of qualified recipients, expanding the impact of the legislation.

Another way that WR has put Fair Housing into action is by amending our policy manual to ensure that all members of the executive committee go through Fair Housing and Implicit Bias training. This followed the path that NAR has taken, which requires every member of the NAR Board of Directors go through similar trainings.

Over the past few weeks, it has been wonderful to see on social media all the activities our local associations have done around Fair Housing. We always have room to improve and do better, but making the ongoing effort to grow is what sets leaders apart. I'm proud to have the opportunity to serve as the President of an organization that strives to do exactly that. ◊

John Blom 2025 WR President







If you've taken a fair housing class, you know there is always the section of class where the instructor says "...and you should avoid use of these words in advertising".

Typically, there is a list of words following that statement that causes students to respond with something along the lines of "yeah, but I use that word all the time and I'm not trying to say anything bad, I'm just describing the property" and then a discussion ensues about why the historical use of some words is so entrenched in advertising intended to segregate, that the words should be avoided even if the advertising broker intends no harm. Almost always, a word near the top of that list of words to avoid is the word "exclusive". Do not advertise a home as being located in an "exclusive neighborhood". Again, it is easy to push back on that word of caution with "yeah, but ..." however, the roots of that advertising phrase run deep into our nation's history of segregated housing. Even when it was no longer lawful to prohibit people

from residency in a neighborhood based on their skin color, beliefs or religion, developers, builders, sellers and real estate brokers drew boundary lines by advertising a neighborhood as "exclusive." If a neighborhood was "exclusive" that meant that certain people were included and all others were excluded. The substantive meaning assigned to the word "exclusive" is that a few are included but most are "excluded". Something is not exclusive if it is open and available to everyone.

There was a time, before multiple listing services existed, that brokers marketed property only through yard signs, word of mouth and individual advertising. That one-to-one marketing system limited exposure. Using code words or not, it was easy to control who was able

to purchase property when property was advertised only to certain people. A buyer who was not deemed suitable by the real estate broker and the seller would never learn of the availability of the property. With the advent of the MLS, a listed property is marketed broadly, to all potential buyers, regardless of whether the buyer is known to the listing broker and regardless of what the buyer looks like or how the buyer thinks. Most MLSs introduce property to worldwide buyers through a download to various real estate internet sites through syndication and IDX feeds. The ability to expose a seller's property to the broadest market is the very reason MLSs were created in every corner of the country.

In Washington, most residential brokers are members of NAR and/or NWMLS and most residential brokers find value in marketing residential property through the MLS to which the broker belongs. For decades, NWMLS rules have required listing brokers to input their listings in the NWMLS database for sharing with other brokers and buyers. More recently, NAR adopted a similar policy known as the Clear Cooperation Policy. These policies undeniably further fair housing goals. The policies have some key differences but the over-arching driver for both policies is the same: when a marketed property receives

11 There was a time, before multiple listing services existed, that brokers marketed property only through yard signs, word of mouth and individual advertising. That one-to-one marketing system limited exposure.

broad exposure, more buyers have an opportunity to purchase the property, regardless of whether the buyer knows the listing broker or not. There are benefits to sellers when more buyers view seller's property. In very general terms, more buyers for a property will typically improve the seller's price and terms through competitive negotiations. This article, however, will focus on the benefits to buyers and specifically, benefits viewed through the lens of fair housing.

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LEGAL HOTLINE

NAR promotes the Clear Cooperation Policy, which has been in existence for five years, and requires a listing broker who is a member of an NAR MLS to market property through the MLS within one business day of public marketing. The NAR policy has always included the opportunity for a seller to direct the listing broker to refrain from all public marketing, including listing in the MLS, so long as seller signs an informed consent following disclosure of the risks associated with an "office exclusive" listing. In that case, listing broker may offer the property but may not engage in public marketing. That marketing approach is not used frequently in Washington



16 The NAR policy has always included the opportunity for a seller to direct the listing broker to refrain from all public marketing, including listing in the MLS, so long as seller signs an informed consent following disclosure of the risks associated with an "office exclusive" listing.

> but for an NAR MLS member, it is available in the rare instance that a seller wants to avoid notoriety and publicity.

> The Clear Cooperation Policy was recently amended to allow a seller to direct the listing broker to engage in public marketing through the MLS, making the property available to all MLS members but withholding marketing through syndication or IDX feeds that would be available for viewing by the public for an identified period. Again, the seller must sign an informed consent after disclosure regarding the marketing exposure seller rejects.

NWMLS's policy requires all listings to be entered into the MLS before any promotion of the property, but also provides sellers and their brokers with a host of options for their listings to address privacy and security and different approaches to marketing to address sellers' unique circumstances.

Common sense suggests and history shows that the best way to provide exposure of seller's property to the largest number of buyers and buyers who demonstrate a diversity of background and thought, is through the MLS. The MLS is the one and only central repository for information regarding the availability of real estate in a localized area. While there are lots of websites and other real estate

promotional opportunities, each MLS offers the most comprehensive database of available properties within its region. It is the only reliably viable option for buyers to view property outside the presence of seller and listing broker. Thus, an MLS policy creating an obligation on listing brokers to market residential property through the MLS is a policy that promotes the goals of fair housing.

If a broker operates outside the framework of the broker's MLS to market property, many buyers, if not most, will never know the property is available. "Pocket listings", or as they are sometimes called, "shadow listings" or "offmarket listings", will be seen only by the buyers who are introduced to the property by the listing broker or the seller. This begs a simple question. If a property's availability is exposed only to acquaintances of seller or listing broker, what is the likelihood that the property will be exposed to potential buyers who look and think differently from seller and listing broker? Said differently, what is the likelihood that a property which is made available only to the acquaintances of seller and listing broker will sell to a buyer who is a member of a protected class under fair housing laws? Any chance is significantly diminished as neighborhoods retain long established consistency of race, religion and other immutable characteristics.

The listing broker who counsels the seller to avoid listing on the MLS risks allegations of Fair Housing violations. A frustrated potential buyer, who never knew the property was for sale, and who is a member of a protected class, may argue that broker withheld the listing from the MLS in an effort to limit the diversity of buyers who might pursue the property. Conversely, inclusion of the listing in the MLS guarantees that all buyers and their brokers have equal access to information regarding the property and equal opportunity to bid for ownership.

As is the case with seemingly all industry policies these days, there is enormous controversy and confusion swirling around these MLS mandatory listing policies. Politics, personal biases, fears and uncertainty often drive frustration and anger. Cutting through all the chaos, these MLS listing policies result in a goal that every real estate broker should be able to cheer. The policies result in a market where every buyer, regardless of color, creed, religion, sexual preference, disability or any other immutable characteristic has access to purchase residential property. There should be no confusion or controversy. That is a worthy goal and policies designed to achieve that goal should be embraced by all industry members. ◊



Annie Fitzsimmons

Annie is the Washington REALTORS® Legal Hotline Lawyer. To ask Annie a Legal Hotline question or to access the Hotline Q&A database please visit warealtor.org/legal-hotline



HOW TO USE THE



WITH ANNIE FITZSIMMONS, WR LEGAL HOTLINE LAWYER

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2025 FAIR HOUSING RESOURCES FOR REALTORS®

By Taylor Duncan, Digital Content Specialist

Fair Housing Month is observed each April to commemorate the landmark 1968 Fair Housing Act in which U.S. law was established that prohibited discrimination in housing. Utilize the resources we've compiled below to strengthen your commitment to Fair Housing!

WR SOCIAL MEDIA GRAPHICS

Download Washington REALTOR® branded Fair Housing social media graphics here to share on your page.

https://www.warealtor.org/about-us/diversity-equity-inclusion/deia-sharable-graphics

2022 FAIR HOUSING POSTER

Washington REALTORS® has professionally printed copies of the Fair Housing Poster for our members. Request a FREE copy of the poster online at: https://fairhousingposters2022.paperform.co/ (2022 Version).

2025 FAIR HOUSING POSTER

NAR creates a <u>poster</u> that state and local real estate associations may print, use or distribute to promote the REALTOR® commitment to Fair Housing.

https://www.nar.realtor/sites/default/files/2025-03/2025-fair-housing-month-poster-03-03-2025.pdf

FAIR HOUSING TOOLKIT

Access NAR's <u>Fair Housing Toolkit</u>, including activity ideas, social graphics, posters, and other assets.

https://www.nar.realtor/fair-housing/fair-housing-month/fair-housing-month-toolkit

FAIRHAVEN 2.0

Fairhaven 2.0 is NAR's <u>online simulation</u> where real estate pros tackle fair housing challenges head-on. Through realistic scenarios, practical insights, and historical context, you'll explore key topics like steering, bias, disability accommodations, and standing up for clients facing discrimination. https://www.nar.realtor/fair-housing/fairhaven

NORTHWEST FAIR HOUSING ALLIANCE BROCHURES

Various informational <u>brochures on Fair</u>
<u>Housing</u>, translated into 11 different languages.

https://nwfairhouse.org/library?mc_cid=b8eb30475a&mc_eid=7d0e058661

NORTHWEST FAIR HOUSING ALLIANCE VIDEOS

Various <u>informational videos</u> on Fair Housing: Fair Housing and the LGBTQ+, Fair Housing Testing, Know Your Fair Housing Rights and *Fair Housing vs. Landlord Tenant Issues*

https://www.youtube.com/@NorthwestFairHousing

















FAIR HOUSING DECLARATION

I AGREE TO:

- Provide equal professional service without regard to the race, color, religion, gender (sex), disability (handicap), familial status, national origin, sexual orientation or gender identity of any prospective client, customer, or of the residents of any community.
- Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.
- Develop advertising that indicates that everyone is welcome and no one is excluded; expanding my client's and customer's opportunities to see, buy, or lease property.
- Inform my clients and customers about their rights and responsibilities under the fair housing laws by providing brochures and other information.
- Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful REALTOR®.
- Refuse to tolerate non-compliance.
- Learn about those who are different from me, and celebrate those differences.
- Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.
- Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.

Show that your office supports equal opportunity in housing by displaying this declaration of following fair housing laws and your commitment to provide professional service with the REALTOR® Fair Housing Declaration

https://www.nar.realtor/fair-housing/fair-housingprogram/fair-housing-declaration

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FAQ: All Member Fair Housing Training Requirement

Q1. What is the history of this requirement?

NAR's Board of Directors approved a new policy during the May 2023 REALTORS® Legislative Meetings that institutes a Fair Housing training requirement for all members. The policy is based on a recommendation created by a work group composed of members of the Fair Housing Committee, Professional Development Committee, Association Executives Committee, and Membership Policy and Board Jurisdiction Committee (the recommendation was presented to the Board by the latter).

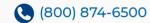
Q2. Is there a cost associated with completing this requirement?

Not necessarily! At Home with Diversity and Bias Override satisfy the course requirements, and Fairhaven, a fair housing simulation training that helps REALTORS® identify, prevent, and address discriminatory practices in real estate, will be updated to meet the 2hour requirement and serve as a no-cost option.

Q3. Why 2 hours? Why not more or less?

2 hours of instructional time meets the learning objectives and topics that the Board of Directors felt are necessary to cover in a quality Fair Housing course, while also considering the average length of Fair Housing courses that are currently mandated by some state licensing authorities. Also of note, 2 hours would be the minimum several of the current NAR offerings that would satisfy the requirement (At Home With Diversity, Bias Override) are slightly longer.









Mark your calendars for May 22nd, 2025, because this is an event you won't want to miss!

Join us for a jam-packed, 7 Credit Hour day of invaluable education, all delivered by EIGHT expert real estate lawyers. From 9AM to 4PM at the DoubleTree in SeaTac, you'll be equipped with the latest legal insights to stay ahead in the ever-evolving real estate world.

WHAT'S INCLUDED?

- 7 Clock Hours of Education
- Parking & Lunch We've got you covered! Both are included!
- Actionable Tips & Insights to tackle today's toughest industry challenges.

CLASS COST

\$149 members \$169 nonmembers

Registration (QR Code Link):

https://warealtorportal.ramcoams.net/Education/Registration/Details.aspx?cid=be9e3653-120c-f011-9ceb-00155d23444c

LOCATION

DoubleTree SEATAC 18740 International Blvd Seattle, WA 98188

ROOM BLOCK

Make reservations by calling 1-800-HILTONS, or by visiting the following link online:

https://book.passkey.com/ go/WARLegalSymposium Room block closes on May 7th

Note: Online Registration will close at 5PM on May 19th. After this time, you can call WR and see if there is availability to register.



SPEAKERS

FETTERMAN LLC



SCHROEDER, JD DESIGNATED BROKER OWNER EXIT REAL ESTATE PROFESSIONALS





JOHN L. SCOTT GENERAL COUNSEL

CE Credit: If you attend the full day, you will receive a total of 7 clock hours. You will need to attend at least three sessions (3 hours) to qualify for any clock hours. Food: Light breakfast, lunch and snack will be provided. We will have vegan and vegetarian options. Cancelation Policy: Cancellations requested more than ten days prior to the start of the course will receive a full tuition refund. Those received less than ten days prior to the first day will receive a 50 percent refund. After 5:00 p.m. the day before the course, there is NO refund

APRIL 2025

APRIL 21



AT HOME WITH DIVERSITY

Monday, April 21, 2025 6.0 CE Credits Adrift Hotel Long Beach, Washington

APRIL 29



CURRENT ISSUES IN WASHINGTON **RESIDENTIAL REAL ESTATE**

Tuesday, April 29, 2025 9:00am - 12:00pm 3.0 CE Credits Sequim Prairie Garden Club Sequim, Washington

APRIL 29



BEST OF LEGAL HOTLINE

Tuesday, April 29, 2025 12:30pm - 4:00pm 3.5 CE Credits Sequim Prairie Garden Club Sequim, Washington

APRIL 30



AT HOME WITH DIVERSITY*

Wednesday, April 30, 2025 to Thursday, May 1, 2025 6.0 CE Credits Online Class

MAY 2025

MAY 1



CREDIT MASTER CLASS

Thursday, May 1, 2025 10:00am - 1:00pm 3.0 CE Credits Yakima Association of REALTORS® Yakima, Washington

MAY 1



DEMYSTIFYING THE APPRAISAL FOR **REAL ESTATE BROKERS**

Thursday, May 1, 2025 1:30pm - 4:30pm 3.0 CE Credits Yakima Association of REALTORS® Yakima, Washington

MAY 12



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Monday, May 12, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

MAY 14



WASHINGTON REAL ESTATE FAIR HOUSING*

Wednesday, May 14, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

MAY 15

warealtor.org/education-events



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Thursday, May 15, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

MAY 28



DEMYSTIFYING THE APPRAISAL FOR **REAL ESTATE BROKERS**

Wednesday, May 28, 2025 10:00am - 1:00pm 3.0 CE Credits Tacoma-Pierce County Association of REALTORS® Tacoma, Washington

MAY 29



WHAT WOULD YOU DO?

Thursday, May 29, 2025 8:30am - 12:30pm 4.0 CE Credits Yakima Association of REALTORS® Yakima, Washington

MAY 29



AGENCY LAW

Thursday, May 29, 2025 1:00pm - 4:30pm 3.5 CE Credits Yakima Association of REALTORS® Yakima, Washington

JUNE 2025

JUNE 11



WASHINGTON REAL ESTATE FAIR HOUSING*

Wednesday, June 11, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

JUNE 24



MILITARY RELOCATION PROFESSIONAL

Tuesday, June 24, 2025 8:00am - 4:00pm 8.0 CE Credits Yakima Association of REALTORS® Yakima, Washington

JUNE 24



CREDIT MASTER CLASS

Tuesday, June 24, 2025 10:00am - 1:00pm 3.0 CE Credits **Tacoma-Pierce County** Association of REALTORS® Tacoma, Washington

WASHINGTON REALTORS'®

EDUCATION / EVENT CALENDAR

JULY 2025

JULY 17



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Thursday, July 17, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

AUGUST 2025

AUGUST 14



WOW. IT'S HOT! CURRENT LEGAL TOPICS & HOTLINE FUN

Thursday, August 14, 2025 7.5 CE Credits Centerplace Event Ce Creditsnter Spokane Valley, Washington

AUGUST 20



WASHINGTON REAL ESTATE FAIR HOUSING*

Wednesday, August 20, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

CHAMPIONS CLUB

CONFERENCE

SEPTEMBER 2025

SEPTEMBER 9



NAR CODE OF ETHICS

Tuesday, September 9, 2025 9:00am - 12:00pm 3.0 CE Credits Thurston County REALTORS® Olympia, Washington

SEPTEMBER 11



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Thursday, September 11, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

SEPTEMBER 12



WASHINGTON REAL ESTATE FAIR HOUSING*

Friday, September 12, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

SAVE THE DATE!

JULY 8 – 10, 2025 9:00AM - 4:00PM

HYATT REGENCY LAKE WASHINGTON IN RENTON

OCTOBER 2025

* Live Webinar. NOTE: Online attendance is monitored and you must have your camera on.

OCTOBER 16



NAR CODE OF ETHICS

Thursday, October 16, 2025 1:00pm - 4:00pm 3.0 CE Credits Whatcom County Association of REALTORS® Bellingham, Washington

OCTOBER 24



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Friday, October 24, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

OCTOBER 28



CURRENT ISSUES IN WASHINGTON RESIDENTIAL REAL ESTATE*

Tuesday, October 28, 2025 9:00am - 12:00pm 3.0 CE Credits Online Class

NOVEMBER 2025

NOVEMBER 20



PLANNING & ZONING RESOURCE: ADVOCATING FOR YOUR COMMUNITY'S FUTURE

Thursday, November 20, 2025 7.5 CE Credits Oxford Inn Bellingham, Washington



WASHINGTON REALTORS'®

HIGHLIGHTED MEMBER BENEFITS

LEARN MORE ABOUT YOUR MEMBER BENEFITS ONLINE:

warealtor.org/membership/ member-benefits

WASHINGTON REALTORS® MEMBER BENEFITS

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- · The Tech Helpline
- · Staples Business Advantage
- · SafeShowings App Discount
- Pearl E & O Insurance Discount
- Advocacy
- · Weekly Publications
- RE Magazine
- · Education Discounts ...and more!

NEW MEMBER RESOURCES

NAR's wide range of products and services are designed to inform and connect you to the products, services, and network that can help your business thrive.

www.nar.realtor/new-member

DISCOUNTS & NAR MEMBER BENEFITS

With NAR REALTOR Benefits®. vou'll find a robust roster of vetted business partners who've created custom products and services and exclusive member pricing designed to empower you to grow and thrive in your business.

www.nar.realtor/realtorbenefits-program



NATIONAL ASSOCIATION OF REALTORS®

SCAN TO VIEW MEMBER BENEFITS

CENTER FOR REALTOR® FINANCIAL WELLNESS

The National Association of REALTORS® is proud to offer members the Center for REALTOR® Financial Wellness, a resource designed to help you understand your financial planning options and prepare for the future, one step at a time. No matter where you are in your career or stage of financial planning, we have something for you — budgeting tools, retirement planning resources, information about investing in real estate, upcoming and archived webinars, events and more.

www.financialwellness.realtor



WASHINGTON ASSOCIATION OF REALTORS®

SCAN TO VIEW MEMBER BENEFITS



N 2024, WASHINGTON REALTORS® We stopped a real estate transfer tax, saving hor and sellers money in restransaction and defeate new B&O tax on rental so "mom & pop" landlo don't face extra costs.

We stopped a real estate sales/ transfer tax, saving homebuyers and sellers money in real estate transaction and defeated a new B&O tax on rental income so "mom & pop" landlords

SOME OF OUR MORE RECENT LEGISLATIVE SUCCESSES...

SAVED YOU MONEY!

- · Stopped proposed increases in the Washington State Real Estate Excise Tax (REET). WHAT THIS MEANS FOR YOU: This helps ensure housing costs remain as low as possible for homeowners and potential buyers.
- Based on REALTORS® work with key legislators on Legislation in 2019, we were able to achieve a complete exemption from the new 7% state capital gains tax for all gains from the real estate, including primary residences, investment properties, and 1031 exchanges. WHAT THIS MEANS FOR YOU: For a home purchased for \$500,000 and sold for \$1 million, that state capital gains exemption results in a savings of \$35,000.
- · Stopped legislation that would have required any in house transactions to involve attorneys for both the seller and the buyer. WHAT THIS MEANS FOR YOU: This gives the choice to hire an attorney for your transaction back to you and saves you money!



 Passed legislation ensuring that all cities allow homeowners to build up to two accessory dwelling units (ADUs) on their property.

Preserved the legal standard requiring seller disclosure of defects to be based on a standard of actual knowledge.

PROMOTING

- Passed legislation to help pave the way for expanding housing inventory, especially 'Missing Middle" housing.
- Stopped three separate pieces of legislation that would have hindered the permitting process, thereby giving homeowners more access to housing.

· Advocated for homebuyers and sellers during COVID so that their transactions could close.



DOWNLOA & SHARE **THIS FLYER**

Worked to create more affordable housing for home buyers. This includes reforming condo liability laws so that more affordable condominiums can be built and passing a bill that allows accessory dwelling units, duplexes and triplexes in many single family zones.



DIVERSITY, EQUITY

- REALTORS® initiated legislation to establish a new process allowing homeowners to more easily identify and eliminate historic racial covenants recorded against their property.
- In 2023, REALTORS® were the leading business community in support of a new state homeownership program created to remedy past discrimination in the housing market.





Are you under investigation from the Department of Licensing or have been served with a statement of charges and face an administrative hearing?

Are you having contract disputes with your managing broker or your employees?

We can assist you.

Protect your interests and professional license by calling the Seattle Litigation Group. Don't let others take away what you have labored long and hard for. Let the attorneys at the Seattle Litigation Group assist you in protecting your livelihood and your ability to support yourself and your family.

We are experienced attorneys who can guide you through the bureaucratic maze that is our court system. We understand the critical importance of keeping you working or your business open.

Call now for a free appointment.