REAL ESTATE LISTINGS

Listings features news and notes about suburban real estate. To list an announcement, write: Listings, Real Estate Editor, Observer & Eccentric Newspapers, 805 E. Maple, Birmingham 48009. Our fax number is (810) 644-1314.

■ TOP SALES AWARD

Dobrusin

Abe Dobrusin, a Realtor for Century 21 MJL Corporate Transferee Service at 30110 Orchard Lake Road, Farmington Hills, earned Century 21's Centurion Award for sales achievement.

Russian-born Dobrusin came to the U.S. with his family in 1980. The Farmington Hills resident has an engineering degree from Moscow University. He has picked up numerous sales awards since joining Century 21 MJL in 1991, including emerald level membership in the firm's Master Club.

He was the top producing Realtor in his office for June and July, setting a company record in gross closed commissions in June.

"Service and honesty are the foundation of my business philosophy. *I enjoy working with people* and am always searching for new and better ways to satisfy my clients real estate needs," said Dobrusin.

■ NEW BROKER

Craig Mercier has joined Grubb & Ellis, Southfield, as an industrial real estate broker. He'll concentrate on the I-696 corridor. He had been with Burger Easton Mercier Rideout.

■ WOMEN'S FORUM

Six representatives from the Birmingham-Bloomfield Board of Realtors attended the Women's Council of Realtors regional conference in Toledo, Ohio.

Alice McIntyre, Sue Kelly, Beth Talbot, Doris Reed, Roseann Cooper and Penny Trabbic, president of BBBR's Women's Council of Realtors chapter, attended business sessions and educational seminars.

The chapter also installed two new members, Nancy Ritter of Prudential Great Lakes and Kathryn Brockmiller of Chase Manhattan of Michigan.

Roseann Cooper was named Member of the Month at a June luncheon sponsored by the board's women's chapter. Doris Reed presented a program called "Think on Your Feet," which included impromptu presentations by members, reports their newsletter, Outlook.

Dispute clause eases real-estate woes

By Janice Tigar-Kramer
Special Writer

"Let the buyer beware" may be standard operating procedure for garage sales, but it doesn't apply to buying and selling new or used homes anymore.

Thanks to real estate associations throughout Michigan, including four in Wayne and Oakland counties, buyers can feel safer knowing if they buy a lemon, they may still wind up with lemonade.

Since 1991, 37 real estate chapters in Michigan have adopted the Dispute Resolution System, set up by the American Arbitration Association's (AAA) Michigan branch and the Michigan Association of Realtors to settle disputes between home buyers and sellers.

Participating Realtor boards in Observer & Eccentric communities are the Western Wayne Oakland County Association of Realtors; Birmingham-Bloomfield Board of Realtors; Rochester Area Association of Realtors, and South Oakland County Board of Realtors.

Here's how the system works:

Say you're the buyer, for example. If your sales agent belongs to a participating board, the purchase agreement you signed probably includes a "demand for arbitration clause." If you want to file a complaint involving the house or the sale, call AAA for a dispute form.

Within 48 hours, they'll send you and the seller the names of three arbitrators: an attorney, a construction expert and a real estate representative. Both parties select two and the association picks one to settle the complaint. An informal hearing is set up at the home or in AAA's Southfield office in about two weeks.

The association also decides cases when two parties agree to dispute but don't have a "demand for arbitration clause" in their contract, said Janice Holdinski, commercial supervisor for AAA.

The filing fee runs $350 to $700 and may be reimbursed if the initiating party wins. The arbitrator's decision is binding, but there are limited options within the legal system to appeal, according to AAA.

"Most problems are reported to us by the buyer three to 18 months after moving in and the cases are settled in about 60 days," said Holdinski.

There's no statute of limitations in the agreement, but Michigan law gives buyers and sellers six years after a sale to take legal action, she added.

Typical disputes involve earnest money deposits and unreported physical defects in the home, including bad plumbing, leaky roof, damaged carpet, fire damage and septic tank problems, reports AAA. The average claim is around $5,800.

To date, filers have included 66 buyers, 11 sellers and one broker; three buyers and sellers filed jointly. Claims have involved 22 earnest money deposits, 57 physical defects and two for contract performance. Awards are mixed: 17 claims were denied, 23 partially awarded and 10 entirely awarded.

Holdinski said filers like the informal, private proceedings and a choice of arbitrators who are experienced in the real estate industry.

"It's a simple, economical and efficient system for everyone. There aren't any court fees and it's very non- threatening because the claim is settled at the house or in the office," she said.

So far, suburban area buyers and sellers haven't filed the number of claims the association expected, which may partly be due to the Seller's Disclosure Law, said Holdinski. The disclosure law, which went into effect Jan. 8, requires sellers to complete and sign a form listing a property's known defects.

Many Realtor boards have grievance committees to handle consumer complaints, but their process often takes longer because arbitration is not a Realtor's full-time job.

"Their (AAA) process seems quick and efficient and they arrive at solutions in a very logical and workable way for both parties," said Heidi Gundy, professional standards administrator for three Oakland County Realtor boards.

Independent operations a must after turnover

CONDO QUERIES

ROBERT M. MEISNER

Q. We are in the process of preparing for turnover and the managing agent retained by the developer for the association is recommending certain contractors and an attorney to us.

One of the members of the steering committee is somewhat suspect because he believes the developer wants the management company to recommend persons who will not aggressively pursue the developer and is using the excuse that he can find "inexpensive contractors and professionals with whom he has worked in the past to assist the association." How do I investigate this matter?

■ 'It's a simple, economical and efficient system for everyone. There aren't any court fees and it's very non-threatening because the claim is settled at the house or in the office.'

Janice Holdinski
AAA commercial supervisor

A. It is not clear from the question whether the managing agent retained by the developer is a subsidiary of the developer or a so-called independent management company.

Even in the latter case, there may be some implied or express understanding between the management company and the developer regarding the retention of personnel by the association after turnover, particularly if the management company has worked with the developer in the past and wants to get business in the future.

Obviously, the choosing of contractors, legal counsel and other professionals necessary to assist the association should be made by the board of directors elected from the homeowners, independently from any other person or entity.

Indeed, one of the questions you may ask of the management company is how many associations that management company is involved in with the contractors and-or professionals involved to determine whether there is an arm's-length relationship between the parties.

You should also do your own investigation as to whom you wish to hire and make sure they are independent from any influence from the developer-and-or the management company that would inhibit the ability of the association to pursue its interests in behalf of its members.

Robert M. Meisner is a Birmingham-area attorney concentrating his practice in the areas of condominiums, 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 provides general information and should not be construed as legal opinion. To leave a voice-mail message for Robert M. Meisner, dial (313) 953-2047, mailbox 1871.

CLASSIFIED REAL ESTATE

Observer & Eccentric
Community Classifieds

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EQUAL HOUSING OPPORTUNITY

All real estate advertising in this newspaper is subject to the Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin or intention to make any such preference, limitation or discrimination." The newspaper will not knowingly accept any advertising for real estate which is in violation of law. Our readers are hereby informed that all dwelling advertised in this newspaper are available on an equal opportunity basis.

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Walk-in OFFICE HOURS: Monday-Friday 8:30-4:00 p.m.

301 Open Houses

BLOOMFIELD HILLS- Open Sun. 1-4. 643 South Hills. E. of Telegraph, N. of Long Lake Rd. Take Brookside N. of Long Lake to South Hills. Nature lovers paradise. Private, secluded, wooded, 1¼ acre. 3 bedroom, 2 full, two ½ bath brick ranch, open floor plan, walk-out lower level, stream & pond. Reduced to $434,900.
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2280 sq. ft. 4 bedrooms, 2½ bath. Many updates & extras. 2077 Roundtable W. $134,900. Open Sun. 1-4.
Ron
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Open Sun. 2-4PM. 25378 Lyncastle S. of Middlebelt, 1 of 11 lots. 4 bedroom ranch, 2378 sq. ft., great room, family room, fireplace, new appliances, finished basement, beautiful landscape. Reduced for quick sale. $198,900. 810-855-2387

LIVONIA, 18946 Flamingo. Open Sun. 1-4. Immediate possession, general city, 3 bedroom brick, attic, 2 rooms in basement, newer windows, carpeting, 2 car garage. Charles Aslagon, Mayfair, 652-8000.

Novi
OPEN SUNDAY 1-4
39514 Country Lane
S. of 10 Mile, off Haggerty, W. Side
Skylight accents this 4 door condominium ranch. Private cul-de-sac location. Direct entry garage. Lucite spindled stairway with open floor plan. $118,900.
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THE VISTAS...slight dramatic custom home with breathtaking panoramic sunset views of Orchard Lake. Private setting on approximately 1 beautifully landscaped with private boat walk which gives exclusive access to Orchard Lake Road, information trailer with personnel will be on site to answer your questions. (N. of Long Lake & E. of Orchard Lake)
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$625,000 $580,000
S-430417 S-429663
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West Bloomfield
GREAT CONTEMPORARY
OPEN SUNDAY 2-5
Beautiful area with Bloomfield Hills schools. Open in design with outstanding great room, 4 bedrooms, 3½ baths, wet bar, large kitchen with Sub Zero, beautiful master suite and 3 car garage. (Orchard Lake/4230 STRATHDALE, (N. of Lone Pine & W. of Middlebelt) $349,900. S-419279
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301 Open Houses

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302 Birmingham Bloomfield

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Exciting new home just 45 days from completion! Luxurious first floor master suite with 9 ft. ceiling, hot and tubs baths, walk-in closets and deck access. Large custom kitchen with nook. Living room and library with soaring 18 ft. ceilings, large covered front porch, formal living room, Hardwood floors, beautiful mature private throughout. $449,900. S-402246
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JUST LISTED
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4 bedrooms, 3½ baths, family room, library, sparkling pool with spa & waterfall, extensive landscaping, large decking, rear garden, walk-out with wet bar, rec room, sauna, exercise room, bedroom & bath. $650,000. EQ-21-11NOR
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BLOOMFIELD BLOOMS
On the panoramic acre with lake views. Dramatic quad-level with cathedral floor beams and exclusive pool area outside is perfect for entertaining. $399,000. (FO)
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BLOOMFIELD HILLS CONDO - By Owner. Crosswinds Manor, 2 story, 2 car garage, 2 bedroom, 2½ bath, main hardwood floors, fin foyer & kitchen. Beautiful newest setting within walking distance of Downtown. Asking $154,000 but will entertain all offers. Open House: Sun. 1-4pm. Call 810-647-2529

302 Birmingham Bloomfield

BLOOMFIELD HILLS
Fabulous private setting in the best location. Over 1 acre hilltop corner lot on prestigious Market Drive. Spacious open interior with wonderful library, cathedral wing, large family room, game room, walk-out lower level to pool & patio, 3 + car attached garage. Sellers motivated. $780,000. Ask for:
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Office: 810-644-7030
Message CL: 810-647-2001 ext. 345
Chamberlain, REALTORS

BLOOMFIELD - Overton & Cranbrook (9 houses E. of Cranbrook) 1945 Overton, 2000 sq. ft. ranch, 3 bedroom, 3 full baths, 2 fireplaces, 26x13 Great Room, 1.54 acres, taxes $4872. Everything New, Every Luxury from 1991 renovation and 1993 addition. Granite abounds. You must take time to see this home! $450,000. birminghamschools. Bloomfield Hills schools.
810-540-8349

BY OWNER - Charming 2 bedroom, 1 bath, oak floors & trim throughout. 6'4" ceilings, garage, front & rear porch, ceiling fans, near park & school. Open House Sat. & Sun. 1-4
1208 Emmons Birmingham
$104,000 645-2378 or 645-1811

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Adrienne Brandon 810-433-0110
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• For Monday, September 5th Issue
Classified Display Ads 5 p.m. Thursday, Sept. 1st.
Classified Liners 6 p.m. Friday, Sept. 2nd
• Real Estate Deadline For The Thursday, Sept. 8th Issue
Is 3 p.m. Friday, Sept. 2nd
(Includes Real Estate display and Apartment display).
Classified Liners 6 p.m. Tuesday, Sept. 6th

We Are Closed Monday, Sept. 5th

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