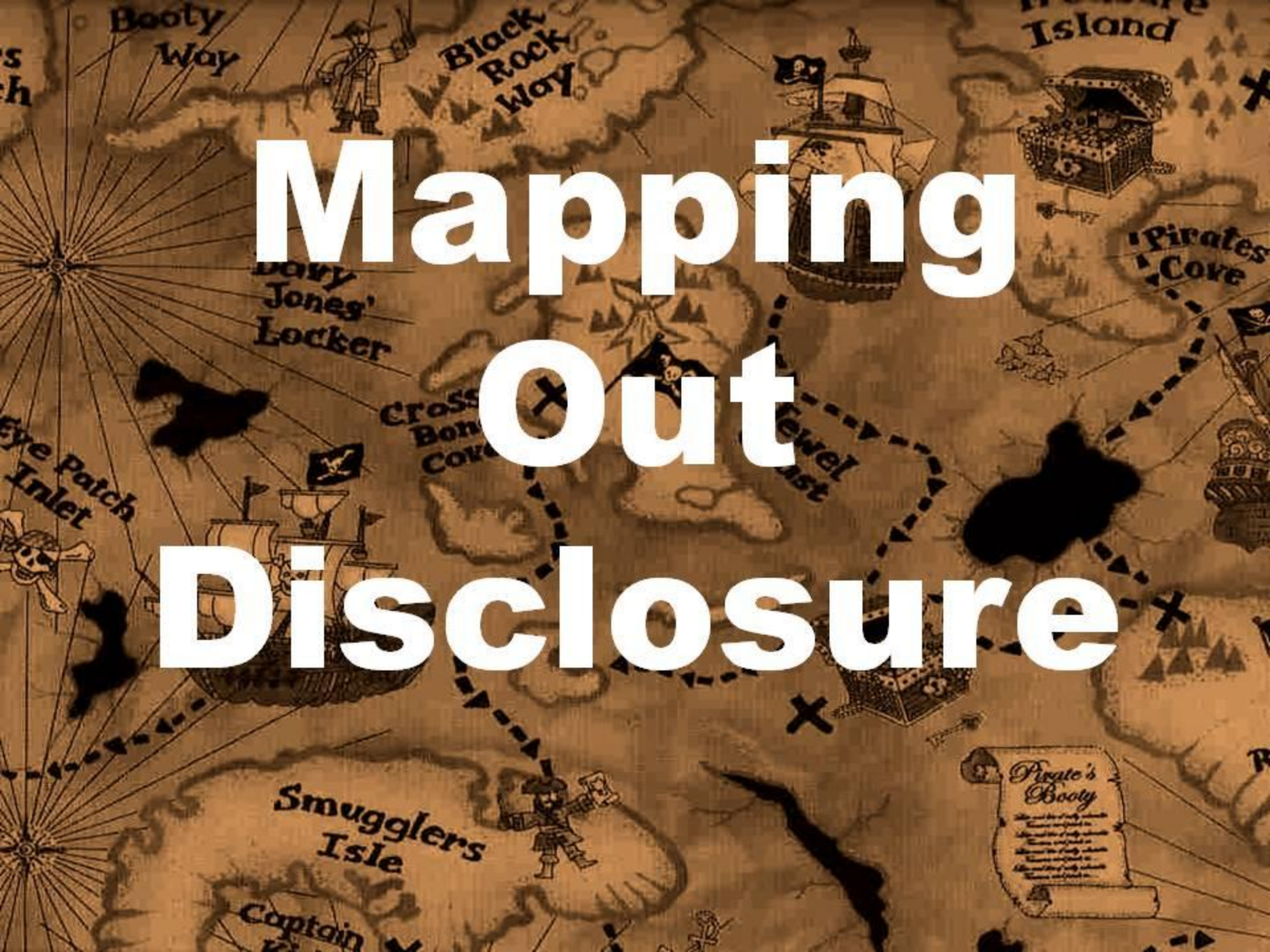


2011 TAR Cruise



CourseCreators.Com





Mapping Out Disclosure

Your Treasure Hunt Results

**COMING
SOON!**



Welcome To A Course Creators Presentation



Our Mission

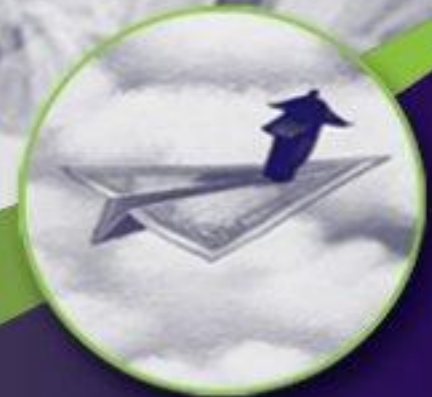
Is to make
certain that
our clients:



Get it!



Use it!



***Become
more successful
because of it!***

**Even Captain Jack
Needs a MAP**



2011 TAR Cruise

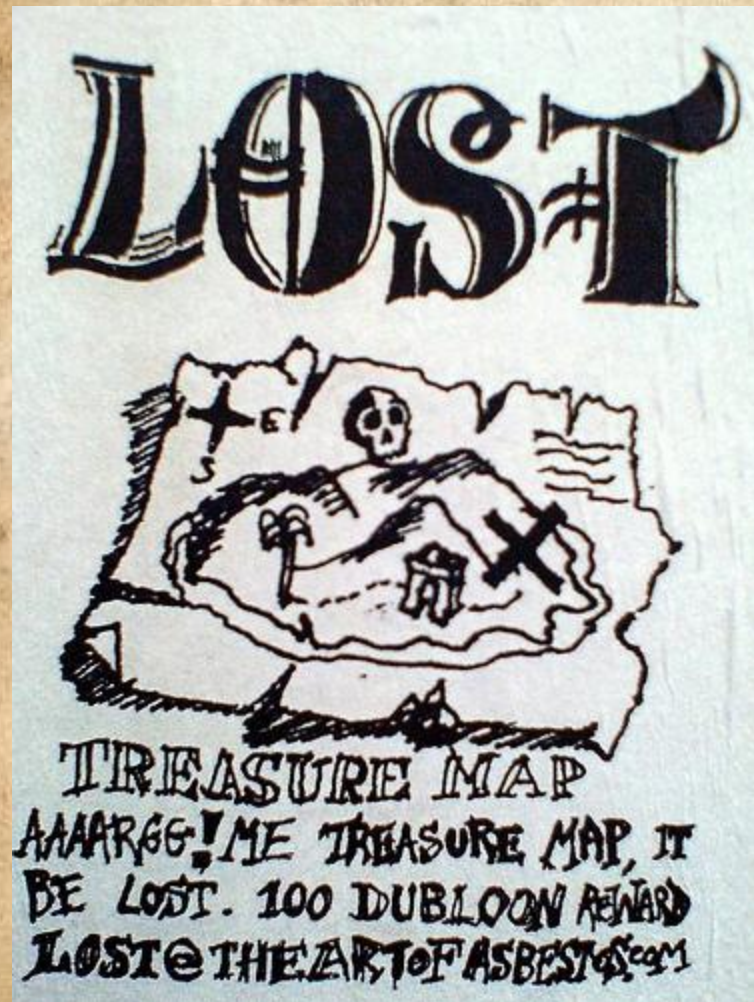


CourseCreators.Com

Tales From Those Who Got Lost Case Studies



Who Needs a Map Anyhow?



- Lack of Methodical Approach
- Different Disclosures to Different People
- Easy to forget any one aspect of the required disclosures



- Nearly 70 percent of all claims against real estate professionals are a result of misrepresentations that could have been prevented by proper disclosure, according to the NATIONAL ASSOCIATION OF REALTORS

Fair Housing & The Neighborhood Journey





The Holmes Decision

From the California Court of Appeals

The California Appellate Court said the decision *Holmes et al vs. Sieglinde Summer, Case G041906* represents a progression within the court system to define and expand the responsibilities of a real estate agent handling short sale transactions.

The Disturbing Language of Holmes

“While a buyer may be harmed by acquiring title to a property with undisclosed defects, such as hazardous waste or soils subsidence problems, a buyer may also be harmed by entering into an escrow to purchase property when it is highly likely that, unbeknownst to the buyer, the escrow will never close.”

The Disturbing Language of Holmes

**“When the realtor
accepted the listing,
he agreed to handle
everything, including
the unrecorded deed
of trust.”**



The Disturbing Language of Holmes


“Particularly in these days of rampant foreclosures and short sales, “[t]he manner in which California's licensed real estate brokers and salesmen conduct business is a matter of public interest and concern.”

Posted From a Law Firm's Presentation on SlideShare

Lawsuits Over Short Sales

Dramatic increase in lawsuits over Short Sales!

- Lawsuits are the result of a variety of different SS scenarios:
 - Lender did not absolve/relieve the debt (deficiency)
 - Seller received a 1099-S for the deficit
 - Broker/Agent gave legal, financial and/or tax advice
 - Broker/Agent acted outside scope of their expertise
 - Broker/Agent did not explore nor provide loan modification options
 - Broker/Agent misguided client on the impact of SS on credit score



I told ye
there'd be
dangers!

Our Mapping Terminology

- **Representation** – any statement regarding the home or the property
- **Misrepresentation** – an untrue statement about the home or the property
- **Fraudulent Misrepresentation** – a statement made that is known to be false
- **Omission** – a material fact or issue that was not disclosed

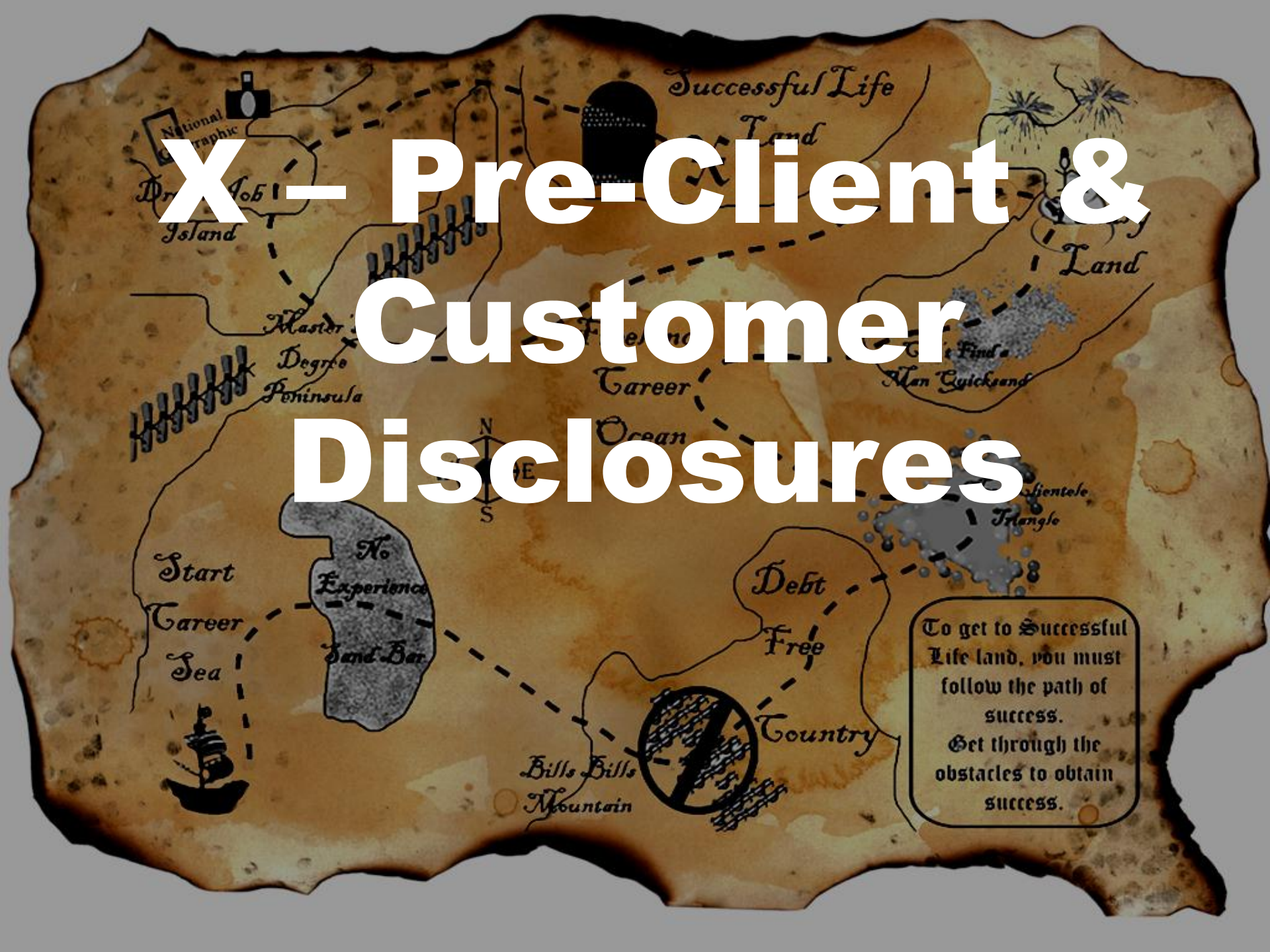
R4-28-1101(B) Basics

- 1. Any information that the seller or lessor is or may be unable to perform;**
- 2. Any information that the buyer or lessee is, or may be, unable to perform;**
- 3. Any material defect existing in the property being transferred; and**
- 4. The existence of a lien or encumbrance on the property being transferred.**

**What? Are they
kidding?
Everything that is
material??**



X – Pre-Client & Customer Disclosures



Pre-Client



Rule 502 Disclosure Obligations

- Identify as Licensee
No Blind Ads
- Name of the
Employing Broker
- Identification of
Interest in the
Property
- State of Licensure

Me...a pirate??
No....of course
not



Including ListHub

COMPLETE LIST OF MARKETING CHANNELS

Google
Base

YAHOO!
REAL ESTATE

AOL real estate

trulia[®]
real estate search

Zillow.com.
Your Edge In Real Estate

FRONTDOOR.
POWERED BY i-CITY

cyberhomes[®]
by Fidelity National Financial

hotpads.com[™]

HomeFinder
.com

backpage.com

CLR
Search.com

oodle.

Local.com[™]

PROPBOT

Vast

LYCOS.

enormo

LandWatch

RESORTSCAPE[®]

LakeHomesUSA.com

Military.com
ALL THE BENEFITS OF SERVICE

MyREALTY.com
GLOBAL LISTING SERVICE

WAL★MART

WELCOME HOME
FIZBER.COM

overstock.com[™]
real estate

HOMES & LAND
MAGAZINE

home
SEARCH

ADDITIONAL CHANNELS ARE AVAILABLE
WHEN APPLICABLE, SUCH AS . . .

The Disclosure of Agency

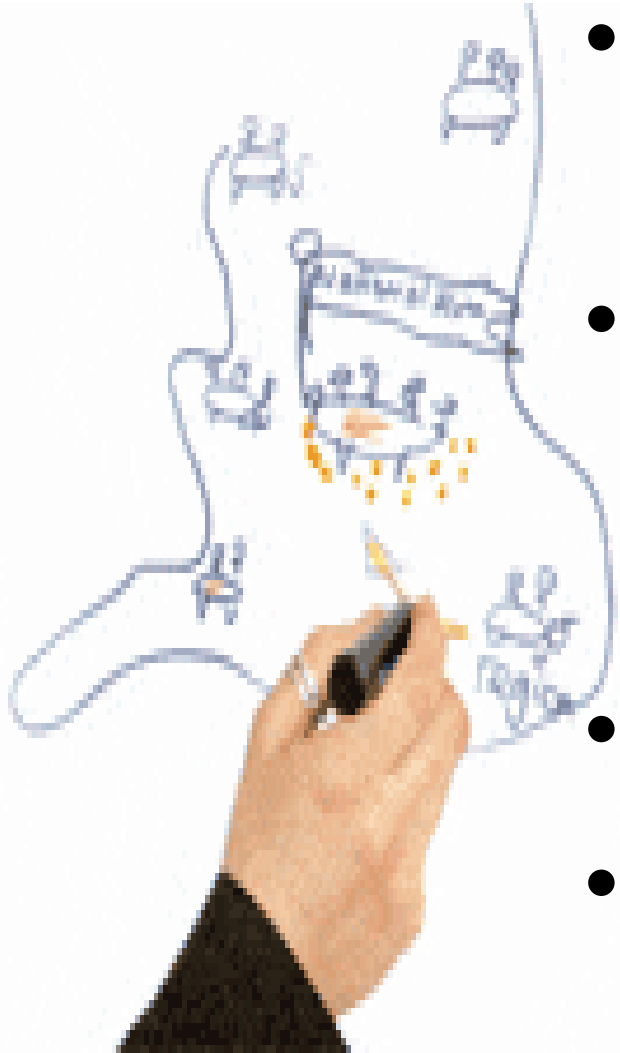
- **At The First Opportune Time**
- **Use READE Form**
- **Expertise Disclosures Under R4-28-1102(H) must be made pre-employment agreement**

RESPA & AfBA

- **Affiliated Business Arrangements**
 - Disclosure of the Relationship
 - Cannot Require the Use
 - Estimate of the Costs



Map Drawing 101



- **Create a 502 Advertising Checklist**
- **Follow Up Your Listings on Multiple Databases Fed By ListHub**
- **Use the READE Form**
- **Disclose AfBA's**

X – Disclosure By Sellers



To get to Successful Life land, you must follow the path of success. Get through the obstacles to obtain success.

Seller's Disclosures





CHANGE WAY

**The
Disclosure
Discussion**



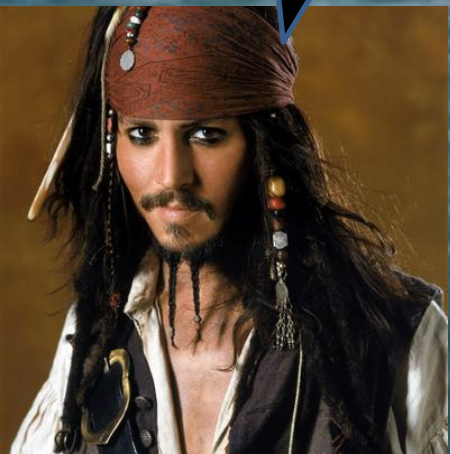
The RED Flag Issues

- **The Sellers' Reason For Moving**
- **"AS IS" Properties**
- **Short Sales**
- **REO's**

The Bank's View of Disclosure



Don't
Let 'Em
Make
You
Walk
the
Plank!



SPDS

Bring the Truth to Light

A photograph of a hallway with a wooden door on the left and a staircase on the right. The text 'SPDS' and 'Bring the Truth to Light' is overlaid on the image.

CAUTION

\$500 FINE



DO NOT:

- Approach
- Feed
- Harass



Short Sale Advisory



ARIZONA
association of
REALTORS®

REAL SOLUTIONS. REALTOR® SUCCESS.



Short Sale Seller Advisory

ARIZONA DEPARTMENT OF REAL ESTATE



Judy Lowe
Arizona Department of Real Estate Commissioner

Welcome from Judy Lowe

Watch this short introductory video on the history of the advisory as well as v

runtime: 2 minutes 54 seconds

Updates as of 12/21/2010

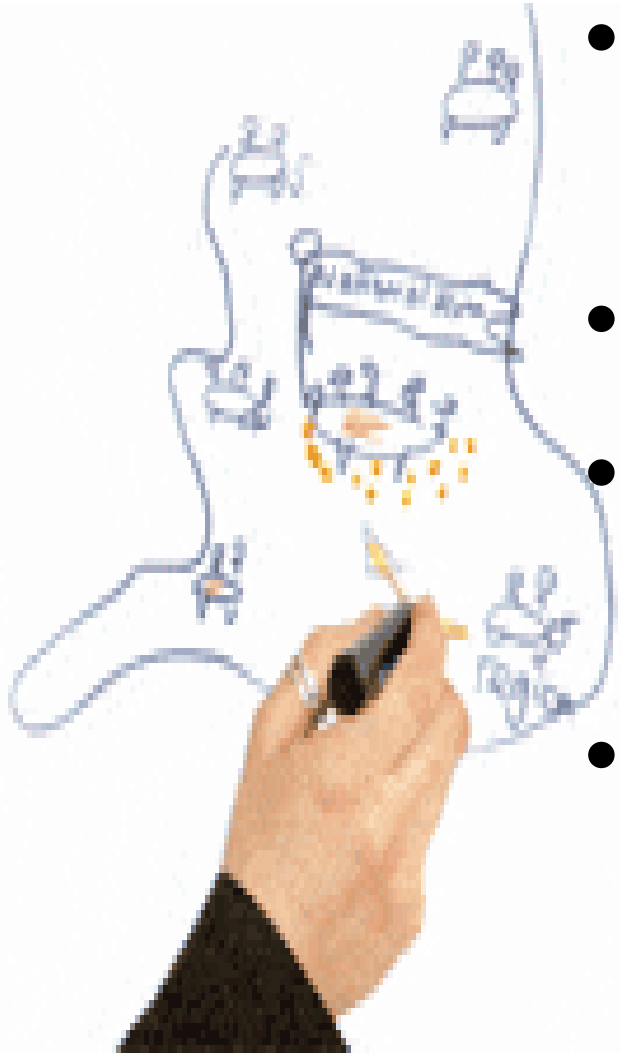
Redesign

The Short Sale Seller Advisory has been redesigned to have a more polished, visual

Utilizing MLS Attachments



Map Drawing 101



- **Give the Seller the WIIFM for Disclosure**
- **ALWAYS Use the SPDS**
- **Use the Short Sale Sellers Advisory**
- **Use MLS Attachments**

X – Disclosure By Buyers



To get to Successful Life land, you must follow the path of success. Get through the obstacles to obtain success.

Buyer Disclosures



The Due Diligence Discussion



Please check out anything that might concern you!

Have A Virtual Discussion

YouTube

Course Creators Due Diligence

Search | Browse | Upload

Course Creators Video Transaction Guide Due Diligence and Home Inspections

coursecreators 108 videos



1:28 / 3:39

360p

Like Add to Share

137 views

Suggestions

- 
- 
- 
- 

Mission Statements

Buyers Advisory



Arizona Department of Real Estate

BUYER ADVISORY

A resource for real estate consumers provided by
Arizona Association of REALTORS®

Loan Approval



DeepGreen Bank - Microsoft Internet Explorer

Address: <http://www.deepgreenbank.com/>

HOME | HELP | ABOUT US | CONTACT US

LOGIN | APPLY NOW

Deepgreen[®] bank

TODAY'S HOME EQUITY RATE IS **4.20%** APR¹

[more rates](#)



 HOME EQUITY LINE OF CREDIT Always 0.05% below prime. more info apply now	 MORTGAGES Buying or refinancing - Mortgages in minutes. more info apply now	 CDs Real growth - Maximum flexibility. more info apply now
 Get real-time auto insurance quotes, with real savings. get quote	 Pay off your holiday bills, at a lower rate. learn how	

[security](#) [privacy](#) [fair lending](#) [terms of service](#)

Brokers: GreenSource Access


MEMBER FDIC THAWTE © 2000 - 2002 DeepGreen Bank

Internet



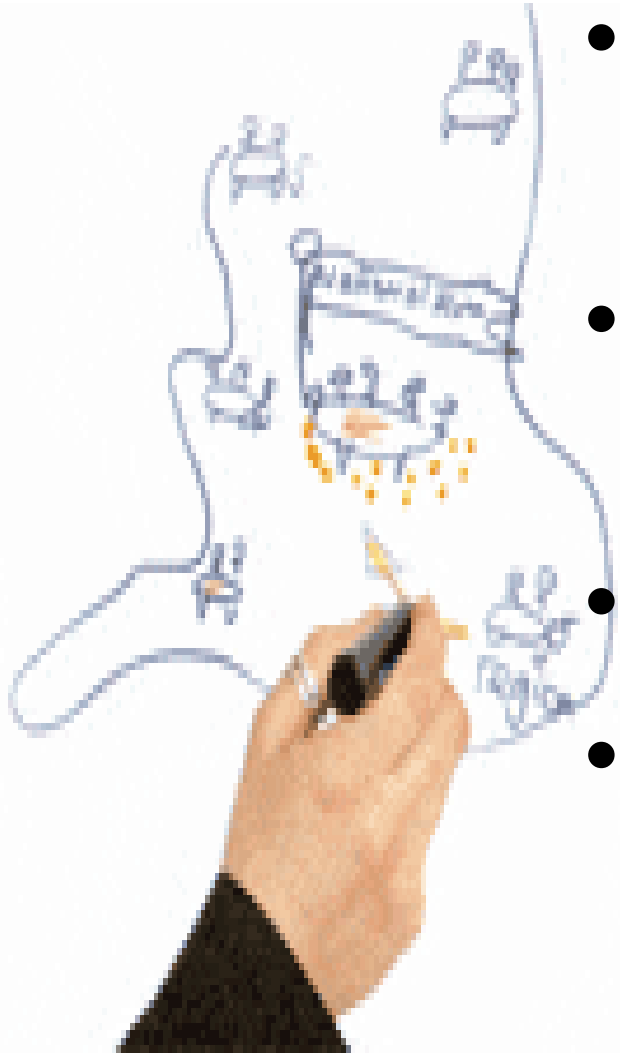
Remember
Lombardo
vs. *Albu*

Agency



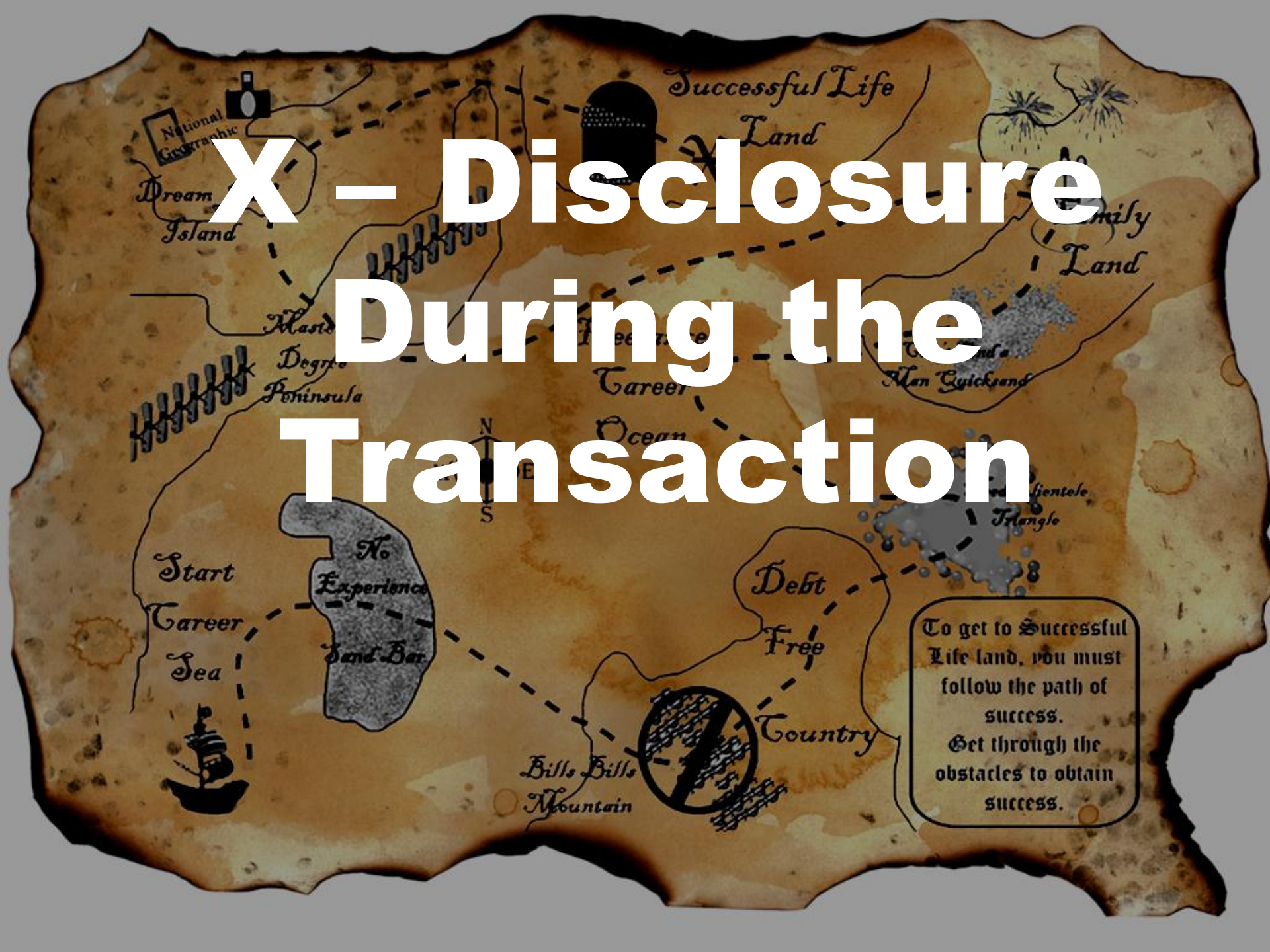
I'm sorry, whose side did you say you were on?

Map Drawing 101



- **Have a Due Diligence Discussion**
- **Always Use the Arizona Buyers Advisory**
- **Discuss Loan Approval**
- **Check Dual Agency**

X – Disclosure During the Transaction

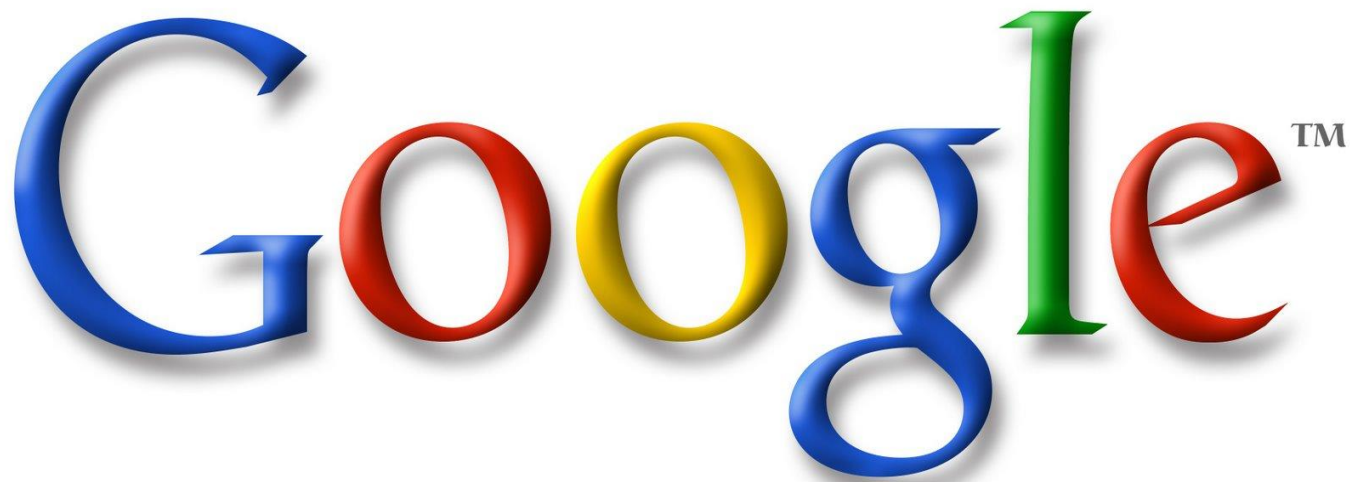


To get to Successful Life land, you must follow the path of success. Get through the obstacles to obtain success.

During the Transaction



Employing the Power of Google

The Google logo is displayed in its characteristic multi-colored font (blue, red, yellow, blue, green, red) with a 3D effect and a shadow. A small "TM" trademark symbol is located to the right of the final letter 'e'.

Google™

3045 E. Drachman Street

[\\$1600000 :: 2301 E Drachman St, Tucson AZ, 85719-4321 | Tucson AZ ...](#)

\$1600000 :: 2301 E Drachman St, Tucson AZ, 85719-4321 Tucson AZ, 85719-3045; 30:

\$234500 :: 8081 W Mesa Point Dr, Tucson AZ, 85743-5509 ...

www.homes-tucson-az.com/1600000-2301-e-drachman-st-tucson-az-85719-4321/ -

Cached -   

[socialservice in Tucson, AZ 85705 - YellowBot](#)

Native Images Inc 3045 N 1st Ave Ste A Tucson, AZ (520) 882-6120 ... Cope Behavioral Svc




535 E Drachman St Tucson, AZ (520) 903-1563 ...

www.yellowbot.com/tags/socialservice/Tucson,%20AZ.../page1.html - Cached -   

[THE UNIVERSITY OF Arizona](#)

Disabled/Service. ONE WAY. ONE WAY. ONE WAY. ONE WAY. E. Mabel St. E. Drachman St.

Enke Dr. Martin. Ave. Campbell. Ave. Campbell. Ave. Tucson. Blvd. ...

parking.arizona.edu/pdf/maps/campus_motorcycle.pdf -   

[\[PDF\] Visitor Parking Map](#)

File Format: PDF/Adobe Acrobat - [Quick View](#)

E. Drachman St. Enke Dr. Martin A ve. Campbell A v e. Campbell A v e. ... Arizona. Stadium.




Frank. Sancet. Field. U.A.P.D.. ILC. McClelland ...

parking.arizona.edu/pdf/maps/visitor.pdf - [Similar](#) -   

[Arizona Department of Real Estate Database Record - ON POINT REACT ...](#)

Business Address: 3045 E. DRACHMAN TUCSON, AZ 85716. Mailing Address: 3045 E.



DRACHMAN TUCSON, AZ 85716. Phone: (520) 272-1083. Designated Broker: None ...

services.azre.gov/publicdatabase/DetailEntity.aspx?Id=23710 - Cached -   

[Repair Shops in Tucson, Arizona for Cars, SUVs, Trucks, Vans ...](#)

ARIZONA CAR CARE CENTERS 7970 E GOLF LINKS RD TUCSON, AZ 85730 110 E




DRACHMAN TUCSON, AZ 85705 ... 3045 S KINNEY RD TUCSON, AZ 85713 ...

www.myfairrepair.com/RF.aspx?state=Arizona&city=Tucson - Cached -   

[Addresses in 85716 ZIP code - Tile 162441366 - Zillow](#)

1022 N Jones Blvd, Tucson, AZ 85716 - 1105 N Camilla Blvd, Tucson, AZ 85716 ... 3039 E 3rd

St, Tucson, AZ 85716 - 3045 E Drachman St, Tucson, AZ 85716 ...

www.zillow.com/homes/browse/Tucson-AZ/85716/162441366/ - Cached -   

Neighborhood – Blenman-Elm




[Blenman-Elm HOA - Tucson, AZ 85719](#)

I read in the paper that in the Blenheim-Elm borough people are having issues with rats coming up the sewers and into their toilets. ...

www.neighborhoodlink.com/Blenman-Elm/home - [Cached](#) -   


[Blenman Elm: Exploring Central Tucson Neighborhoods | Tucson Homes ...](#)

Today, we explore the **Blenman Elm** Neighborhood, in central Tucson. **Blenman Elm** sits in mid-town Tucson, bordered by Country Club, Speedway, Grant, and.

www.mytucsonblog.com/.../blenman-elm-exploring-central-tucson-neighborhoods/ - [Cached](#) - [Similar](#) -   




[Blenman--Elm Historic District - Archiplanet](#)

Dec 5, 2006 ... Name, **Blenman--Elm** Historic District. ID Number, 3000318. NRHP Status, Listed In The National Register. Certification Date, 10/29/2003 ...

www.archiplanet.org/wiki/Blenman--Elm_Historic_District - [Cached](#) -   

[Block by Block in Blenman Elm](#)



This variety in styles, colors, decorations, landscape and architectural features is part of the uniqueness that differentiates **Blenman-Elm** from some of the ...

blenmanelm.blogspot.com/ - [Cached](#) - [Similar](#) -   

[\[PDF\] The Blenman Elm Neighborhood Association Newsletter](#)




File Format: PDF/Adobe Acrobat - [View as HTML](#)

All residents of the **Blenman Elm** Neighborhood are invited to attend: The **Blenman Elm** Neighborhood is the area between Campbell and ...

www.ci.tucson.az.us/dnr/NAnewsletters/CMS1_016121.pdf -   




[Pictures in Tucson, AZ Blenman-Elm](#)

Coupons in Tucson offered by your local businesses for products such as pizza, grocery shopping restaurants and more.

www.merchantcircle.com/directory/AZ-Tucson/gallery?...283 - [Cached](#) -   

[Blenman-Elm Real Estate & Blenman-Elm Homes For Sale — Trulia.com](#)

Find Homes For Sale in **Blenman-Elm**, Tucson. Search **Blenman-Elm**, Tucson, Arizona real estate, recently sold properties, foreclosures, new homes, ...

www.trulia.com/AZ/Tucson,341,Blenman-Elm/ - [Cached](#) - [Similar](#) -   



captain jack sparrow

About 2,760,000 results (0.07 seconds)

Everything

Images

Videos

News

Shopping

More

Tempe, AZ

Change location

Any time

Latest

Past 24 hours

Past week

Past month

Past year

Custom range...

All results

Sites with images

Wonder wheel

Timeline

More search tools

Something different

will turner

captain hook

Images for **captain jack sparrow** - Report images



Jack Sparrow - Wikipedia, the free encyclopedia

Captain Jack Sparrow first appears in *Pirates of the Caribbean: The Curse of the Pearl* (2003), where he arrives in Port Royal looking to commandeer a ...
Films - Tie-ins - Concept and creation - Characterization
en.wikipedia.org/wiki/Jack_Sparrow - Cached - Similar

Captain Jack Sparrow (Character)

Captain Jack Sparrow (Character) on IMDb: Movies, TV, Celebs, and more...
www.imdb.com/character/ch0001274/ - Cached - Similar

Jack Sparrow - Pirates of the Caribbean Encyclopedia

Jump to The Immortal **Captain Jack Sparrow**: **Jack Sparrow** was an infamous p...
captain in the Caribbean. The son of **Captain** Teague, **Jack** was born onboard a...
in the middle of a typhoon, ...
pirates.wikia.com/wiki/Jack_Sparrow - Cached - Similar

The Real Jack Sparrow: He would have eaten Johnny Depp for ...

May 26, 2007 ... This is the side of Black Bart which Johnny Depp picks up for his...
Jack Sparrow. As cool and brave as he was ruthless

It's
Amazing
What You
Can Find!

Setting Google Alerts

Len@CourseCreators.com | [Settings](#) | [FAQ](#) | [Sign out](#)



Welcome to Google Alerts

Google Alerts are email updates of the latest relevant Google results (web, news, etc.) based on your choice of query or topic.

Some handy uses of Google Alerts include:

- monitoring a developing news story
- keeping current on a competitor or industry
- getting the latest on a celebrity or event
- keeping tabs on your favorite sports teams

Create an alert with the form on the right.

You can also [click here to manage your alerts](#)

Create a Google Alert

Enter the topic you wish to monitor.

Search terms:

Type:

How often:

Email length:

Deliver to:

Create Alert

Google will not sell or share your email address.

Google Alert - "Course Creators"

Google Alerts [googlealerts-noreply@google.com]

Sent: Wed 4/7/2010 4:11 PM

To: Len@CourseCreators.com

Google Web Alert for: "Course Creators"

[Computers in Education Group of South Australia - Moodle Course ...](#)

MOODLE – COURSE CREATORS. Facilitator: Tony Whillas. Audience: educators with a good, working knowledge of Moodle basics. The CEGSA Moodle site will be used ...

cegsa.editme.com/MoodleCourseCreators-0

[Videos Posted by Course Creators: Catch the Social Wave \[HQ ...](#)

Catch the Social Wave [HQ]. by Course Creators. 1:57. Take a ride with us and begin to understand and use the power of today's social media! ...

www.facebook.com/video/video.php?v=1330694911925

Managing Alerts

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Google alerts Manage your Alerts

Your Google Alerts

[Switch to text emails](#) | [Export alerts](#)

Search terms	Type	How often	Email length	Deliver to
<input type="checkbox"/> "Course Creators"	Comprehensive	as-it-happens	up to 20 results	Email edit
<input type="checkbox"/> "len elder"	Comprehensive	as-it-happens	up to 20 results	Email edit
<input type="checkbox"/> "Len Elder" "Leonard Elder"	Comprehensive	as-it-happens	up to 20 results	Email edit
<input type="checkbox"/> krissyl.wordpress.com	Comprehensive	as-it-happens	up to 20 results	Email edit

Delete

New Alert

Interjecting Zillow

Zillow.com NEW! RENTALS

[Homes](#) [Mortgage](#) [Advice](#) [Directory](#) [Local Info](#) [More](#)

Neighborhood, City, State or ZIP

US > Arizona > **Tucson** > Neighborhood > Views: 63,617

Tucson Demographics

Population: 526,777

For Sale (4022) Make Me Move (373) Recently Sold (18038)

Relationship Status

Relationship Status	Percentage
Single	33.0%
Married	47.3%
Divorced	13.2%
Widowed	6.5%

Homes With Kids

Category	Percentage
With Kids	26.6%
Without Kids	73.4%

Age Distribution

Age Group	Percentage
<10	14.3%
10s	14.2%
20s	18.0%
30s	15.3%
40s	13.8%
50s	9.3%
60s	6.3%
>70	8.9%

Commute Time

Commute Time	Percentage
10 min or less	13.0%
10-20 min.	37.4%
20-30 min.	25.3%
30-45 min.	15.1%
45-60 min.	5.2%
60 min or more	4.0%

Overview

People

Home Values

Photos

Schools

Homes

Tools

Print page

Neighborhoods

- A-E**
- [A Mountain](#)
- [Adelanto](#)
- [Alvernon Heights](#)
- [Amphi](#)
- [Armory Park](#)
- [Arroyo Chico](#)
- [Avondale](#)
- [Balboa Heights](#)
- [Barrio Anita](#)
- [Barrio Blue Moon](#)
- [Barrio Centro](#)



You didn't misrepresent facts about the home on Zillow or Trulia did you?

[GO](#)[Map](#) | [US](#) | [Arizona](#) | [Tucson](#) | [Palo Verde Homes for Sale](#)

Views: 452

[Get pre-approved now](#) on Zillow Mortgage Marketplace.

3214 E Lee St

Tucson, AZ 85716

For Sale: **\$150,000**
Zestimate®: \$136,500
Mortgage payment: **\$809/mo** ▾

▶ [See current rates on Zillow](#)
🏠 [Check your 2011 Credit Score for \\$0](#)

Bedrooms:	2
Bathrooms:	1
Sqft:	1,048
Lot size:	7,405 sq ft / 0.17 acres
Property type:	Single Family
Year built:	1941
Parking type:	--
Cooling system:	--
Heating system:	--
Fireplace:	--
Days on Zillow:	169
Last sold:	March 27 2006
MLS number:	21038189
Listing website:	Prudential Real Esta...

[More facts](#)[1 of 5](#)[Larger](#)

Description

Beautiful Blenman Bungalow! Exudes Vintage 40's Beauty! Absolutely Guaranteed To Charm! Meticulously Maintained & Updated! Incredible Original Hardwood Floors! Bright And Shiny! Roomy, Modern Kitchen W. Beaucoup Cabinetry! Custom Interior Designer Touches And Built-Ins Throughout! Ceiling Fans And...

[More](#)[View listing website](#)

Save ▾

Share ▾

E-mail me ▾

Edit ▾

Map

Print

Interjecting Trulia



Find Homes

Stats & Trends

Advice

Find a Pro

NEW Mortgage

My

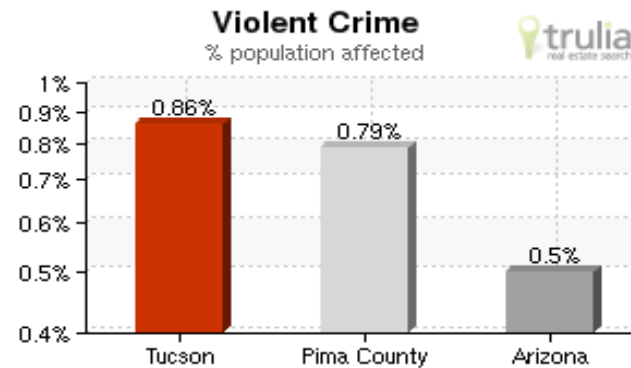
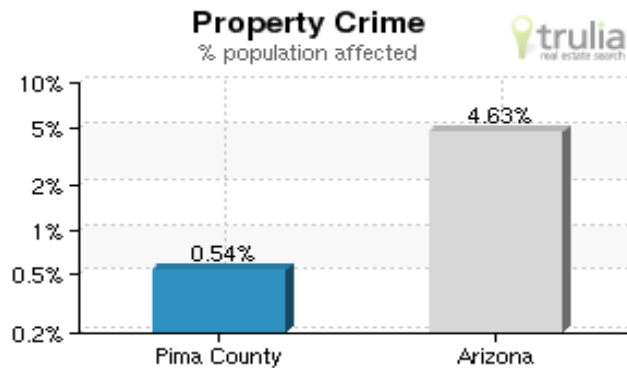
Search Stats & Trends Tucson, AZ

Tucson Community Info

Today, February 16, 2010

Crime Statistics for Tucson

[Info](#)



Ask a Question

Write a Blog

Have a question about the local community? Ask the experts on [Trulia Voices](#)

ASK

Distressed Property Disclosures



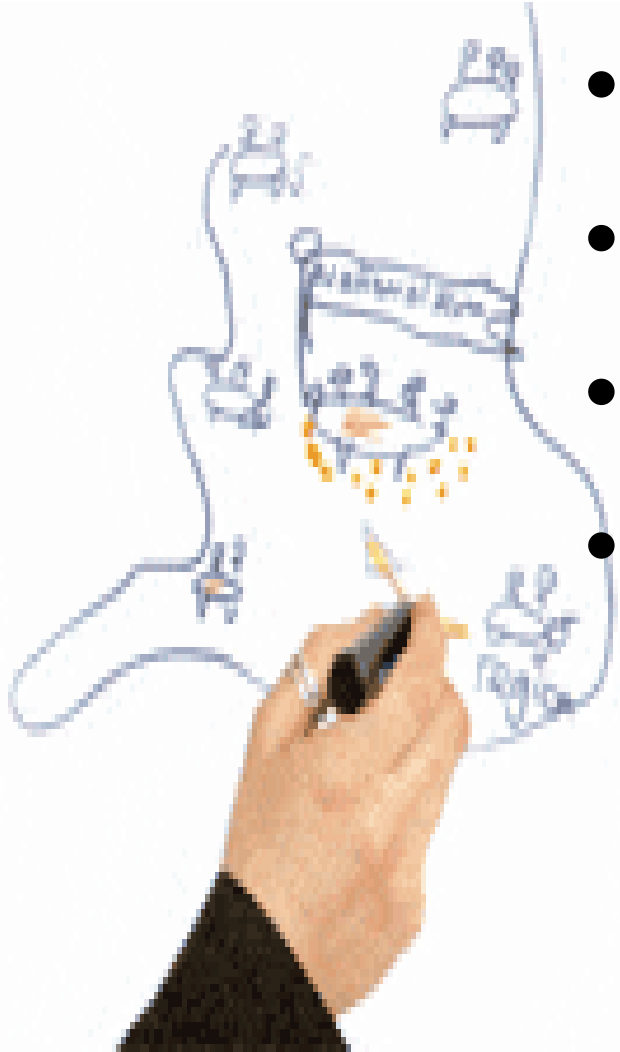
Subdivisions (185 ADRE Violations)

By law, **A.R.S. 32-2101(54)**, you are a subdivider if you own or have owned 6 or more lots in a single platted subdivision and offer any number of them for sale. All subdividers are required to obtain a Public Report (s) prior to offering lots for sale in accordance with **A.R.S 32-2181 et seq.** and **Commissioner's Rule R4-28-B1207.**



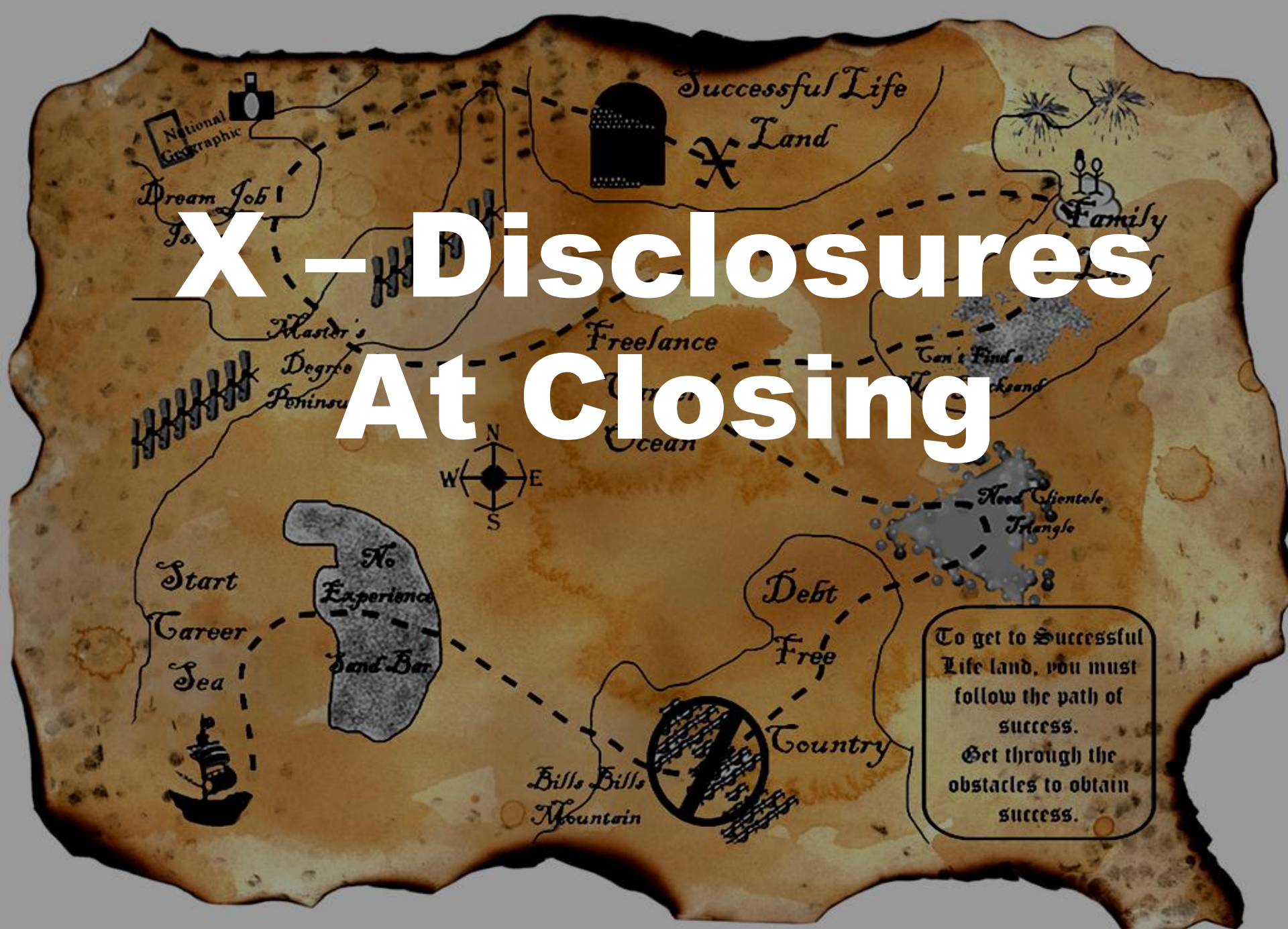
**But I
Haven't
Even
Split
Anything
YET!**

Map Drawing 101



- Use Google Searches
- Interject Zillow & Trulia
- Make MARS Disclosures
- **BEWARE** Subdivisions

X – Disclosures At Closing



At Closing



At Closing

- HUD-1
- APR
- Note & Deed of Trust

X

HUD-1

(The One Day Rule)



APR

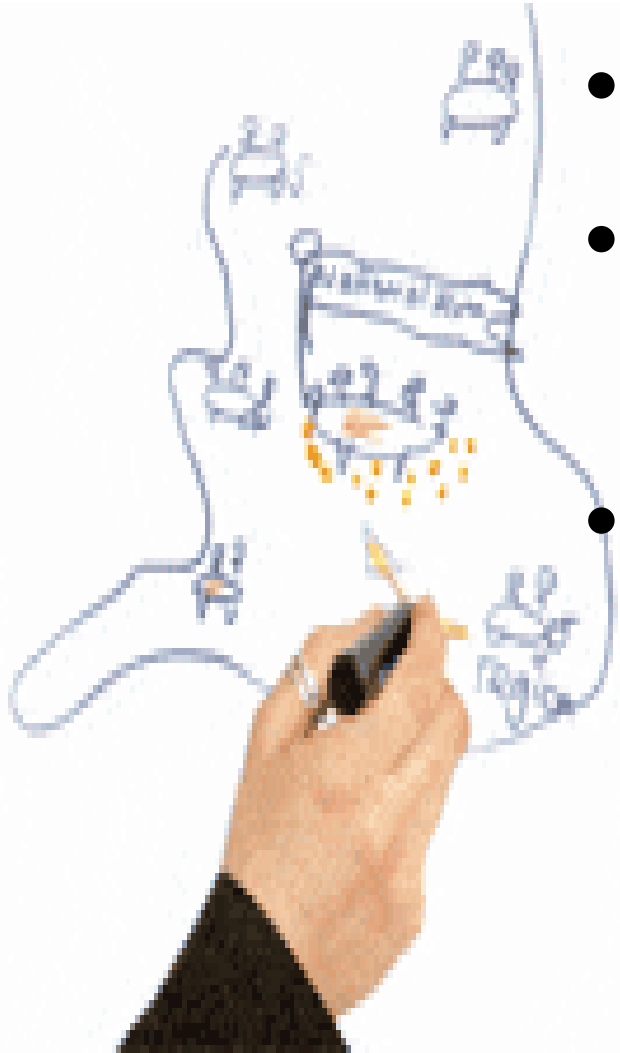
(Within 1/8 of 1 Percent)



Note & Deed of Trust



Map Drawing 101



- Don't Rush Signings
- Use a Sample Closing Package
- Go to Closing

Reasonable Care & Disclosure



X - Your Comprehensive Map



To get to Successful Life land, you must follow the path of success. Get through the obstacles to obtain success.

At Closing

- HUD-1
- APR
- Note & Deed of Trust

X



• Rule 502 for Ads
• Agency & Expertise
• RESPA & AfBA



X

• Buyer Advisory

X

Seller

- SPDS
- Short Sale Advisory
- MLS Attachments



**Okay, So
We Have a
Bloody
Map...**

**NOW
about that
RUM!**



Your Treasure Hunt Results

