

Realtor's calling card: 'total representation'

Realtors who work for negotiated commissions that average 5-7 percent say they provide an indispensable service for sellers.

Agents use their experience, personal contacts and a variety of prospecting/negotiating techniques — in essence, take on a lot of grunt work most sellers don't want to be bothered with — to move a property.

And in spite of spending all kinds of up-front money and time to find a buyer, there's no guarantee of payment until a deal closes.

"The primary thing we provide is a professional offering of sub-agency through multiple-listing services," said Carol Frick, president of the Birmingham-Bloomfield Board of Realtors. "We offer to pay a percentage of the commission for cooperative efforts to find buyers."

That network of agents and a computer full of listings through a multi-list are paramount to reaching a wide audience. The more agents pushing a house, the more likely a buyer will be found.

"WHAT SELLS houses is exposure," said Joseph Durso, owner of Re/Max West in Livonia. "Within your office, you have a lot of listings, you have a lot of buyers back and forth."

"There are more hands on as far as dealings go —

Real estate market rebounds

This is the fifth story in a series detailing how to buy and sell a home in today's market. With the drop in interest rates and the uncertainty about the Persian Gulf war resolved, consumer confidence has rebounded. The Western Wayne Oakland County Association of Realtors report that April sales of existing homes continued to climb, representing nearly a 20-percent gain from a year earlier. Sales are running 5

percent ahead of the first four months of 1990. Today's story focuses on Realtor services. Previous stories dealt with avoiding common mistakes of selling a house, home inspection services, after-purchase expenses, and selling a home yourself with the help of an agency. The series concludes with stories on incentive programs in the real estate industry and tax-related issues.

"We're LEGALLY empowered to handle all documents to a real estate transaction, but we recommend all buyers and sellers show them to their attorneys," Frick said.

Realtors have regular tours of their listings for in-house staff and may tour houses offered several times a week through tours sponsored by realty boards. Professional showing of property, including negotiations, is another service.

"It's a matter of putting a sale together, to get a buyer to put a solid, legitimate offer on paper so it's legal, clear and binding," said Douglas Courtney, im-

mediate past president of the Western Wayne Oakland County Association of Realtors.

"We urge sellers not to be home," Frick added. "Buyers prefer to discuss what they see without fear of offending present owners."

REALTORS WILL tailor sales techniques to specific houses in specific markets. Open houses might work well in some areas, but not others.

Durso said he will sometimes do a directed mailing in an area where he has a listing just in case a relative or friend of a neighbor want to move in.

Realtors can spend several hundred dollars and many hours of time promoting houses via newspapers, home sales magazines and direct mailings with no payoff if a listing expires and the original listing agency doesn't bring a buyer to the eventual sale.

But all isn't necessarily lost.

"If you don't get direct results on some, you may get indirect results," Durso said. "Buyers may not be interested in one house, so you try to get them interested in another."

Experience counts in professional relationships, be it legal services, mechanics, computer technology or real estate, Durso added.

Master deed says 1 thing; reality says otherwise

We bought our condominium unit approximately 12 years ago from the original owner who told us that we had two spaces in our garage. When we came to sell our unit, the buyer's attorney reviewed the master deed and said that it shows only one-half of the garage as assigned to us as a limited common element. Apparently, the other part of the garage that is partitioned in the master deed, but not in actuality, is assigned

to another unit owner. Do I have a problem with the title to the garage?

You must look at the condominium documents to see if there is any discrepancy between the site plan showing your limited common element garage space and the first part of the master deed describing what your garage area is. If there is no controversy and if there is not another basis in the condominium documents for the association to assign

you a garage area, consider requesting the neighboring co-owner to assign you his limited common element garage space, which presumably he has not been using for many years.

You may also elicit the assistance of the association in an effort to gain its cooperation, particularly if it has the right to provide you with exclusivity as to the garage space in question. Otherwise, you may have to re-



condo queries

Robert M. Melsner

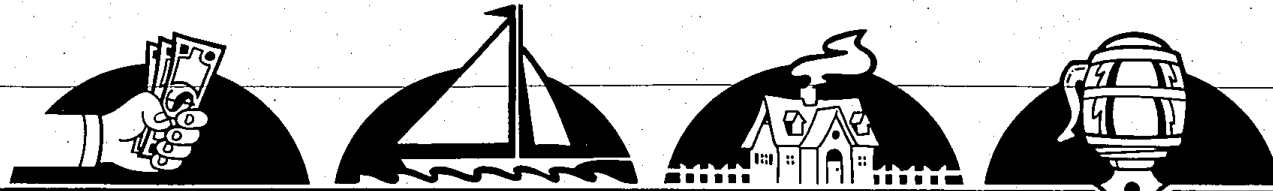
form the master deed or bring an action to quiet title to your interest in the garage space. Or you may wish

to see if the buyer would waive his right to the garage space.

I bought a new house subject to the issuance of an occupancy certificate from the township. The inspector did not inspect and detect a leaking and rotting roof and water damage to my house. I believe that the inspector was negligent and understand that gross negligence is a basis by which I might be able to sue a city inspector. Do you have any com-

ments?

A recent case has determined that gross negligence is normally a jury question for determination regarding negligence by a municipal officer. But in a recent case, the inspector was dismissed from the suit because it was decided that he owed no duty to the plaintiff who bought the house. The reasoning was that the inspector, as a public official, owed a duty to the public.



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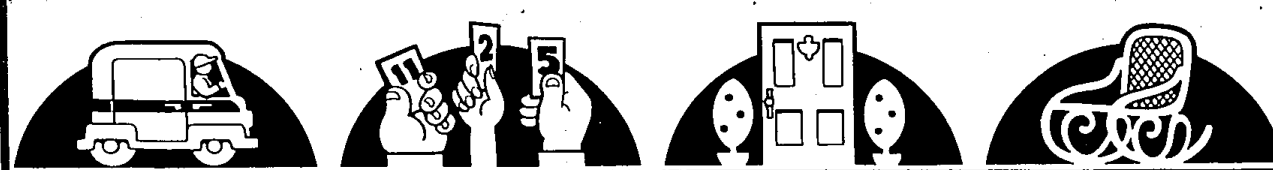
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