REAL ESTATE MEWS

REAL ESTATE LISTINGS

Listings features news and notes about subur-ban real estate. To list an announcement, write: Listings, Real Estate Editor, Observer & Eccentri Newspapers, 36251 Schoolcraft, Livonia 48150. Our fax number is (313) 591-7279.

TOP SELLER

BY TOP SELLY BY THE MINISTER SANGER S

Act at Javania. In eterphone number is 953-KOLE.

Tarillitonally, real estate agents have been legally bound to represent the interests of the seller even though many prospective house hayers labored under the misconception the real estate bagent they were working with was working for them, say Dennis Koltunehlk, Kole president and a former practicing attorney.

Recent legislation requiring real estate agents to disclose their agency, however, hopefully will encourage buyers to seek out agents who will work with their interests in mind, not the sellers, Koltunchik which were total of 50 years' experience in real caste and real estate-related services.

Each Designation

ear casac kind and assault-related services.

— GRI DESIGNATION

Paddy Kutchey, a Realtor associate at

Chamberlain Realtors Birmlingham, has achieved
the Michigan Association of Realtors GRI desig.

the Michigan Association of recentor States and nation.

This designation, like a college degree or professional designation, shows that the 30-year sales veteran has the highest quality real estate credentials and training.

She also recently attended a seminar aponsored by Republic Bancorp Mortgage Inc. on "How to Stay on the Cutting Edge... Without Losing Your Balance."

Century 21 Sakmar settled in new digs

Century 21 Sakmer & Associates, a full-service real estate firm, has moved from the historic train depot to the newly newly renovated fire hall in downtown Rochester.

in downtown Rochester.

In five months, Depot Plaza Properties Inc. partners Andy Sakmar (of Century 21 Sakmar & Associates) and Larry Smith (of Rochester Elevator) renovated and remodeled the fire hall. Move-in was April 15.

Century 21 Sakmar & Associates'

new home in The Depot Plaza also sports a new name: the Ann Building.

"The Ann Building is now one of the flinest architectural Jewels in downtown Rochester," Sakmar said.

"We tried to bring the building to its original state," he added. "In the 1920e, it was a car dealership."

The Rochester architectural firm of Gerald J. Yurk & Associates met the challenge through a distinctive architectural design.

Sakmar also was determined to accentuate the original wood barrel roof and the bow string trusses. They are now refinished and the focal point of the main office area.

"The 5,300-equare-foot building, of which we will occupy 4,300 square feet, will triple our current space." Sakmar said.

"This additional space will allow us to expand our business and enable us to continue to provide the moat

professional and up-to-date real es-tate services our community has come to expect from Century 21 Sak-mar & Associates."

A licensed Realtor for 21 years Sakmar is past president of the Ro-chester Board of Realtors. The Great-er Rochester Chamber of Commerce member is on the Crittention Hospi-tal Business and Development Com-

Sellers — know what disclosure means



Q. Is there anything I can do as a seller under the law in providing the purchaser with a seller's disclosure statement?

A. Yes, in lieu of providing the seller's disclosure statsment, the seller can provide a prospector. If the report is provided upon the request of a prospective purchaser with a thought the seller if the seller had knowledge of a known defect or condition that contradicts the report provided by the licensed expert. In other words, if your inspector misses a leaking roof and the seller is a ware of the problem from inhabiting the property, the seller would still be required to disclose the problem to the prospective purchaser.

Moreover, the seller's disclosure

close the problem to the prospective purchaser.
Moreover, the seller's disclosure statement must be provided to a prospective purchaser before the time the seller accepts an offer made by the prospective purchaser.
If the seller's disclosure statement is not provided to the prospective purchaser until after a purchase agreement has been signed by the seller, then upon receipt of the seller's disclosure statement, the purchaser is provided 72 hours in the case of personal delivery, and 120 hours in

the case of delivery by registered mail, to rescind the transaction.

Q. Under the seller's disclosure law, how detailed does the seller have to be in terms of inspecting the property in order to make a disclosure?

the property in order to make a disclosure?

A. Under the seller's disclosure law, the seller is only required to disclose what they have learned about the property from living on the property. Unless the seller is advised by someone, the seller is advised by someone, the seller is not held to have any expertise in construction, architecture or any other area specifically related to construction or the condition of the improvements on the property.

In addition, the seller's disclosure statement required by the statute provides that the seller would not have conducted any inspection of inaccessible areas such as the foundation or the roof.

Further, the seller's disclosure statement specifically provides that the representations made by the seller in the statement are not warranties of any kind and are not a substitute for any inspection the purchasers should continue to obtain. It was appearently the intent of the Legislature to provide for legislation to be filled out by unknowledgesble people and not to attempt to grade the quality or condition of the particular amenities of the property.

For example, the sellers may be required to indicate whether the roofs leak or don'effeck but are not required

to attempt to describe either the source of the leak or the cost of re-pairing the leak. Ultimately, the courts will be called upon to answer some of the ambigui-ties created by the new legislation.

Q.I live in a homeowner association-PUD where the board has, in my opinion, illegally raised the assessment without getting the requisite number of co-owners to approve it and by using proxies illegally at a meeting. The board put a lien on a unit, utilizing an attorney who is on the board. I want to get the lien extinguished, but I wonder If have any other recourse against the association?

A. A lien that was improperly filed against a co-owner could be deemed slander of title, for which you would be entitled to additional damages. Also, you could have a claim against the association for mismanagement and could conceivably start a classaction suit in behalf of the other

members who have wrongfully been assessed by the association.

Also, for the board to utilize an attorney who is also on the board may well be deemed to be not only poor business management, but a potential conflict for that board member who is acting as an attorney, particularly if the work is not done properly or is otherwise illegal. It may well be worth your while to consult with an attorney, particularly because this abuse by the association, if not abated, could become worse.

Robert M. Meisner is a Birming-Robert M. Meisner is a Birming-ham-area attorney concentrating his practice in the areas of condomini-ums, real estate and corporate law. You are invited to submit questions by writing. Robert M. Meisner, 30200 Telegraph Road, Suite 467, Bingham. Farms MI 48025. This column pro-vides general information and should not be construed as legal opinion. To-leave a voice-mail message for Robert-M. Meisner, dial 953-2047, mailbox. 1871.

DeMattia leases office space

The R.A. DeMattia Co., a Plymouth-based design/build construction and land development firm, has leased additional space to two growing businesses in its Plymouth Oaks Business Center, reports Robert De-Mattia, company president.

AVNET Electronics, a New Yorkbased computer and electronics firm,

has added 3,128 square feet to itsex isting 4,620 square-foot office. Tol. Test Inc., a Toledo-based environ mental engineering company, has expanded into a 5,388-square-foot suite. Developed by R.A. DeMattis Co., the 50,000-square-foot Plymouth Oaks Business Center, at M-14 and Sheldon, is now 97 percent occupied-

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