



# 2022 Fall Summary of Action Items

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**CALIFORNIA ASSOCIATION OF REALTORS®**  
**BOARD OF DIRECTORS**  
**565th SESSION**  
**OCTOBER 13-14, 2022**

The following is a summary of the significant action items approved by the CALIFORNIA ASSOCIATION OF REALTORS® Board of Directors at its Fall 2022 meeting. Some additional information items are included, but do not necessarily represent Association policy. A complete set of minutes is available for review upon request.

**C.A.R. Scholarship Foundation/C.A.R. Education Foundation**

1. It was reported for information only that the C.A.R. Education Foundation awarded grants in the amount of \$9,650 to 4 local associations: Bay East, East Valley, Fresno, and Pasadena Foothills.

**California Distinguished REALTOR® Awards Selection Committee**

1. To approve the selection of Allen Chiang, Rancho Southeast Association of REALTORS®, as the recipient of the 2022 California Distinguished REALTOR® Award, the highest recognition that C.A.R. can bestow on a member.

**Californians for Homeownership**

1. Californians for Homeownership continues to work hard to support housing affordability and the development of housing throughout the state using impact litigation:

Housing Element Lawsuits. Californians for Homeownership continues to wage a litigation campaign to enforce California's regional housing needs allocation (RHNA) and housing element laws. These laws require cities across the state to make sure that their zoning and land use rules allow for the development of housing sufficient to meet regional housing needs. Settlements were recently announced with the cities of Bradbury, Laguna Hills, and South Pasadena, requiring those cities to come into compliance on an expedited basis and the payment of attorneys' fees. In the case of the settlement with South Pasadena, the City has also committed to make significant changes to its draft housing element and housing development policies. New lawsuits were recently filed against the cities of Claremont, Fullerton, and La Mirada, all of which refused pre-litigation settlement offers. Looking forward, the organization plans to take an aggressive approach to housing element enforcement in the Bay Area as the process moves into that region.

CEQA Interventions. Following on a recent success intervening in a CEQA lawsuit in Newport Beach, Californians for Homeownership will be placing a new focus on supporting cities that have

approved housing development projects against bad-faith CEQA lawsuits. CEQA is frequently to delay or stop housing development by plaintiffs with no legitimate environmental interests, such as neighboring property owners and unions. These lawsuits typically pit developers against more sympathetic parties, and inserting a strong pro-housing voice into these cases can help shift the balance in favor of housing development. In the long term, the goal of these interventions is to additionally create attorneys' fees exposure for bad-faith CEQA plaintiffs, who usually litigate without any perceived financial risk.

**New Laws.** The Legislature passed significant housing supply bills this year, including bills that facilitate development on commercial properties and a bill that relaxes parking requirements, which can be a major impediment to housing production. Californians for Homeownership is assessing these bills and the likely local government efforts to avoid complying with them, and will be considering work to enforce these bills over the next year.

### **CREPAC Trustees**

1. That the following slate of Nominees for CREPAC Trustee and Non-Voting Alternate Trustee be elected. CREPAC Trustees serve a two-year term. Non-Voting Alternate Trustees may be selected to fill the remainder of a vacant term during the year.

#### **NOMINEES FOR CREPAC TRUSTEE**

(November 2022 - November 2024)

Franco Garcia, Region 3

Leannah Hunt, Region 9

Barbara J. Palmer, Region 10

Mark Dowling, AE, Region 14

Carol Facciponti-Malcolm, Region 16

Debora Bright-Laney, Region 17

Dan Tresieras, Region 18

Sue Walsh, Region 25

Judy Zeigler, Region 28

Paula Cosenza, Region 32

#### **NOMINEES FOR CREPAC NON-VOTING ALTERNATE TRUSTEE**

(November 2022 - November 2024)

Kellie Swayne, Region 3

Paula (PJ) Johnsen, Region 7

Annie Foreman, Region 12

Adam A. Ruiz, Region 14

Marion Proffitt, Region 23

Richard D'Ascoli, AE, Region 30

2. That the Local Association Engagement Subcommittee concluded their work and provided a report of their findings to the CREPAC.

3. That CREPAC continues to steward C.A.R.'s political trajectory as 30% of the California Legislature is up election for the 2022 cycle.

4. That CREPAC contributed funding to several coalitions to advance the values of the organized Real Estate by supporting REALTOR® friendly candidates.

### **Diversity**

1. That the following resolution be approved.

WHEREAS, in 1963, California's first fair housing law, the Rumford Fair Housing Act was signed into law by Governor Edmund Gerald Brown;

WHEREAS, the California Real Estate Association, now known as the California Association of REALTORS® (C.A.R.), authorized the expenditure of member funds for signature gathering to qualify Proposition 14 for the November 1964 California general election;

WHEREAS, Proposition 14 would overturn the Rumford Act and modify California's constitution so that the State could not prohibit private property owners from discrimination in selling, leasing or renting residential property, including on the basis of race, ethnicity, marital status, or gender;

WHEREAS, CREA actively campaigned for the passage of Proposition 14, actively encouraged California REALTORS® to support the initiative, and encouraged California REALTORS® to encourage their clients to vote "yes" on Proposition 14;

WHEREAS, Proposition 14 was approved by California voters in the Fall of 1964;

WHEREAS, The California and United States Supreme Courts found Proposition 14 to be unconstitutional and illegal;

WHEREAS, The support of fair and affordable housing for all is a C.A.R. objective;

WHEREAS, C.A.R.'s Board of Directors hereby issues a formal apology for these past actions;

WHEREAS, C.A.R. has taken action and will continue working to assure that real estate professionals and property owners do not treat anyone differently because of their legally protected demographic characteristics. C.A.R. has:

- Sponsored a law requiring periodic implicit bias training for all real estate salespersons.
- Helped shape a new law that helps individuals who feel like they may have experienced appraisal bias know their rights and requires additional appraiser training and record keeping for appraisals.
- Established a Fair Housing and Diversity Forum and Fair Housing Policy Committee that occur at every Board of Directors' meeting to ensure that our members and leadership are educated about and more empowered to take action on current fair housing challenges.

- Developed an advisory for REALTORS® and all parties to real estate transactions attached to the Residential Purchase Agreement and Residential Lease Agreement that provides information about fair housing law and how to get further information about or report suspected fair housing law violations.

WHEREAS, C.A.R. has taken action and will continue working to address the legacy of once legal housing discrimination. C.A.R.'s actions include:

- Offering a closing cost grant for members of underserved communities.
- Donating to the Black Wealth Builders Fund, a down payment assistance program for Black homebuyers in the Bay Area.
- Partnering with and sponsoring the work of nonprofit organizations that support greater homeownership for members of underserved communities.
- Sponsoring and supporting a variety of policies that address supply and affordability challenges that have a greater impact on communities of color.
- Co-sponsoring a bill that would overturn Article 34, a law that California REALTORS® helped pass in the 1950s that makes it much harder for California communities to build affordable housing.
- Supporting a law that provides a system for redacting restrictive covenants in property records.

WHEREAS, C.A.R. has in the years since the passage of the federal Fair Housing Act, the California Fair Employment and Housing Act and other fair housing laws, prioritized understanding and addressing any unique homeownership barriers impacting communities of color or other underserved communities, just as it works to address homeownership barriers and equal housing opportunity challenges impacting a variety of California communities. Therefore be it

RESOLVED, The California Association of REALTORS®' 2022 Board of Directors formally apologizes for the Association's role in helping to promote and pass Proposition 14 into law in the early 1960s as well as discriminatory policies and practices that the Association once supported. These actions were wrong and we will continue to work to address the legacy of these discriminatory policies and practices.

### **Executive**

1. That the Lodi Association of REALTORS® be reassigned, per their request, to C.A.R. Region 3 from C.A.R. Region 7, effective for the year 2023.

2. That the following applicants be granted C.A.R. Honorary Member-for-Life status:

Amador AOR  
Susan Hepworth

Bakersfield AOR  
Gail Malouf

Bay East AOR

Nora Au  
Jaswant S. Bhatti  
Baldev Dhillon  
Ronald Lyster  
Veena Mirchandani  
Victor Arnold Romero  
Judy Rose

Bridge AOR  
Judith Ratcliffe

Burbank AOR  
Bob Facchetti  
Carol Gallanes  
Anna Marie Lizzaraga  
MichaelNapolitano  
Santo Piazza  
Linda Smith

California Desert AOR  
Steven David Remball

Conejo Simi Moorpark AOR  
JoAnn Allen  
TheresaBerenger  
Sherri Blada  
Norman Brust  
Paul Campbell  
Maryann Cassidy  
Joice Corridori  
Christine Ferguson  
Mary Ferris  
Ron Huggins  
Diane Manson  
RichardMcMillen  
Arlene Olson  
Thurlow Partridge  
Nina Perederij  
Sharon Phelps  
Paule Phillips  
Connie Reed  
Stacy Richardson  
Carla Robertson

Contra Costa AOR

Patricia Battersby

Serafino Bianchi

Lynn Bij

Sereta Churchill

Maryanne Clark

Don Copland

Linda Cribbs

Steve Curtis

Janice Dalton

Bill Finnegan

Richard Fiset

Holly Fitzsimmons

Kimberly Gilman

Toby Hart

Karen Martin

Peggy Martinez

Karen Murphy

Judith Myers

Wallene Nelson

John Perchak

Lou Plummer

Diane Reilly

Luis Rivara

Jim Saxton

Raelene Sprague

John Stadtler

Stan Stanek

Clark Stone

Jim Taylor

Mike Taylor

Clark Thompson

Aida Torres

Pete Torrey

Linda Van Drent

Veronica Villano

Carrie Whitman

Del Norte AOR

Duane Countess

Delta AOR

Judith Bittner

Fresno AOR

Joanne Oh

Marsha Richardson

Glendale AOR

Armenak Amiri

Haig Artin

Harold Cross

Sally Hall

Randolph Huteson

Steven Kasten

Brian Malone

Hamlet Nersesian

Eric Toro

Diana Walker

Greater Antelope Valley AOR

Carol Coppola

Greater Downey AOR

George Gordon

Larry Kooiman

Janet Lau

Rina Villeda

Greater Los Angeles REALTORS®

Dianne L. Manns

Sharen Warren-Carey

Greater Palm Springs REALTORS®

Karen Joy Tabbah

Greater San Diego AOR

Enid Sherman

High Desert AOR

Helen Bartkowski

Beverly Bower

Jack Clark

Marie Stein-Mosset

Idyllwild AOR  
Jackie Kretsinger

Inland Valleys AOR  
George I. Avila  
Karen Golf  
Diane Lightfoot  
Judy Papas

Laguna BOR  
John Brusky  
Gary Hawley  
Josephine Joyce

Lake County AOR  
Joanne Bateni  
Donald P. Morris

Lassen AOR  
Jim McCarthy  
Robert Prosize

Lodi AOR  
Peter Boysen  
Lorraine Cardoza  
Robert Lewis Hesseltine  
Leroy Johnson  
Linda Nye  
Nancy Lee Robertson  
Doris Specht  
Gloria Tovar  
Linda Weeks  
Marsha Yost

Lompoc Valley AOR  
Charles Barlow  
Bobbie Ranney  
Bettye Sutton

Madera County AOR  
Twyla Denney

Malibu AOR



Rick Barret

Marin AOR

Sharron Baker

Wayka Bartolacelli

Paul Bragstad

Thomas Buttner

Olivia Decker

Randi Deutsch

Vance Frost

Zohre Grothe

Claudia Hampe

Christopher Harrington

Katherine Higgins

Tim Hill

Connie Irwin

Marshall Jainchill

Melissa Lyckberg

Christina McArthur

Fred Rodoni

Suzanne Shelhart

Isobel Wiener

John Williams

Monterey County AOR

Gerry Bennett

Bill Bluhm

Lynn Brown Knoop

Wes Franklin

Linda Guy

C. Dale Handley

Sharon Haney

Donna S. Ingraham

Lore Linger

Victor Lorencio

Eric Marsh

Saundra Mayrose

Earl Meyers

Judie Profeta

Norman D Yop

Nevada County AOR

Laura Berman

Donald Brown  
Theodore Chedwick  
Erma Jewett  
Laurie Ann McIntosh  
Jane Nole  
Marjorie Pryor-Spiller

Newport Beach AOR

Jill Andrus  
Karen Betson  
Sheryl Brewer  
Dixie Cole  
Pat Costello  
Nancy Daley  
Gregory Dennis  
Richard Duggan  
Ron Felsot  
William Lange  
Lynn Noah  
Patricia Pope  
David Prince  
Jennifer Pritchett  
Casey Shea  
Ski Skawinski  
Linda Taglianetti  
Robert Taylor  
Judy Whitman  
Suzanne Wyrick

North Bay AOR

Ruthann Baret  
Clinton Brown  
Dennis Byrne  
John Chute  
Jay Clem  
John Duran  
Leon Geisberg  
Sharon Hawthorne  
Joseph Hernandez  
Joey Janisch Cuneo  
Dennis Liebl  
Lynne Lindahl  
Ingrid Mathews

Patricia Neth

North San Diego County AOR

Sandi Adelson

Barry Bussiere

Joleene Cannon

Frances Colace

Frank A. Gill

Nancy Rinehart

Northern Solano County APO

Beverly Dorsett

Linda Green

Paul McGuire

Norene Parker

Katherine Wiley

Orange County REALTORS®

Dorothy Ellen Ables

Mary A. Anderson

Lee Ann Canaday

Michael J. Cherney

Austin C. Chiles Jr.

Regan Rick Cosenza

Richard B. Coye

Shirlene Diamond

Linda Duffy

John Fitzpatrick

Ian Garrun

Alana Gonsalves

Bijan Haghghat

Dorothy Dot Hammer

Maria Harper

Carole Hennessy

Ethel Ann Krawitz

Jeanne LaFourcade

Constance Louise Mandic

Dennis Ray Nespor

Marietta Judith Philpott

Charles W. Rhea

Richard Roux

Diane Seidel

Estrellita Dina Tennant

Jean Tietgen  
Sushma Varma

Pacific Southwest AOR

Donna Bullock  
Margarita Butts  
Peter Dart  
Natalie Emerson  
Gary Freiberg  
Patricia Hutchins  
Rosa Lopez  
Jacqueline Mcway  
Eleanor Mello  
Steven Rotsart Sr.  
Marcia Spurgeon

Pacific West AOR

Pierre Ghiuzelian  
Nancy Hansen  
Sandra Kay Hartmann  
Phil Jones  
Lydia Joseph  
Linda Owen  
Cindy Shah  
Ellen C. Whomsley  
Sherry Yarber

Pasadena Foothills AOR

Aaron A. Abdus-Shakoor Sr.  
Eraca Allen  
Vernon Baptiste  
Alice Bathke  
Judy Carpenter  
Wendy Cobleigh  
June Davidson  
Michael Deasy  
Jim Dinniene  
Chris Duryee  
Jaclyn Erikson  
Levon Filian  
Nancy Foster  
C. Jake  
Barry Jones

Joy Kelly  
Ruth McNevin  
Nilo Muro  
George Musulli  
Monica Ohlin-Burness  
Consuelo Olmos  
Barbara Rogers  
Karen Suave  
Marcella Theisman  
Vin Vlacich  
Polly Wheaton  
David Worrell  
Nany Wright

Pismo Coast AOR  
Bruce Bornino  
Erny Pinckert

Placer County AOR  
Stephen Baltzer  
Russell Engelstad  
Maria Herrera  
Jennifer Jones  
Suzan Kracke  
Linda Logoteta  
MaryJane Mahoney  
Rindy Merrifield  
Pamela Moore  
Lynn Oliver  
Michael Renyar  
Patricia Shearer-Young  
George Snyder  
Cindy Stewart  
Carol Strahle  
Gene Thorpe  
Pete Vasquez  
Sharon Wegener  
Patricia Whitechat

Plumas AOR  
Susan Miller

Rancho Southeast AOR

Dick Boogaard  
William Gary Howard  
Dan Kella  
Joanna Kover  
Antonio Lima  
Carol Rayburn  
Sam Sampath  
Bryan Sung  
Longgina Gina Willis

Sacramento AOR  
Judy Anderson  
Francisco Arupo  
Annette Black  
George Corona  
Yasuko Coy  
Edna Crawford  
Celia Darby  
Patti Delgado  
Elizabeth Edmonds  
Susan Anne Evans  
Rose Marie Farnsworth  
Ron Greenwood  
Kathleen Griffin  
Shirley Kistler  
Rebecca Kucala  
Wayne Kuykendall  
Connie Landsberg  
Gilbert Lapena  
Morey Lloyd  
Sylvia Lloyd  
David Lovenvirth  
Ted McGregor  
Sam Mehran  
Bruce Mills  
Bonny Quackenbush  
Gail Rich  
Luann Richardson  
Cathleen Scharosch  
Judy Schoer  
Judy Smith  
William Thomas  
Carli Traverso

Rich Truman  
Richard Vida  
James Walker  
Sue Wells  
William Gary Woolford

San Luis Obispo Coastal AOR  
Patricia Garrison  
Abbie V. Woodward

San Mateo County AOR  
Michael Bruno  
Jeanette Carter  
Charles Gardyn  
Cheryl Price  
Charles Rible  
Marilyn St. Germain Hall  
Suzan Wallace

Santa Clara County AOR  
Raeann Arias  
Arthur Bando  
Ramesh Batra  
Marty Brill  
Stanley Chan  
Hedy Chang  
Jean Chase  
Gary Cusick  
Kathleen Davey  
Joanne Francis  
Dodie Gaines  
Jim Guido  
David Hart  
Nasrollah Kazemi  
Hinh Khong  
Susan Maggi  
Shah Malin  
Ann Murano  
Dennis Perez  
David Richards  
Sheryl Ruth  
Larry Tringali  
Michael Veprinsky

YolandaWilliams

Santa Ynez Valley AOR

Joseph Olla

Wayne Natale

Shasta AOR

Dennis Grotting

Michael Papillo

George Potterat

Sady Renihan

Sierra North Valley REALTORS®

Ken Martin

Don Steinsiek

Barbara Weibel

Silicon Valley AOR

Chok Chokkalingam

Karin Clark

Valerie Dakin

Russell Morris

Jolaine Woodson

Siskiyou AOR

Ernest Burton

S. Ann Illian

Solano AOR

Frank Batcha

Rudy David

Henry Gho

Jeanie Togonon

Bill Warring

Pete Zangara

South Bay AOR

Nancy C. Conger

Kathy D'Orso

Alton Glaze

Donna Howell

Jan Judah

Robert W. Schumann



Donna Spafford

Southland Regional AOR

Kenneth Jon Buccalo

Harriet Mona Cameron

Ernest Corona

David Cruz

Linda Joyce Frashure

Jane P. Heidel

Gale M. Howard

Paul E. Humphries

Armand Khosrow

Mary Patricia Kraakevik

Mary Frances Larson

Alexis Anne Nassif

Sid J. Olshan

Joey Paige

James Edward Ramstead

Eve Anne Rose

William Mason Rose Jr.

Terry A. Schultz

Jacquelin Strober Greene

Diane Jean Wood

Southwest Los Angeles AOR

Mary E. Bennet

Theodis (Ted) Brass

Patricia Lang

Southwest Riverside AOR

Judy Guglielmana

Antoinette Samonte

Tehamra County AOR

Connie Asquith

The Inland Gateway AOR

Sherry Pearlina Baldwin

Carole Hanks

Tri-Counties AOR

Cassie Ng

Tulare County AOR

Diane Brown

Jo Elliot

Sharen Phipps

Claudia Sproles

Ventura County Coastal AOR

Barbara Asthby

Dave Barlow

Bob Dickran

Fred Evans

Sung-Ho Jo

Jerry Mendelsohn

Susan Petit Press

Margie Raddatz

Sandra Rutter

Yasuko Smith

Jean Warnke

Sharon Williams

Kay Wilson-Bolton

Dave Zumbrun

West San Gabriel Valley REALTORS ®

Joseph Lee Yan

### **Homeownership Housing**

1. That C.A.R. "CO-SPONSOR" legislation to: a) allocate the funds generated by SB 2 (Atkins, Statutes of 2017) for homeownership opportunities (20% of the total) to fund the California Dream for All program, administered by CalHFA, and b) modify the existing small jurisdiction grant program intended for the construction of affordable housing, available to families making no more than 80% AMI, to a more effective larger competitive grant program reserved for small jurisdictions.

2. That C.A.R. "SPONSOR" legislation to require density bonus or inclusionary zoned units, constructed with an affordability covenant or restriction that is intended for owner-occupancy, to consider qualified buyers who will own and occupy the unit before considering investor purchase offers for those parcels.

### **IMPAC Trustees**

1. That the following slate of Nominees for IMPAC Trustee and Non-Voting Alternate Trustee be elected. IMPAC Trustees serve a two-year term. Non-Voting Alternate Trustees may be selected to fill the remainder of a vacant term during the year.

NOMINEES FOR IMPAC TRUSTEE

(November 2022 – November 2024)

Dennis Mason, Region 2

Leigh Rutledge, Region 3

Katherine Beacock, Region 4

Steve Medeiros, Region 6

Suzi Dunkel-Soto, Region 16

Erin Barry, Region 32

Alice McCain, Region 18

Joan Irish, Region 7

Candace Noel, Region 10

Salvador Armijo, Region 16

Ryan Ole Hass, Region 17

Kelly Cheri Region 23

Ann Throckmorton Region 24

#### NOMINEES FOR IMPAC NON-VOTING ALTERNATE TRUSTEE

(November 2022 – November 2024)

Maxine Feil, Region 3

Tyra Wright, Region 5

Robert Kronovet, Region 17

Cindy Blankenburg, Region 31

2. It was reported for information only that the following IMPAC requests were approved:

-- \$50,000 to the Laguna Beach Board of REALTORS® to oppose a ballot initiative that would establish an overlay zoning district in the City of Laguna Beach.

-- \$75,000 to the Pasadena-Foothills Association of REALTORS® to oppose a proposed Charter amendment that would create a rental housing board in the City of Pasadena.

-- \$29,900 to the Santa Cruz County Association of REALTORS® to oppose Measure N, a vacant home tax.

-- \$90,000 to the Greater Los Angeles Association of REALTORS® to oppose Measures DT and GS in the City of Santa Monica.

-- \$400,000 to the Southland Regional Association of REALTORS® to oppose ballot measure "United to House LA".

-- \$25,000 to the Yolo County Association of REALTORS® to oppose a point-of-sale mandate requiring electrification retrofits.

-- \$150,000 to the San Francisco Association of REALTORS® to oppose proposition M and O.

3. It was further reported for information only that the IMPAC Trustees have forgiven the \$10 million loan that was given to the California Association of REALTORS® to fund Proposition 19.

4. It was reported for information only that the following local Associations of REALTORS® were authorized to begin the inter-board solicitation process.

--Laguna Board of REALTORS ® to oppose a ballot initiative that would establish an overlay zoning

district in the City of Laguna Beach.

--Pasadena-Foothills Association of REALTORS® to oppose a proposed Charter amendment that would create a rental housing board in the City of Pasadena.

-- Southland Regional Association of REALTORS® to oppose ballot measure "United to House LA".

### **Land Use and Environmental Committee**

1. It was reported for information only that the Land Use and Environmental Committee will establish a Working Group to evaluate statewide water polices which seek to facilitate development and assure water availability to existing homes within California.

### **Legal Action Fund Trustees**

1. It was reported for information only that, since the April 2022 meetings, the Trustees have reviewed four cases and approved participation in two.

The following are rulings in cases for which the Trustees authorized briefs:

*Emery v. Marchick*. In this buyer-seller lawsuit over attorneys' fees, the Court ruled the parties' custom-drafted terms in a separate addendum superseded the RPA's mediation clause. However, the Court noted the C.A.R. mediation clause is enforceable, and mediation is a laudable method for dispute resolution. This unpublished decision is distinguishable from other published cases that have upheld the RPA mediation requirement for recovery of attorneys' fees.

*Ballinger v. City of Oakland*. The lower courts upheld the city's ordinance that required tenant relocation payments before property owners could end the tenancy and reoccupy their home. The court rejected takings and other constitutional arguments challenging the legal validity of the ordinance. The U.S. Supreme Court declined to take the case.

*San Luis Obispo Local Agency Formation Commission ("LAFCO") v. Central Coast Development Company*. After a developer spent 20 years trying to develop 252 single family homes and 60 senior housing units, LAFCO required an indemnity to process the city annex application and then disapproved it. In the parties' dispute over attorneys' fees, the Court ruled that LAFCO had exceeded its statutory authority, but the Court prevented the developer from recovering attorneys' fees and costs as a "prevailing party" under the Civil Code.

*Reznitskiy et al. v. Marin County et al.* C.A.R. joined Californians for Homeownership's brief challenging the Court's decision in this housing element case; however, the Petition was denied. The Court ruled that single-family homes are excepted from the Housing Accountability Act ("HAA") when the land use application is to develop a single new unit versus two or more units.

The following cases previously approved have not yet been ruled on by the Court:

*Whitlach v. Premier Valley, Inc.* C.A.R. filed an amicus brief in support of AB 5 and supporting the ability of real estate licensees to choose independent contractor status. The case is scheduled for

oral argument on October 13, 2022. Recently, defendant filed a motion to dismiss the appeal and compel arbitration after the Viking River Cruises case changed the law on Private Attorneys General Act ("PAGA") cases and arbitration.

Snowball v. City of Los Angeles. The Trustees approved joining the brief of Californians for Homeownership in this Housing Accountability Act lawsuit over the rejection of a 215-unit project in Los Angeles, when the city used zoning for 19 homes and the general plan permits 244 homes. The case is fully briefed and awaiting the oral argument date.

### **Legislative**

1. That C.A.R. adopt the following positions on upcoming State Ballot Measures for the November 8, 2022 ballot:

--Proposition 1: SCA 10 (Resolution Chapter 97, Statutes of 2022) Atkins. Reproductive freedom. Constitutional Amendment. "NOT REAL ESTATE RELATED"

--Proposition 26: Authorizes New Types of Gambling. Initiative Constitutional and Statutory Amendment. "NOT REAL ESTATE RELATED"

--Proposition 27: Allows Online and Mobile Sports Wagering. Initiative Constitutional Amendment and Statute. "NOT REAL ESTATE RELATED"

--Proposition 28: Provides Additional Funding for Arts And Music Education In Public Schools. Initiative Statute. "NOT REAL ESTATE RELATED"

--Proposition 29: Requires On-Site Licensed Medical Professional at Kidney Dialysis Clinics And Establishes Other State Requirements. Initiative Statute. "NOT REAL ESTATE RELATED"

--Proposition 30: Provides Funding for Programs to Reduce Greenhouse Gas Emissions By Increasing Tax On Personal Income Over \$2 Million. Initiative Statute. "AGAINST"

*Note: C.A.R. has previously taken the following positions on upcoming State Ballot Measures for the November 8, 2022 ballot:*

--Proposition 31: Referendum On 2020 Law That Would Prohibit the Retail Sale of Certain Flavored Tobacco Products. "NOT REAL ESTATE RELATED"

### **Real Estate Business Services**

1. That the following slate of nominees for a two-year term on the REBS Board of Directors be approved, and the C.A.R. President be instructed to elect these individuals on behalf of C.A.R.

James Baiseri, KALEO Real Estate Company, Glendora

Phil Hawkins, Pacific West Association of REALTORS®, Anaheim

Pat Heller, Compass, Los Angeles

Brent Thomson, Compass, San Francisco

*Note: The following REBS Directors have continuing terms*

*Cheryl Keller, Brick Lane Real Estate, Rocklin*

*Jared Martin, Jared Martin & Associates, Fresno*

*Lori Namazi, Namazi Real Estate Resources, Rancho Margarita*

*Mark Peterson, RE/MAX Masters Realty, La Verne*

*John Sebree, CALIFORNIA ASSOCIATION OF REALTORS®, Los Angeles*

### **Standard Forms Advisory**

1. At the Standard Forms Forum on Forms meeting, the SFAC leadership and staff discussed the upcoming December forms release. Most notable are the RPA clean-up, new set of buyer broker forms, new and revised Property Management forms, and two new forms, Non-contingent Offer Advisory and SOLAR.

The Standard Forms Advisory Committee heard reports from 18 regional representatives. The Chair of the Property Management Working Group provided an update regarding their recommendations. The committee began reviewing the comments and approved 39 new and revised forms for release in December. The RPA will see 19 revisions in December which includes reference to the new SOLAR Advisory.

The Property Management Working Group will be working through 2023 to complete the review of all property management forms.

The SFAC considered the recommendations from the Buyer Broker Task Force and approved the release of six forms related to buyer representation in December.

### **Strategic Planning and Finance**

1. To approve the C.A.R. Strategic Framework. ([Click here](#) to review the Strategic Framework, including the Mission Statement and Vision Statement.)

2. To approve the 2023-2025 C.A.R. Strategic Plan. ([Click here](#) to review the Strategic Plan.)

3. To approve the 2023 Operational Budget with the following criteria:

a. C.A.R. Revenue: \$50,279,100

C.A.R. Expenses: \$50,190,700

Net Income (After Investment Income): \$88,400

b. REALTOR® Action Assessment Program Allocation: \$5,369,000

\*Estimated Direct Member Contributions to PACs: \$7,235,200

\*Estimated Advocacy Local Fund (ALF) Allocation: \$1,527,600

Total REALTOR® Action Assessment: \$14,131,800

c. 151 budgeted C.A.R. staff positions.

d. Membership dues, including \$156 for C.A.R. operating programs, and \$69 for the REALTOR® Action Assessment are set at a total of \$225 per member (predicated on 2023 year end membership of 213,700)

e. New member fee set at \$100 per new member, \$30 of which is allocated to C.A.R. operating programs and \$70 of which is the new member's direct contribution to IMPAC. Estimated direct contributions to IMPAC from New Member Fee are \$1,626,200.

f. Late Renewal Fee set at \$50 per member.

g. A 2023 Capital Budget (funded with Association reserves) totaling \$1,751,800.

\* Some amounts are estimated because the actual amount of PAC contributions and non-PAC advocacy and political allocations are variable depending on factors such as membership levels, participation, local advocacy needs, and application of political contribution rules. Amounts may vary from these estimates. However, percentages contributed to PACs by members and allocated to ALF for non-PAC advocacy and political purposes, taken as a whole, are consistent with prior years.

4. To approve for members in areas not serviced by local associations an additional \$50 in membership dues. This amount would be in excess of the dues approved for members coming through the local associations.

5. That \$450,000 be approved for an additional 3 percent retirement contribution to the C.A.R. and REBS employee retirement plan for 2022, augmenting the previously approved budget of 10 percent.

6. That C.A.R. donate \$100,000 to the REALTOR® Relief Foundation.

7. That the C.A.R. Housing Affordability Fund allocate \$250,000 out of the previously approved \$1 million for the Restricted Grant Partners: NPHS Inc. and NPHS Community Land Trust, Richmond Neighborhood Housing Services Inc (RNHS), and Neighborhood Housing Services of Los Angeles County (NHSLAC) in order to continue to administer C.A.R. Closing Cost Assistance grants in 2022-2023, subject to their application and agreement to program terms.

8. That the Statement of Income and Expenses by Program for the Eight Months ending August 31, 2022 be Approved.

Total C.A.R.

Revenue: \$35,172,500

Expenses: \$24,084,900

An Excess of Income over Expenses (Before Unrealized Investment Results) \$11,087,600

REALTOR® Action Assessment Program Allocation: \$4,754,900

\* Direct Member Contributions to PACs: \$8,256,800

\*Advocacy Local Fund (ALF) Allocation: \$1,434,500

\*Total REALTOR® Action Assessment: \$14,446,200

The C.A.R. Balance Sheet as of August 31, 2022

Total Assets: \$125,800,600 (of which \$90,963,800 are Current Assets)

Total Liabilities: \$6,218,900 (of which \$5,476,200 are Current Liabilities)

C.A.R. Fund Balance: \$119,581,700

*\* Some amounts are estimated because the actual amount of PAC contributions and non-PAC advocacy and political allocations are variable depending on factors such as membership levels, participation, local advocacy needs, and application of political contribution rules. Amounts may vary from these estimates. However, percentages contributed to PACs by members and allocated to ALF for non-PAC advocacy and political purposes, taken as a whole, are consistent with prior years.*

9. That the Projected Statement of Income and Expenses by Program for the Year ending December 31, 2022 be Approved.

Total C.A.R.

Revenue: \$40,737,600

Expenses: \$43,023,500

Net loss (Before Unrealized Investment Results) \$2,285,900

REALTOR® Action Assessment Program Allocation: \$4,787,200

\*Direct Member Contributions to PACs: \$8,314,700

\*Advocacy Local Fund (ALF) Allocation: \$1,444,500

\*Total REALTOR® Action Assessment: \$14,546,400

*\* Some amounts are estimated because the actual amount of PAC contributions and non-PAC advocacy and political allocations are variable depending on factors such as membership levels, participation, local advocacy needs, and application of political contribution rules. Amounts may vary from these estimates. However, percentages contributed to PACs by members and allocated to ALF for non-PAC advocacy and political purposes, taken as a whole, are consistent with prior years.*

### **Sustainability and Climate Change Task Force**

1. That C.A.R. "SPONSOR" legislation to mandate a disclosure of information related to wildfires, climate change and sea level rise by expanding the state's Residential Environmental Hazard Booklet.

Revised: October 20, 2022