



2021 Spring Summary of Action Items

CALIFORNIA ASSOCIATION OF REALTORS®
BOARD OF DIRECTORS
561st SESSION
APRIL 29-30, 2021

The following is a summary of the significant action items approved by the CALIFORNIA ASSOCIATION OF REALTORS® Board of Directors at its Spring 2021 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.

Californians for Homeownership

1. It was reported for information only that Californians for Homeownership continues to support housing affordability and the development of housing throughout the state. C.A.R. authorized two new attorney positions for the organization, allowing an expansion to address more concerns in more cities and counties across the state. One position, for an attorney fellow, will be focused on issues related to equity in housing. Other anticipated areas of expansion include addressing CEQA abuse, challenging unlawful fees that impact housing development, and addressing barriers to housing-related transactions. Its recent proactive litigation includes the following:

Huntington Beach Litigation. The organization filed its opening brief in its lawsuit over a rejected 48-unit mixed-income condominium project in Huntington Beach. The project complies with all of the City's objective zoning criteria, and is exactly where the City planned for higher-density development as part of its state housing planning obligations. But it was rejected based on community opposition, without a valid legal basis. The hearing on the case is scheduled for June.

Berkeley SB 35 Case. In 2019, Californians for Homeownership participated in the first legal test of SB 35, the state law that provides for streamlined (CEQA-free) approval of affordable housing development projects in cities that have failed to meet their state housing goals. The City of Berkeley in that case had illegally rejected a 50%-affordable, 260-unit apartment project without complying with SB 35. Californians for Homeownership was granted permission to participate as an amicus curiae in the trial court and, after the trial court ruled in the City's favor, it again filed an amicus brief in the California Court of Appeal. In April, the appellate court sided with the developer and reversed the trial court's decision, which will lead to the approval of the project and the construction of 130 low-income units and 130 market-rate units.

CEQA Lawsuit Intervention. Californians for Homeownership recently supported the approval of a large mixed-income residential project on an underutilized parking lot at an office park. After the project was approved with the unanimous support of the city's elected officials, a neighboring

property owner filed a CEQA lawsuit against the city to overturn the approval. At its recent meeting, the Californians for Homeownership Board authorized an effort to intervene in the lawsuit on behalf of the important public interest in the development of housing, to highlight the harms of CEQA abuse.

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

1. It was reported for information only that the C.A.R. Scholarship Foundation awarded scholarships in the amount of \$28,500. The C.A.R. Education Foundation held its first virtual fundraiser, with a total of \$4,200 in contributions.

CREPAC Trustees

1. It was reported for information only that the following slate is duly noticed for approval at the Fall 2021 Business Meetings. New Trustees serve for 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 2021 - November 2023)

Todd Mendoza, Region 04

Leslie Dopp-Manzone, Region 05

Sheila Cunha, Region 06

Chuck Lech, Region 11

Joyce Kristensson, Region 13

Michael Stoffel, Region 14

Jan Hudson, Region 15

Lorraine Clark, Region 16

Crystal DaCosta, Region 17

Fred Sabine, Region 18

Jim Irving, Region 31

NOMINEES FOR CREPAC NON-VOTING ALTERNATE TRUSTEE

(November 2021 - November 2022)

Robert Leighton, Region 17

Josephine Taylor, Region 23

2. It was reported for information only that the PAC Nominating committee is currently reviewing and evaluating the PAC bylaws, the PAC application process and will be providing substantial changes to assure the process is modernized, representative of the REALTOR® Party of California and works effectively to serve C.A.R.'s mission.

3. It was reported for information only that CREPAC has a subcommittee of Trustees reviewing the mission statement to incorporate the values of the fair housing act to assure all recipients know how important this principal value is and to also request that recipients uphold these values.

4. It was reported for information only that CREPAC provided funding in a bi-partisan manner to the California political parties, organizations and candidates to further C.A.R.'s influence in California.

5. It was reported for information only that the CREPAC Trustees are making smart political decisions for the REALTOR® Party of California in the current political environment.

Executive

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

Arcadia AOR

J. Faye Brown

Louise Chuang

Tien Gan

Peter Liao

Mikki Porretta

Andrew Sudjono

William Wayne Thornton

Terry Tung

Irene Yamagata-Bermudez

Bay East AOR

Dwight Garcia

Citrus Valley AOR

Barbara McClelland

Francesca A. Zummo

Conejo Simi Moorpark AOR

Carol H. Najjar Inglis

Stephen George Young

Contra Costa AOR

Irene Baldwin

Sundy Brocco

Ron Carter

Patricia Cox

Patty Cronin

Gene Cronin

Russ Darby

Sheila Eggers

Angela Feng

John Fischer

Helene Freeman

Bill Gallagher

Howard Geller

Judy Giles

Dana Guzzetti

Carolyn Hastings
Rand Kemp
Ron Mazur
Dean McCurry
Stephanie Monson
Fred Morgia
Chris Moulis
Amelia Olson
Ronald Poropat
Mary Robbins
Robert Rowland
Stephen Samuels
Helen Schmidt
Judy Schoenrock
Jo Sciarroni
Jeanette Shelton
Jerry Vaughn
Scott Winburne
Bob Winegarner

Del Norte AOR
Sandra Y. Balbini-Moen
Judith Ann Dobbs
Diana Due Kilgore

Greater Downey AOR
Samuel Ayoub
Joann Castro
Felipe A. Diaz
Dr. Donna Grogan
Henry Murray
Peter Paik
John Romero
Penny Watson

Greater Los Angeles REALTORS®
Andrea Suzanne Best
Bonnie Burke
Geraldine DeCohen
Robin E. Greenberg
Jerry Jolton
Randolph Spalding

Humboldt AOR

Austin Dach
Harry (Gene) Davenport
John Frederick

Inland Valleys AOR
John Dorr
Kathie Laursen
Emeline Schuelke

Joshua Tree Gateway AOR
Pamela Hemingway
Thomas J. Koptis

Laguna BOR
John Veytia

Lodi AOR
Barbara Darlene Harty

Lompoc Valley AOR
Connie Sue Barlow

Malibu AOR
Alan Paul Mark
Albinas Markevicius
Anne Von Wetter

Marin AOR
Toni Abruzzo-Ramirez
Dan Bastien
Bret Baughman
Robert Beadle
Katharine Bruinsslot
William Bullock
Alva Falla
Carla Giustino
Candace Grippi
James Grossman
Steven Larson
Barbara Mahoney
Jean Mastagni
William McKeon
Patricia Montag
Melann Mushet

Reza Najafi
Dennis Naranche
Maryann Pearson
Judy Peltó
Roger Pierce
Jane Richmond
Anna Roberts
Lois Scheinberg
Jean Spaulding
Jean Tidwell
Sheila Weisberg
Yvonne Young

North San Diego County AOR
Karen H. Fields

Northern Solano County AOR
Judy Davis
Judy Lopez
Gene Resler
Jim Stever

Orange County REALTORS®
Christy Oates
Pamela Seymour
Alan Charles Virdinis
Terrie Whittaker
Bacchi-Homey Writer

Pacific West AOR
Prakash M. Achrekar
Pamela Meris Berry
Barbara Reed Greenfield
Ted J. Petropulos
Gloria Elizabeth Smith
Dawne M. Tiscareno

Palm Springs Regional AOR
Mike Loza

Pasadena - Foothills AOR
Sidney Karsh

San Benito County AOR

Dorothy Brown

San Luis Obispo Coastal AOR

Jean Carol Harper

Santa Clara County AOR

Stephen J. Hanleigh

Agnes M. Hernandez

Mario Solorio

Karlene Westfall

Santa Cruz County AOR

Robin Sherman-Dunlap

Sierra North Valley REALTORS®

Linda Almlie

Jim Crane

Terri Jamison

Suzy Mann

Sandy Moran

Silicon Valley AOR

Lehua A. Greenman

Shary Jackson Symon

Judy A. Tucker

Solano AOR

Toni Haughey

Bill Warring

South Bay AOR

Bob Joseph Chenoweth

Jo Ann Rodda

Southland Regional AOR

Donna Rose Burfitt

Lois Knighton

Barbara Rita Lipkin

Wendy Silver-Hale

Southwest Riverside County AOR

Heather Crist

Alexander Kazantzis

Judith Smith

Tahoe Sierra BOR
Mary Nell Hartnett

Tehachapi Area AOR
Susan Janelle Chandler
Dwain Eugene Mullette
Solveig Alexandra Thompson

Ventura County Coastal AOR
Jonell Richardson McLain

IMPAC Trustees

1. It was reported for information only that the following slate is duly noticed for approval at the Fall 2021 Business Meetings. New Trustees serve for 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 2021 – November 2023)

Doug Covill, Region 3
Jeannie Anderson, Region 8
Rose Marie McNair, Region 10
Ruth McNevin, Region 13
Linda Clinton, Region 16
Alisa Cunningham, Region 18
Jolaine Merrill, Region 21
Norma Scantlin, Region 30

NOMINEES FOR IMPAC NON-VOTING ALTERNATE TRUSTEE

(November 2021 – November 2022)

Ryan Ole Hass, Region 17
Alice McCain, Region 18

2. It was reported for information only that the following IMPAC requests were approved:
--\$75,000 to Real Strategies to pay for a pilot program to increase funding to State IMPAC by targeting non- REALTOR® members of the public.
--\$125,000 to the Pacific Legal Foundation for the advancement of Pacific Legal Foundation's expanding public interest litigation in defense of property rights.
--\$25,000 to the California for Balanced Energy Solutions to advocate for policies that protect the use of natural gas in homes and a balanced approach to energy policies in California.
--\$60,000 to the Civil Justice Association of California for C.A.R. annual membership support and to sponsor various positions within CJAC.
--\$6,500 to the California Taxpayers Association to pay for C.A.R. annual membership fee.

Land Use and Environmental

1. ACTION ITEM

That C.A.R. adopt an "OPPOSE" position along with a coalition on the electrification mandate for new construction based on pending regulations from the California Energy Commission.

Legal Action Fund Trustees

1. It was reported for information only that, since the February 2021 meetings, the Trustees have reviewed two cases and approved participation in one.

Emery v. Marchick. Seller sold a house located directly downhill on a lot adjoining seller's home. As part of the sale, the parties agreed to a lot line adjustment to give seller a portion of buyer's back yard, and this was documented in the counteroffer in a separately drafted "cooperation agreement" with enforcement and attorneys' fee provisions. The lot line adjustment wasn't completed so seller sued for breach of contract and specific performance. The parties now dispute who must pay attorneys' fees and whether the mediation clause in the RPA applies.

Legislative

1. That C.A.R. adopt a "NOT REAL ESTATE RELATED" position on an as yet unnumbered referendum that will appear on the November 8, 2022 state ballot entitled "Referendum Challenging A 2020 Law Prohibiting Retail Sale Of Certain Flavored Tobacco Products."

Note: C.A.R. has previously taken the following position(s) on upcoming State Ballot Measures for the November 8, 2022 ballot:

--An as yet unnumbered ballot proposition entitled Requires State Regulations To Reduce Plastic Waste, Tax Producers Of Single-Use Plastics, And Fund Recycling And Environmental Programs. Initiative Statute. "NOT REAL ESTATE RELATED"

Nominating

1. That the following be designated to serve as State Allocated NAR Directors for a three year term ending November 2024 and as Alternates for the 2022 elective year.

Colleen Badagliacco, Santa Clara County AOR, Region 19

Kevin Brown, Bay East AOR, Region 6

Danielle Fontes, Citrus Valley AOR, Region 16

Jill Furtado, Greater Antelope Valley AOR, Region 27

Patrick Prince, Fresno AOR, Region 12

Erin Stumpf, Sacramento AOR, Region 3

Dave Walsh, Santa Clara County AOR, Region 19

Alternates in Priority Order

Kama Burton, Inland Valleys AOR, Region 14

Jeanne Radsick, Bakersfield AOR, Region 12

B.J. Ward, Ventura County Coastal AOR, Region 11

Glenn Hellyer, Pacific West AOR, Region 23

Tamara Suminski, South Bay AOR, Region 21

Michael Stoffel, Inland Valleys AOR, Region 14
Casey McLoed, El Dorado County AOR, Region 3
Edward Barrios, Palos Verdes Peninsula AOR, Region 21
Jeannette Way, Northern Solano County AOR, Region 4
Barbara Betts, Pacific West AOR, Region 23
Eric Meyers, Contra Costa AOR, Region 5
Nick Solis, Bay East AOR, Region 6

2. That the following individuals be elected as Directors For Life:

Jeannie Anderson, San Francisco AOR, Region 8
Patricia Hicks, East Valley AOR, Region 15
Michael Riley, Bay East AOR, Region 6

3. That Joel S. Singer be elected as Chief Executive Officer/State Secretary for the year 2022.

4. That Heather Ozur be elected as Treasurer for the years 2022-2023.

5. That Jennifer Branchini be elected as President-Elect for the year 2022.

6. It was reported for information only that Otto Catrina will become President for the year 2022.

Professional Standards

1. That C.A.R. amend the California Code of Ethics and Arbitration Manual to allow for members of local association professional standards committees and boards of directors to attend disciplinary and arbitration hearings and review hearings as silent observers for training purposes. Observers will be limited to 1 per hearing.

Standard Forms Advisory

1. It was reported for information only that, in addition to the regular Forum on Forms, the Standard Forms Advisory Committee held a special session of the popular "Forum on Forms," devoted entirely to the proposed RPA and ancillary forms. This session was open to all C.A.R. members, not just directors. A total of 3,541 members registered and there was a consistent attendance of over 2,400. Members contributed specific feedback and comments which were provided to the committee members and considered in the SFAC deliberations.

Over 600 comments and questions were submitted. There were reports from 18 regional reps at the closed SFAC meeting. The committee approved the release of 2 new forms and 11 revisions for June release.

The SFAC continues to review all comments on the proposed RPA and over 60 ancillary forms with the intent of releasing those forms in December 2021. To accomplish this, the SFAC will meet once a week during the month of May. The SFAC will continue to collect comments regarding the RPA that are received prior to their first meeting on May 6th. Comments may be sent to carforms@car.org.

Strategic Planning and Finance

1. That C.A.R. reaffirms its commitment to the Pathway to Homeownership project and its stated objectives. The Pathway to Homeownership Advisory Group and the C.A.R. Leadership Team shall present recommendations, including joint venture developments and options for selling all or a portion of the property, to the Board of Directors in October 2021.

2. That the Statement of Income and Expenses by program for the two months ending February 28, 2021 be approved.

Total C.A.R.

Revenue: \$19,144,100

Expenses: \$4,487,500

An Excess of Income over Expenses (Before Unrealized Investment Results) \$14,656,600

REALTOR® Action Assessment Program Allocation: \$2,184,900

* Direct Member Contributions to PACs: \$3,861,300

*Advocacy Local Fund (ALF) Allocation: \$821,400

*Total REALTOR® Action Assessment: \$6,867,600

The C.A.R. Balance Sheet as of February 28, 2021

Total Assets: \$140,483,800 (of which \$112,672,100 are Current Assets)

Total Liabilities: \$17,749,200 (of which \$16,243,000 are Current Liabilities)

C.A.R. Fund Balance: \$122,734,600

* 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.

3. That the Projected Statement of Income and Expenses by program for the year ending December 31, 2021 be approved.

Total C.A.R.

Revenue: \$34,708,600

Expenses: \$34,931,200

Net deficit (Before Unrealized Investment Results) \$222,600

REALTOR® Action Assessment Program Allocation: \$4,301,600

*Direct Member Contributions to PACs: \$7,393,400

*Advocacy Local Fund (ALF) Allocation: \$1,747,500

*Total REALTOR® Action Assessment: \$13,442,500

* 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. That the audited Statement of Income and Expenses by program for the year ending December 31, 2020 be approved.

Total C.A.R.

Revenue: \$34,398,500

Expenses: \$31,995,300

Net Income (Before Unrealized Investment Results) \$2,403,200

Issues Action Fund Program Allocation: \$1,416,700

* Direct Member Contributions to IMPAC : \$382,300

*Advocacy Local Fund (ALF) Allocation: \$125,900

*Total Issues Action Fund: \$1,924,900

Political Activities Fund Program Allocation: \$1,657,400

*Direct Member Contributions to IMPAC : \$112,900

*Advocacy Local Fund (ALF) Allocation: \$154,600

*Total Political Activities Fund: \$1,924,900

REALTOR® Action Assessment Program Allocation: \$767,900

*Direct Member Contributions to PACs: \$7,171,500

*Advocacy Local Fund (ALF) Allocation: \$1,470,900

*Total REALTOR® Action Assessment: \$9,410,300

That C.A.R. Balance Sheet ending December 31, 2020 be approved.

Total Assets: \$128,036,200 (of which \$106,208,500 are Current Assets)

Total Liabilities: \$19,540,300 (of which \$11,761,200 are Current Liabilities)

C.A.R. Fund Balance: \$108,495,900

*The actual amount of PAC contributions and Advocacy Local Fund (ALF) allocations are variable depending on factors such as membership levels, participation, local advocacy needs, and application of political contribution rules. Due to the recent addition of the ALF, available for local advocacy expenses, amount may vary. However, percentages contributed to PACs by members and allocated to ALF, taken as a whole, are consistent with prior years.

5. It was reported for information only that the Local Government Policy Committee mission statement be approved as presented:

The mission of the Local Government Policy Committee is to develop and encourage local

association advocacy goals consistent with C.A.R.'s goals. It will evaluate government policy on issues of particular concern to local associations, and emerging local policy issues affecting housing including but not limited to build-by-right, zoning, encouraging accessory dwelling unit development, addressing new forms of rental restrictions such as vacancy controls, avoiding point-of-sale mandates, and new taxes and fees as they affect real estate.

The committee will look at ways to encourage and increase local REALTOR® involvement and effectiveness in the political process. This will include: 1) guidance and direction of how to get directly involved in the political process by getting on appointed local committees and boards as well as elected councils, 2) developing local advocacy resources, 3) developing effective strategies, such as developing and utilizing strike teams to accomplish REALTOR® goals on the local level, 4) Learning how to build coalitions with groups and individuals that share REALTOR® goals on issues. The Committee will provide opportunities that educate local associations and REALTORS® on advocacy methods, strategies and arguments which persuade elected officials in favor of policies which expand affordable housing opportunities.

The Committee will make recommendations to the Legislative and/or Federal Committee and will be comprised of a Chair, two Vice Chairs, Local Association Presidents, Association Executives, Government Affairs Directors, Regional Representatives, and Members at Large appointed by the C.A.R. President.

Taxation and Government Finance

1. That C.A.R. adopt a "SUPPORT IF AMENDED" position on AB 1203 (Burke), which among other provisions, seeks to reduce the amount of time that former employees of the assessor's office are restricted from serving on an assessment appeals board and expand the categories of persons that can serve on the board. The amendment would require the bill have a sunset date of at least three years.

Note: This bill is specific to Los Angeles County.

2. That C.A.R. adopt an "OPPOSE UNLESS AMENDED" on SB 323 (Caballero), which would create a 120-day statute of limitations period for certain public utility charge increases unless it is amended to include between a one to three year statute of limitation to challenge the charges.

Note: The period shall apply from the date of first billing statement.

3. That C.A.R., in conjunction with NAR, "SUPPORT" the exclusion of any capital gain from the income level to which a tax is applied.

Transaction and Regulatory

1. That C.A.R. adopt a "WATCH" position on AB 642 (Friedman), which seeks to increase state fire mapping to include moderate and high fire hazard severity zones, the consequences of which are unknown at this point. The bill also expands building requirements, now only applicable to very high fire hazard severity zones, to high fire hazard severity zones, the consequence being that these areas will have higher building costs, but more resilient housing.

2. That C.A.R. adopt a "WATCH" position on AB 968 (Frazier), which seeks to require the Natural Resources Agency to research and provide a report to the Legislature with recommendations on community wildfire resilience certification.

3. That C.A.R. adopt a "WATCH" position on AB 1439 (Levine), which seeks to require residential property insurance discounts without, at this point in time, actually detailing how such a requirement would function in the insurance market.

4. That C.A.R. adopt a "WATCH" position on SB 63 (Stern), which seeks to increase fire risk mapping at the state level and expands certain building provisions to the areas newly designated as "high fire severity zones."

5. That C.A.R. adopt an "OPPOSE" position on SB 440 (Dodd), which among other things, seeks to fund a new home hardening program.

Note: This program would in part be funded (subsidized) by a potential fee placed on non-earthquake insurance policies

6. That C.A.R., in conjunction with NAR, "OPPOSE" the reporting of negative credit information on credit reports due to financial hardship caused by COVID-19 currently protected by the CARES Act and after the Act is no longer in effect.

Revised: May 3, 2021