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From the President

Well, this is my last column of the year, and the last opportunity I will have as President of your association to share my thoughts with you. It has certainly been a busy and productive year for me, and I hope it has been for you as well. Let me take just a few minutes of your day to share some things we have accomplished together.

The monthly ABoR Forums have grown in popularity month over month, and brought together REALTORS® and real estate professionals to discuss hot topics and community issues. It was gratifying to see our members voicing their opinions and participating about topics on a broad spectrum of topics including “coming soon” property marketing, urban rail, syndication, AustinHomeSearch.com, and the MLS. We hope this interest in the business of improving our business will continue and we will see more new faces at these events in 2015.

A little bit more about syndication: ABoR was recognized as an industry innovator for the decision to return the responsibility of syndicating listings back to the brokers. This decision received national attention and fostered local, state, and national conversations about data integrity, professionalism, and the best way to serve Austin-area homebuyers and sellers. One thing we learned is, there are plenty of ideas about syndication, and your association was proud to support the leadership team that helped take a stand on this important issue.

I am very excited about the (almost) completion of the new ABoR headquarters at 4800 Spicewood Springs Road. Everything is on track for the grand opening celebration in January of 2015, and ABoR will continue to be an active part of the community going forward.

I would also like to thank EVERYONE that served our association with me this year, including the Board of Directors, committee members, task force members, and members at large. Their professionalism, expertise, and leadership played a HUGE part in leading ABoR through all of our important initiatives and actions on behalf of all our members.

Almost done… If I did not share this with you, I would not be being honest with you. If you were to ask me what I considered the best thing I was able to accomplish over that past several months, without hesitation I would answer “communication.” Communication can go a couple different ways, and I have always said “when you ask a question, you have to be prepared for the answer.” I am proud that, as a team, we did our best to make sure there were plenty of opportunities for our membership to ask questions of their association. We were AVAILABLE to be responsive to the members, and we were not shy about answering tough questions. Communication will only get better as we go forward. Thanks to everyone that believed that our association is there to serve the membership, and was not afraid to let their opinions be known. We are better for it.

Finally (I know that is what you have been waiting for), I am truly excited to be able to pass the mantle of leadership on to a respected colleague and true friend of mine, Barb Cooper. Let me be clear: Barb and I have very different styles, but we both believe that every decision made as an association MUST be in the best interests of the membership. As the 2015 President of the Austin Board of REALTORS®, Barb will lead your association into a new era highlighted by integrity, honesty, our new facility, several new board members, hundreds of new REALTOR® members, and new leadership in the Austin City Council.

I am proud to have been able to stand on the shoulders of my predecessors, and I thank you for giving me the greatest experience of my life; the honor of serving you. Thank you for that opportunity.

Bill Evans
2014 President of the Board
NEW DESIGNATED REALTORS®

Jeff Coffman - Coffman Real Estate
Derrrik Davis - The Davis Agency
Sara Kelley - Langren Properties
William Kurtz - Kurtz Properties
Leticia Phillips - L. Phillips Homes
Pamela Richards - City Blue Realty
Julie Roach - 7 Star Ranch Realty
Mark Shive - Lago Resort Properties
John Voss Jr. - Voss Properties

BASKET WINNERS

ABoR's REALTOR® Store is your go-to place for all real estate-related accessories. Each month, one member is selected to receive a REALTOR® Store basket, complete with the goods a REALTOR® needs daily.

Congratulations to Laurie Kriegel of J.B. Goodwin, REALTORS® and Lieng Chin of J.B. Goodwin, REALTORS®! Laurie and Lieng took home REALTOR® Store baskets as ABoR's August and September drawing winners, respectively.

CONDOLENCES

ABoR is deeply saddened by the passing of member Russell Lewis of Realty Austin, known by his colleagues as the most awesome man in the world.

Additionally, we would like to share our condolences with the friends and family of member Leslie Chapman of Keller Williams Realty. Leslie was a REALTOR® for over 30 years.

The building is coming together quickly now at 4800 Spicewood Springs Road. ABoR's main office will be closed to members from December 22 – January 4 while we move, but we'll be serving members at our south office at 2028 E. Ben White Blvd., Ste. #120. Mark your calendars for the grand opening weekend, January 16 – 17.

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Congratulations to David Galyean on winning the Mercedes and the trip to Germany!
2ND ANNUAL AFFILIATE APPRECIATION EVENT
Starting in February, members of the LMT vetted and interviewed more than 50 candidates for local office; including candidates for Justice of the Peace, Commissioners Court, Travis County Judge, Austin City Council, and Austin Mayor. Overall, LMT members volunteered more than 40 hours of their time to interview and vet candidates, and make critical recommendations about which candidates ABoR should endorse. This process was thoughtful and deliberate, and ensured that ABoR-endorsed candidates who are supportive of REALTOR® values like smart growth, transportation infrastructure, and private property rights.

Members of ABoR Policy Teams were also hard at work all year long to learn about issues in Austin that affect REALTORS® and educate the general membership of ABoR on these important topics. For example, the Water Policy Team engaged the Central Texas Water Coalition to educate Austin-area real estate professionals on critical water issues affecting our communities at Realty Round Up. Additionally, the Transportation Policy Team hosted the ABoR Forum: Rail or Fail? to educate members about the City of Austin’s Proposition 1. The Forum drew record attendance and, with panelists representing both sides of the rail debate, provided a balanced presentation.

Finally, the Smart Growth Policy Team spent the year actively engaged in the CodeNext process to ensure Austin’s next Land Development Code is succinct, effective, and allows for future smart growth. The Smart Growth Policy Team was also instrumental in the ongoing public engagement process surrounding the City of Austin’s South Central Waterfront Initiative.

2014 also proved to be a big year for the TREPAC Steering Committee. Led by Kylie Lynch and Tami Baker, the TREPAC Steering Committee hosted the Annual TREPAC Chili Cookoff, the first ever TopGolf Party, the annual TREPAC Movie Night, and an Italian-themed Wine Tasting to raise money for TREPAC. Thanks to their efforts and the 3,429 individuals who invested in TREPAC this year, more than $350,000 was raised for TREPAC, exceeding our goal of $321,230.

Overall, 2014 was a banner year in the life of ABoR Government Affairs and TREPAC. Special thanks to all of the volunteer members of the LMT, Policy Teams, and TREPAC Steering Committee for their hard work and dedication!
The Austin Board of REALTORS® is proud to congratulate Mary Miner on receiving her Masters of Real Estate! Mary is a managing broker with Nextage Lone Star Realty and the second ABoR member to graduate with a Masters in Real Estate from REALTOR® University.

The MRE is a comprehensive 12-course, 36-credit-hour program that combines the Business Core, Real Estate Core, and elective courses of the National Association of REALTORS® into one advanced curriculum, dedicated to those interested in how real estate intersects with modern issues like technology, finance, and sustainability. The MRE also requires a thesis, which Mary did on the “differing impacts of classroom education and online correspondence on REALTOR® retention.”

Like all REALTORS®, Mary knows the value of continuing her education—and setting an example. “I think education is very important,” Mary explains. “If I’m going to push for it and value it, I should practice what I preach.”

Congrats again to Mary on her wonderful achievement!

Mission Mortgage is your Lending Expert!

Mission Mortgage is a full service mortgage banker who has been serving Austin and the surrounding communities for over 25 years. With offices in Austin and Houston, we’re still growing. At Mission Mortgage, we value the long-term relationships we’ve established with our clients and we understand the importance of trust. We’ve built a culture of service and we strive to exceed expectations every day. We provide in-house underwriting and funding to streamline the loan process and allow our loan officers easy access to the decision making process. With this in mind, we approach each day as an opportunity to help people realize their dream of home ownership.

In addition to Mission Mortgage’s full range of lending services and mortgage options, we also offer condo financing.

Building a new home? Mission Mortgage offers construction lending, final permanent home loans and interim financing.
MLXchange and Fusion were retired on November 18, leaving Matrix as your sole MLS system. Moving forward with Matrix, there are a few key functions you should know of that work differently than MLXchange and Fusion. Searching, sending client notifications, generating reports, and setting up the Client Portal are all important tasks in communicating with your clients.

**Using Search Operators**
While conducting a search in Matrix, remember to use the “wild cards” to get the exact results you are looking for.

In Matrix, the default search parameter is “starts with” for street name and subdivision. To maximize your results, use the *contains* search. For example, to search for street names that contain the word “Allen,” you would type *Allen* in the field for street name.

**Saved Searches and Auto Emails**
In Matrix, searches are divided into two categories: saved searches and auto-emails. When you run a search in Matrix, you can save the search criteria so that you can quickly re-run for future searches. A Saved Search does not have to be attached to a Contact, and no notifications are sent. The Auto Email feature allows you to save a search, but it must be connected to a Contact. Your clients are notified of new listings that match the saved criteria. Saved Searches can be enabled, or converted, to an Auto Email and likewise, an Auto Email can be disabled and converted to a Saved Search.

**Speed Bar Searches**
The Speed Bar allows you to quickly perform searches using shortcuts and abbreviations. Criteria can be entered directly in the Speed Bar, or changed after running a search to narrow your results. To show all active residential listings with a list price between $200,000–$300,000 with 3 or more bedrooms, and 2 or more bathrooms located in the Chandler Creek subdivision, you would enter the following in the speed bar: A $200-300 3+2+ SUB Chandler Creek. Click on the “question mark” icon for more speed bar shortcuts.

You can also create your own shortcuts for custom searches. In the example above, you can save the search as a New Speed Bar Shortcut, titled /CHC. Speed Bar Shortcut names are always preceded by “/”. To quickly access the search, type /CHC in the speed bar.

**Reports**
The toolbar at the bottom of the results grid view offers quick access to basic PDF reports. For a Quick CMA and Market Snapshot, the key difference is that the Market Snapshot is an aggregate report for larger data sets. The median calculation is available on both of these reports. Cloud CMA is recommended for custom reports and flyers, and can be accessed within the results grid view.

Visit Abor.com/Matrix to access training and resources, including tutorial videos and manuals. Classroom training is available on an ongoing basis.
Groundwater in Texas is owned by the surface landowner, but subject to regulation. The legislature’s “preferred” method of groundwater regulation is accomplished by Groundwater Conservation Districts (GCDs), first authorized by the legislature in 1949. There are currently 98 locally managed GCDs in Texas covering most, but not all, areas of the state. GCDs regulate spacing of water wells and most require all wells to be registered, including those exempt from permit. Each district has its own regulations and permitting requirements. Domestic and livestock-use wells, the only type of water wells found on most residential properties, are generally exempt from permitting as long as they are incapable of producing more than 10,000 to 25,000 gallons per day. All other uses of water require a permit. The regulatory impact of GCDs on real property is significant and growing due to drought and population increases.

Statewide, only the ABoR Seller’s Disclosure includes a question for the seller to disclose if the property is in the jurisdiction of a GCD.

There are two basic reasons why GCDs are important to buyers, sellers, and REALTORS®. The first reason involves market value; real estate sales data prove land with water resources sells at a higher price than land without water. The water characteristics of a property are critical to any buyer’s decision to purchase real property. Likewise, a seller should know about their water resources to present a true picture of the attributes of their property and also to comply with their duty to disclose any known defects to potential buyers.

Secondly, real estate agents owe fiduciary and other duties to their clients as found in the rules of the Texas Real Estate Commission and the Occupations Code, Chapter 1101. A real estate agent must also disclose all known structural defects, or other defects [such as unpermitted or illegal water wells] to a purchaser during their time of making a decision to purchase. Even if a seller does not employ a real estate licensee, the seller of all single family residential homes still has to disclose known defects per the Texas Property Code, Section 5.008. Non-disclosure of defects known to the sellers and/or their real estate agents involving water could create substantial liability for civil damages in lawsuits.

Most GCD boundaries are set following county lines, however, some have unique boundaries within county lines, such as the Barton Springs Edwards Aquifer Conservation District in southern Travis County. There are 16 GCDs within the 18-county service area of the ABoR MLS system. Parts of Travis, all of Williamson, and all of Llano County are not under the jurisdiction of any GCD.

Find out if your listing is in a GCD by using the GCD overlays on the map in Matrix. Get in the habit of using the GCD data field located in Add/Edit under the tab for “Documents, Utility, and EES Information” on the Residential Input Form.
Housing and consumer data continues to suggest a big disconnect between perceived affordability and real affordability, especially for first-time homebuyers. The Joint Center for Housing Studies (JCHS) recently estimated that in many metro areas, 50% of 25-34 year-old renters have the income and credit scores to qualify for a mortgage today. In Austin, they estimate that 43% of young renters could qualify—that’s 41,310 potential buyers!

At the same time, this same cohort is very pessimistic about their ability to qualify for a mortgage, as seen in a recent research study from Zelman & Associates. It found that 60-72% overestimate the down payment required, believing they need at least 11-15% down to buy.

Today’s sidelined buyers are holding on to the belief that all home loans come with a hefty down payment and stringent qualifications. And it’s keeping them from investigating their options.

Analysts at Nomura sum up the challenge well in a recent HousingWire column:

“It’s not that Millennials and other potential homebuyers aren’t qualified in terms of their credit scores or in how much they have saved for their down payment.

“It’s that they think they’re not qualified or they think that they don’t have a big enough down payment.”

HOMEOWNERSHIP PROGRAMS CAN MAKE THE CONNECTION

REALTORS® often recommend that homebuyers get pre-qualified before searching for their dream home. But there’s one step that most buyers overlook: investigating financing options like down payment and closing cost programs.

In fact, there are nearly 2,200 homeownership programs across the country and more than 91% have funds available to buyers. Texas has 165 various programs for homebuyers—number three in the country—and 92% have funds available. Homebuyer programs can be coupled with affordable FHA and VA loans as well, helping buyers save even more on their down payment and closing costs.

As a REALTOR®, what if you could remove the biggest obstacle to homeownership for your buyers? Would they take action sooner? Could they make a more competitive offer? Would they be able to keep their savings intact for future home improvements and repairs?

Today’s important opportunity
with homeownership programs is why ABoR provides its members with Down Payment Resource (DPR) as a core member service at no additional cost. It provides a critical link to hard-to-find down payment and closing cost programs.

DPR INTEGRATED INTO AUSTINHOMESearch.COM
Earlier this month, DPR was integrated into AustinHomeSearch.com to help empower more buyers to understand their home financing options. Now, buyers searching for homes on AustinHomeSearch.com will find the DPR icon on eligible property listings. They can click to discover programs, as well as complete a short survey to determine their eligibility...and the leads go right to the listing agent. The tool helps enhance the marketability of your listings, while helping homebuyers overcome the biggest challenge to homeownership—the down payment.

HOW DOWN PAYMENT RESOURCE WORKS
Did you know 70% of ACTRIS listings are eligible for one or more programs? DPR takes active ACTRIS residential listings and processes them against their database of all the programs—state, county, city, neighborhood, non-profit—that exist in our market. It then matches the properties that are eligible, based on location and list price, to all of the programs for which it qualifies. All eligible properties are flagged with a special icon that agents and buyers can click to learn more.

The search results page will display details of a particular program, including participating lenders, education providers (many programs require a consumer education course), a program flyer and contact information for questions. Agents can even email clients about eligible properties right from the DPR interface.

CLIENT PORTAL
DPR is also built into the MLS client portal, so when you send listings to clients and prospects, those clients can see DPR as well. The client portal is often the most-trafficked part of DPR. It allows prospective homebuyers to find programs and properties at the time and place of their home search.

When consumers click the DPR icon on a listing, they’re directed to a short search form. Once the searcher answers questions about their household information, DPR determines if the buyer qualifies for the same available programs as the property. It matches the buyer and the property, uncovering specific opportunities for homeownership.

DPR AS A LEAD GENERATION TOOL
Down Payment Resource isn’t just an aggregator of information—it can also act as a valuable marketing partner.

IDX Feature
Down Payment Resource’s IDX feature flags listings in your website’s IDX search just as it does in the MLS. This alerts buyers to properties that are eligible for down payment assistance. On average, 5% of homebuyers who click the DPR icon will submit their contact info to request help. The most successful agent websites receive up to an impressive 19% click-to-lead conversion rate.

Personal Marketing Tool
Capturing leads need not be relegated to just your website. By sharing a unique link in your email signature, on your website, blog, or on social media, you can lead potential homebuyers to a short survey that they can complete to see if they are eligible for down payment assistance.

Both tools function as an educational opportunity for your prospects that keeps you at the center of the transaction with easy to follow next steps.

REALTORS® are in a great position to dissolve the housing disconnect and help more buyers understand their options. With more first-time homebuyers everyone wins—we create opportunities for move-up buyers, spur more sales, enhance our communities, and improve the overall housing market.

DID YOU KNOW? An average of 70% of all listings are eligible for homebuyers assistance!
position yourself for success in 2015

DEFINING YOUR MISSION & VISION
Writing a solid business plan begins by defining your business’s mission and vision statement. Though creating such a statement may seem like fluff, it is an important exercise. The mission and vision statement sets the foundation upon which to launch your business. It is difficult to move forward successfully without first defining your business and the ideals under which your business operates. A company description should be included as a part of the mission and vision statement: what type of real estate do you sell? Where is your business located? Who founded your business? What sets your business apart from your competitors?

SWOT ANALYSIS
Once you’ve created a mission and vision statement, the next step is to develop a SWOT analysis. SWOT stands for “Strengths, Weaknesses, Opportunities, and Threats.” It is difficult to set goals for your business without first enumerating your business’s strengths and weaknesses, and the strengths and weaknesses of your competitors. Do you offer superior customer service as compared with your competitors? Do you specialize in a niche market? What experiences do you have that set you apart from your competitors? What are your competitors’ strengths? Where do you see the market already saturated, and where are there opportunities for expansion and growth?

SETTING GOALS
Next, translate your mission and vision into tangible goals. If your mission statement is to make every client feel like your most important client: how specifically will you implement this? Do you want to grow your business? Is this growth measured by gross revenue, profit, personnel, or physical office space? How much growth do you aim for annually? What specific targets will you strive to hit annually in the next few years?

MARKETING PLAN
You may wish to create a marketing plan as either a section of your business plan or as an addendum. The Marketing Mix concerns product, price, place, and promotion. What is your product? How does your price distinguish you from your competitors—is it industry average, upper quartile, or lower quartile? How does your pricing strategy benefit your clients? How and where will you promote your services? What types of promotions will you advertise? Will you ask clients for referrals or use coupons? Which channels will you use to place your marketing message?

FOLLOW UP & IMPLEMENTATION
Follow-up and implementation are frequently overlooked aspects to the business plan, yet enormously vital to success. Set dates (annually, semi-annually, quarterly, or monthly) to review your business plan goals: are you on track? Were the goals reasonable to achieve, impossible, or too easy? How do you measure success—is it by revenue, profit, or number of transactions?

And last, how do you plan to implement your business plan’s goals? When will you review and refine your business plan goals? What process will you use to review your goals? What types of quantitative and qualitative data will you collect and use to measure your success?

FORMING A TEAM
Ensuring the cooperation of all colleagues, supervisors, and supervisees involved in your plan is another important element to consider. Is your business plan’s success contingent upon the cooperation of your colleagues? If so, what specifically do you need them to do? How will you evaluate their participation? Are they on-board with the role you have assigned them? How will you get “buy in” from these individuals?
Find out more on what our employees have to say about Gracy Title at www.gracytitle.com/about-us/awards
Starting in January 2015, Austin-area REALTORS® will have greater access to technology, education, and one another to help them provide even more value to local homebuyers and sellers. The new home of the Austin Board of REALTORS® isn’t an investment in a brick-and-mortar building, but rather an investment in our members: the 10,000+ Central Texas REALTORS® who live, work, and strengthen our region. Every component of our new home was designed to help your business grow and make you more effective in your day-to-day work and career:

• More meeting space for you and your clients
• State-of-the-art technologies
• Expanded services and educational opportunities

The new ABoR headquarters, located at 4800 Spicewood Springs Road, will be open for business on Monday, January 5, 2015. On Friday, December 19, we’ll close the doors of our current headquarters and move to the new facility over the course of two weeks. During this time, the ABoR south office will be open December 22-23 and December 29-30. All ABoR offices will be closed December 24-25 and December 31-January 1.

Join us at the Installation and Awards Ceremony on Friday, January 16, to celebrate the incoming ABoR Board of Directors and industry award winners, plus take a tour of the new ABoR headquarters! Tickets to the event are $25 and can be purchased at Abor.com/Installation.
INTRODUCING THE 2015 PRESIDENT OF THE BOARD

With the 2015 Installation and Awards Ceremony, BARB COOPER, of Coldwell Banker United, REALTORS®, will begin her term as President of the Board. Cooper has been a REALTOR® since 2003 and holds the CRS, GRI, PMN, and TRLP designations. She works as a Broker-Associate and a TREC instructor, as well. Over the years, Cooper has served on several ABoR committees and work groups, including Audit, Budget, Installation, Facilities Task Force, Foundation Task Force, PAC, Policy Governance, and Community Outreach. At the state level, Cooper has served on the Texas Association of REALTORS®’ Board of Directors, and served as 2013 Chair of Issues Mobilization, TAR Legislative Management Team, and Public Policy Subcommittee.

Cooper has also been active with the Women’s Council of REALTORS® (WCR), where she served as President of the Austin Chapter and Governor of the Texas Chapter. Cooper is also the recipient of the International President’s Circle Designation Award—a recognition bestowed upon the top 5% of Coldwell Banker Sales Associates/Representatives internationally.

Her theme for 2015, “Building Connections,” shows her dedication to not only connecting you to resources to be successful, but also focusing on connecting with your clients and the community.

ABoR’S 2015 LEADERSHIP TEAM

The following members will join Barb as officers of the Board for 2015: President-Elect AARON FARMER of Texas Discount Realty, Secretary/Treasurer DAVID BURTON of Horizon Realty, and Past President BILL EVANS of Austin Real Pros, REALTORS®.

In addition to these officers, we’ll be welcoming six new Directors to the ABoR Leadership team: Susie Kang of Joa Realty (2nd term), Lisa Messana of Keller Williams Realty, Cord Shiflet of Moreland Properties, Romeo Manzanilla of Realty Austin, Bill Morris of RE/MAX Capital City, and Jonathan Stilley of SBR Associates.

We’re also honored to welcome back the following Directors: Sharon Rosshirt of Stanberry & Associates, Brandy Guthrie of Sky Realty, Janet Murdock of J.B. Goodwin, REALTORS®, John Baughman of Grant Realty, Steve Crorey of Sierra Homes Realty, Project & Design, and Jason Peebles of Nextage Lone Star Realty.

And last, but not least, thanks to all of the exiting Officers and Directors: Cathy Coneway of Stanberry & Associates and Cheryl Jenkins of Keller Williams Realty. Thank you for your service!

We hope that you’re as excited about 2015 and beyond as we are!
**Austin Mythbusting**

**PUTTING LOCAL PERSPECTIVES TO THE TEST**

The 2014 Realty Round Up trade show brought 1,500+ Austin-area real estate professionals and a record number of exhibitors under one roof for a fast-paced day of networking and professional development. Technology, homebuyer trends, and the economy were the topics of the day, with more than a dozen workshops, classes, and keynote sessions delivering actionable insights to attendees. Read a recap of two Realty Round Up presentations below, and we’ll see you at next year’s trade show on October 14, 2015!

Austin myths are so embedded into the local conversation, it’s hard to separate fact from fiction. Thankfully, Brian Kelsey, founder of Civic Analytics, was on hand at Realty Round Up to give us the state of the city and its most cherished truisms. A professor of economic development at the University of Texas and a private urban planning consultant, Kelsey has staked a living on cutting through received wisdom to the truth of the market (the kind supported by data). Let’s run through Kelsey’s take on some of the top myths and see just how well the Austin of lore stacks up to its fact-based cousin.

<table>
<thead>
<tr>
<th>MYTH #1</th>
<th>MYTH #2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>110 people move to Austin each day</strong></td>
<td><strong>Everyone from California is to blame for _____</strong></td>
</tr>
</tbody>
</table>

This is a cherished figure, often cited by both developers and nativists alike, demonstrating either Austin’s exciting growth or calamitous overcrowding, depending on your point of view.

The actual number of people migrating to the Austin metroplex each day, as estimated via federal income tax returns (from 2011, the last year data is available), is about 201. Around 201 people move to Austin daily, offset by the 147 who move out (as hard as it is to believe, people do leave the city). That means Austin nets around 54 people every 24 hours, according to Kelsey.

That’s a lot. There’s no getting around it. The takeaway here is that just about any metric will show you the same thing: Austin is growing really, really fast.

People from California—with their easy tans and adorable way of pronouncing highways—are an easy target for disaffected Texans, and take the rap for a host of municipal ills: costly housing, traffic snarls, and higher prices for staples all get laid at the feet of our friends from the Gold Coast.

Undeservedly so, it turns out. The heat map to the upper right shows all the people immigrating to Austin in blue and all those moving from Austin in orange. As you can see, it’s a veritable ocean of influx, with new Austinites hailing from just about every corner of the country. The bulk of that traffic though comes from Texas, with California representing only a small chunk of total immigration.

For a little perspective, take a look at the figure below it, which maps similar data for Detroit, painting a decidedly less rosy picture. Rapid population and economic growth, it just goes to show, are good problems to have.
Beth Ziesenis is a living tornado of tech info. Your Nerdy Best Friend and a bona fide productivity hacker, this online maven was at Realty Round Up to unleash an avalanche of app wisdom to those assembled. We’ve chosen some of her best “bathtub apps”—tools so easy you can use them in the bath—to highlight some simple, easy, and free ways you can create unique and engaging content for social media.

**EASEL.LY**
Infographics are becoming a major medium for communicating information on the web. With easel.ly, you can skip the time and expense of hiring a professional designer and get a beautiful graphic at the click of a button. Choose an existing template and edit in your text to create a striking image perfect for a Twitter or Facebook banner.

**MOZAIKR**
For the iPhone only, Mozaikr does just what its trendily misspelled name implies: It compiles intricate mosaics comprised of the photos you submit into an image of your choice — another great option for social media banners.

**QUOZIO**
Love those slick-looking illustrated quotes popular on websites, social profiles, and print collateral? Now you can also inspire your clientele with a bold visual take on history using a process that’s easy, quick, and free.

This was just a drive-by smattering of Beth’s top tools. If you’re hungry for more “lifehacks,” check out her website, YourNerdyBestFriend.com, for all 29 tech tips discussed in her Realty Round Up keynote session.
THANK YOU TO OUR

2014 REALTY ROUND UP ADVERTISERS
LEADERSHIP THROUGH CIVIC ENGAGEMENT

A booming economy, unprecedented change in leadership at the top, an ample pool of political leaders, but a moribund civic life—what gives? How do we make sense of this numerical description of the Greater Austin area? What can we do about it?

What’s behind the lack of engagement? Could it be that we are incredibly busy taking advantage of this booming economy to make a living and we are letting others lead? Do we feel the wheels are already in motion and our participation does not count? Maybe we don’t know where to start.

The starting point for engagement is nearly always something you care about. A lot of leaders never intended to become leaders. They started their efforts to change things when a voice in their head said, “I just can’t let this go.” The moment may have come when they saw an injustice done to a friend, a coworker, their children’s teacher or even a stranger. It may have come when a great idea was dismissed with a “we tried that once.” It may have come when something important—an historic building, a community gathering spot, or the tranquility of a neighborhood street—was lost to growth.

At that moment, there is a choice: either cynicism prevails and the moment is lost or personal engagement kicks in and authentic, grassroots leadership is born. People begin to make a difference.

We are blessed to live in a region with a strong economy. Will the 10-1 Austin City Council inspire broader civic participation? Will the communities seeing the most change in their demographics add their unique voices to the chorus of Austin community life? Will the solutions to our water, traffic, affordability, and educational problems be forced upon us or driven by our active engagement?

The real number that describes Austin is one—one person and one moment. Our future depends on what each of us decides to do in that moment—lean in or walk away. I encourage you to get prepared—your moment is here.
Austin Energy applauds real estate professionals for advising home buyers and sellers on ECAD. Your expert counseling on the energy audit ordinance ensures energy efficiency and savings to benefit our community.
austinenergy.com/go/ECAD | 512-482-5346

The Energy Conservation Audit and Disclosure Ordinance (ECAD) is a City of Austin ordinance.
Good news! When you sell homes equipped with natural gas connections, your homebuyers can get rebates from Texas Gas Service when they purchase new energy-efficient natural gas appliances.

In addition to the up-front savings, you’ll also be helping them save long-term on their utility bills.

Visit TexasGasService.com/Realtor for more information on available rebates, qualifying areas and natural gas benefits.
Buda is officially named the “OUTDOOR CAPITAL OF TEXAS” as named by the State of Texas Legislature. Buda has more parkland per capita than any other Texas city (29.6 miles for each of its residents).

Home of the always-entertaining “WEINER DOG RACES” at the Buda County Fair in April.

Other Buda-only events include the annual BUDAFEST, an annual holiday event held the first weekend of December, and FIRE FEST, Buda’s yearly tribute to Texas firefighters.

**RECREATION**

**SCHOOLS**

**Housing Data**

BASED ON MLS AREA HH AS OF SEPTEMBER 2014

*DATA IS FOR SINGLE-FAMILY HOMES. PERCENT CHANGE REFLECTS A YEAR-OVER-YEAR COMPARISON, SEPTEMBER 2013 TO SEPTEMBER 2014. SOURCE: TEXAS A&M REAL ESTATE CENTER*
Who owns a tree?
The person who owns the land on which the trunk of the tree stands. If the trunk straddles a property line, both landowners can claim an ownership interest.

What right does a property owner have to trim a tree that belongs to a neighbor but has limbs or roots which overhang or grow onto an adjacent lot?
A property owner has the right to trim branches and roots that encroach onto her property from a tree belonging to a neighbor, but must exercise caution when trimming a tree or its roots. The following general rules apply to trimming a tree:

- The tree can only be trimmed to the property line.
- There is no right to trespass onto a neighbor’s property to trim a tree unless the limbs threaten to cause immediate and irreparable harm.
- The tree cannot be cut down or otherwise destroyed to eliminate the problem. It can only be trimmed back.
- The expense of the trimming is borne by the party doing the trimming.

What rights does the owner of a tree have when the tree is damaged or destroyed by a neighbor?
If a neighbor goes too far and trims the tree further back than the property line or if a neighbor cuts down or otherwise damages a tree on adjacent property, the neighbor damaging the tree can be liable for damages. For instance, if a landowner applies a chemical on his property to kill the roots of a tree that encroaches onto his property and the chemical seeps into the soil and kills the tree on the neighboring property, the landowner applying the chemical can be liable for damages.

Does it make any difference if a tree is dead or dying and creates an imminent danger to life or property?
Unsound trees that are a threat to neighboring property owners do not have the same protection as a sound, healthy tree. If the danger is immediate, the general rule is that an adjacent property owner can take reasonable action, including removal of the tree, to prevent damage to his property. There are few, if any, court cases in Texas recognizing this, but I believe a landowner is justified in taking reasonable action to protect property or life.

If the limbs of a healthy tree overhang the roof of a neighbor’s property, is the owner of the tree under a duty to trim the tree back to protect the roof of the neighbor?
No, the tree owner does not have a duty to trim the tree. The adjacent landowner has the right to trim the tree back to the property line to protect his property and should exercise this right.

Is an adjoining landowner liable for damage to property caused by tree limbs or roots from a tree located on the adjoining landowner’s property?
At least one Texas court has said no, assuming the tree was healthy. A large tree located entirely on an adjoining lot grew into two large branches one of which overhung the house on the neighboring lot. A 90 mile per hour wind caused the overhanging portion of the tree to fall on the neighbor’s house, severely damaging it. The owner of the damaged house sued his neighbor for negligence in allowing the tree to overhang his house, alleging that the tree owner was negligent in allowing it to overhang the neighboring property and also alleging nuisance and trespass. The court dismissed the negligence allegation and said that trespass and nuisance required an intentional act by the neighbor. Since the neighbor did not intentionally cause the tree to overhang the neighbor’s house, the court held that the tree owner was not liable for damages.

Fences, or the lack of a fence, can also cause problems between neighbors. Rural and urban fence issues vary substantially. Since most of us now live in urban areas, I will limit this discussion to issues commonly faced by urban landowners related to boundary line fences.

A boundary line fence is a fence that is located on the property line between two properties and is used by both property owners. Texas does not have a specific statute or law dealing with boundary line fences. The principals stated below are generally applied to determine the rights and obligations of neighbors regarding boundary line fences.

Most fence disputes arise over one of three issues:

- Fence boundaries
- Maintenance of existing fences
- Replacement of an old fence
Who owns a fence?

Unless the parties agree otherwise, a fence located on the boundary line between neighboring properties is owned by both property owners when both owners are using the fence. Neither may remove the fence without permission of the other owner.

Determining when a neighboring property owner is “using” a fence is critical. Generally, a property owner is deemed to be using a boundary fence when the neighbor’s entire yard is fenced on all sides. For example, if a neighbor has fenced only three sides of his property, he is not “using” the boundary fence to enclose his yard.

Who is responsible for maintaining a boundary fence?

The property owners who use the fence are responsible for maintaining it, unless the parties have agreed otherwise. The law places responsibility on both parties because both benefit from the fence. Consequently, when a fence needs repair, both property owners must share the cost.

Can neighbors enter into fence agreements?

If neighbors do not want to share ownership of a boundary fence, they can enter into an agreement stating other arrangements. For instance, two property owners could agree that a fence is owned by only one of them or that they will share ownership unequally. This is sometimes done with a wood privacy fence. The owner with the “smooth” side of the fence might agree to pay 60% of the cost with the other owner who has the less attractive side paying 40%.

In reality, if one owner puts up a fence, he usually considers it his fence, maintains it, and does not want his neighbor interfering in his business. When purchasing a residence, it is often difficult to impossible to determine who actually owns a fence and the respective duties and obligations of the adjoining property owners.

What should you do if your neighbor builds a fence on your property?

As soon as you become aware that the fence is on your property, ask your neighbor to stop building until you can both determine where the property line is located and where the fence should be constructed.

Don R. Hancock is a partner at Hancock & McGill, L.L.P., attorneys at law. He received his undergraduate degree from Texas A&M University in 1968 and his J.D. degree from the University of Texas Law School in 1971. Hancock has practiced real estate law in Austin since receiving his law license.
# THE ABoR ACADEMY

## NOVEMBER

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## DECEMBER

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<td>REALTOR® Code of Ethics Your Promise of Professionalism</td>
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* Classes offered at ABoR's South Office at 2028 E. Ben White Blvd., Ste. #120. More added regularly to Abor.com/Courses

ABoR Academy is now offering pre-licensing and continuing education for Loan Originators! Open to both members and non-members, our Loan Origination courses meet the NMLS 8-hour continuing education requirement. If you are looking to obtain a Loan Originators license, we also offer the 23 hour SAFE course and Exam Prep course to ensure your success in passing the state and national exams. Please visit Abor.com/Courses to register.
LIVE, LAUGH, LOVE YOUR JOB

LIVE

Stanford University: Steve Jobs, CEO, Apple computer and Pixar Animation Studios, “You’ve got to find what you love” and “live like you are hungry everyday”.

Work fills a large part of your life. To be truly satisfied you must strive to do great work. Notice I didn’t say, good work or okay work – great work. At the end of the year did you evaluate yourself, the entrepreneur that you are, and give yourself a grade? Was it an A, A+? Did you do truly Great Work? Don’t settle for less…we know our clients won’t settle for less.

Live today as if it is the last day of your life. I am sure if that were truly a fact we would not be spending it with people having to listen to our “issues, concerns, aggravations”. But if we lived our lives that way, listening to the associate, colleague, or the client, they would surely believe we were the “most listening, compassionate person on the face of the earth” and the referrals would flood in.

Living your passion has nothing to do with making more money or living in a nicer home. It is about “doing what you love” so you never have to seriously work. Why? If you love what you do, you will just be successful. Because you are not “working”… you are enjoying your passion.

One last consideration on living your job to its maximum involves “attitude”. Attitude is more important than aptitude we have heard that many times but do we practice it? New people in a new job do this. They Dress the Part; Act the Part, until they have the aptitude. That is why a new “hungry” person can come into an existing territory with passion as their spear and conquer it…Attitude is 99% of the Earned Success. Success is earned, not given.

General MacArthur had the right attitude as a leader of our troops in WWII, where at one point he was quoted as saying, “we are not retreating, and we are advancing in another direction.”

Your territory is not working for you successfully, “Advance in Another Direction.”

LAUGH

Let’s not take ourselves “too seriously!” Be happy with yourself; always wear a smile even when you don’t feel like smiling…Here are some facts that will make you smile:

• Year, 1899, Charles Duells, Commissioner of the US Patents office, “Everything that can be invented, has been invented”.
• Year, 1962, Decca Recording Company, when they rejected the Beatles: “we don’t like their sound and guitar music is on the way out…”
• Year, 1977, Ken Olson, President and Founder of Digital Equipment Corp, “There is no reason why anyone would want a computer in their home!”

LOVE YOUR JOB

Why? Everyone else wants it for one thing…the number 1 most envied, sought after entity in the US is a job. You are living the dream. Love it, have passion for it. Do Great Work.

We cannot connect the dots going forward; we connect the dots going backwards.

I started out with an education degree from FSU. I taught public school only 2 years before becoming an agent in Texas. I got a call one Friday to teach a real estate course the following week at a community college. I loved it. I dressed the part, I had passion for what I was teaching…real estate, the career I loved with the teaching I loved. I naively found out what it took to have a real estate school. I checked out the competition in the area, then the state. Put my goals in writing and implemented my goals. Champions School of Real Estate has 7 brick and mortar campuses plus “On-line campus”…I don’t have a job. I have a passion, a hobby, a love, all rolled into one. The success and awards given to me personally and the business is secondary to the reward of living my passion by helping others and expecting from myself to live each day, doing Great work.

Sometimes life hits you in the head like a brick. Don’t lose faith. You have to trust in something – how about yourself? Loving your job can be achieved by:

• Helping others achieve their goals – what can I do to make this experience or transaction more successful? You are helping yourself.
• Be a credit to your industry—volunteer—it helps you to achieve greatness as well.
• Always speak positively. A true leader never wants to be around a negative person; they remove themselves from that person immediately. Our clients, associates, bosses will remove themselves from a negative salesperson. Take note, don’t center your conversation around negative topics or your negative opinions. Be positive!
• Don’t talk negatively about others. If that other is a negative force in your life, move away from that negative force.
• Be generous. Yes, it is Biblical, yes, it is karma, yes, and it works. When you give, you receive back not exactly what you gave, but more.

Live your Passion, Do Great Works, Laugh a lot, Stay Hungry, Love Your Job…It worked for CEO of Apple, and it works for me and you.

The Ben Franklin quote which sums it up, “well done is better than well said.”

Rita D. Santamaria
Owner and CEO
Champions School of Real Estate®
WHY WOULD YOU CALL IT AN MLS IF IT ISN’T?

REALTOR® A, a residential broker in a major metropolitan city, spent several weeks each year in his cabin in the north woods where he planned to retire one day. Even while at home in the city, REALTOR® A stayed abreast of local news, events, and especially the local real estate market by subscribing to the print and online editions of the local newspaper. He also bookmarked a number of north woods brokers’ websites to stay current with the market and to watch for potential investment opportunities.

One evening while surfing the Internet, he came across a URL he was unfamiliar with—NorthWoodsAndLakesMLS.com. REALTOR® A was pleased to see the MLS serving the area where he vacationed for so many years had created a publicly accessible website. Clicking on the link, he was surprised to find that the website he was connected with was not an MLS website but instead REALTOR® Z’s company website. Having had prior dealings with REALTOR® Z, REALTOR® A spent some time carefully scrutinizing the website. He noted, among other things, that the name of REALTOR® Z’s firm did not include the letters MLS. THAT’S NOT RIGHT

REALTOR® A e-mailed the association’s executive officer asking whether REALTOR® Z had been authorized by the association to use NorthWoodsAndLakesMLS.com as a URL and whether the association felt it presented a true picture as required by Article 12 of the Code of Ethics. The association executive responded that his association did not assign, review, or approve URLs used by its members, but added that if REALTOR® A felt a possible violation of the Code of Ethics had occurred, the appropriate step was to file an ethics complaint.

REALTOR® A did just that, alleging in his complaint that when he clicked on what appeared to be a real estate-related URL that included the letters MLS, he expected to be connected with a website operated by a multiple listing service. He stated he felt that REALTOR® Z’s URL was deceptive and did not meet Article 12’s true-picture test.

IT’S NOT LIKE MLS IS IN THE FIRM NAME

At the hearing, REALTOR® Z defended his URL on a number of grounds, including the fact that he was a participant in good standing in the MLS and that he was authorized under the MLS’s rules to display other participants’ listings on his website. “If I used MLS in the name of my firm, I could see how that might be perceived as something less than a true picture,” he argued, “but by simply using MLS in my URL, I am telling consumers that they can get MLS-provided information about properties in the north woods from me. What could be truer than that?”

The hearing panel disagreed with REALTOR® Z’s reasoning. While the website of REALTOR® Z included information about other participants’ listings that the MLS had provided—and that REALTOR® Z was authorized to display—the fact remained that a real estate-related URL that includes the letters MLS will, in many cases, lead reasonable consumers to conclude that the website is an MLS’s, and not a broker’s website. That was the case with REALTOR® Z’s URL, and REALTOR® Z was found in violation of Article 12 as interpreted by Standard of Practice 12-10.
THANK YOU TO THE THESE 2015 INSTALLATION ADVERTISERS

Join us at the Installation and Awards Ceremony on Friday, January 16, to celebrate the incoming ABoR Board of Directors and industry award winners, plus take a tour of the new ABoR headquarters! Tickets to the event are $25 and can be purchased at Abor.com/Installation.

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Joe Babb, J.D.

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