

This column highlights promotions, transfers, hirings, awards won and other key personnel moves within the suburban real estate community. Send a brief biographical summary — including the towns of residence and employment and a black-and-white photo, if desired — to: Movers & Shakers, Observer & Eccentric Newspapers, 36251 Schoolcraft, Livonia 48150. Our fax number is (313) 591-7279.

**Deacon is president-elect**



**Bill Deacon**, vice president sales for Max Brook, West Bloomfield, has been installed as president-elect of the Michigan Association of Realtors. Deacon has served as president of the Western Wayne Oakland County Association of Realtors and treasurer of the state association. He is a director of the National Association of Realtors. The Michigan association that Deacon is slated to lead next year has 24,000 members.

**Crafton joins ERA realty**



**June Crafton**, a Farmington Hills resident, joined ERA Bankers Realty in that community as a sales associate. "By joining a firm which is affiliated with ERA Real Estate, with member brokers in all 50 states, June will be able to offer home buyers and sellers a wide variety of products and services," said John Ross, broker of ERA Bankers Realty.

**Mathisen: safety manager**

**S. Morris Mathisen** was appointed as safety manager for Perini Building Central U.S. Division in Southfield. He will be responsible for safety and loss prevention control. Mathisen, with more than 20 years construction experience, has previously worked as a site safety engineer. He has a degree in industrial relations from Eastern Washington University.

**C21 East recognizes:**

Several agents at Century 21 East in Rochester Hills recently were recognized for outstanding sales achievements.

**Lyle Knapp** was awarded Top Agent of 1995.

Top-producing awards were given to **Bob Katsner**, **Ed Olszewski**, **Holly Hohnholt**, **Tim Milligan**, **Diane Carik**, **Cheryl Bailey**, **Mike Smith**, **Lori Benigni**, **Sharon Mayworm**, **Dianne Mitchell** and **Cynthia Vestal**.

Also, **Daureen Flisano**, **Ann Clubb**, **Tom McCrone**, **Bob Cococetta**, **Michelle Valle**, **Donna Bock**, **Tina Shimon**, **Larry Hohnholt**, **Jessie Tucker**, **Tracy Sforzaza**, **Mel Schmidt**, **Bernie Chase** and **Kathy Coon**.

**Coon**, **Knapp**, **Katsner** and **Olszewski** also were honored as members of the **Elite Masters Club**.

# REAL ESTATE

THURSDAY, MARCH 7, 1996 • PAGE 1 SECTION E



ART ENAMIEL/STUTZ PHOTOGRAPHY

**Listings rebound: March usually brings an increase in houses available for sale from the relatively slow months of January and February.**

## Warmer weather will bring more sales

By **DINO FUNKE**  
Staff Writer

If you're thinking of moving to a new house or condominium, we've turned the corner and are heading toward the prime listing and sales months of the year, statistically speaking.

Figures on both those fronts last year rebounded dramatically during March and April after hibernating through January and February, according to RealComp II.

The mammoth multi-listing service includes Western Wayne/Oakland County, Birmingham, Bloomfield, South Oakland, Rochester, North Oakland, Detroit, Dearborn and Livingston realty boards.

Nearly a third of the 55,765 listings reported to RealComp II during 1995 occurred during the months of May, June and July, said **Karen Kage**, director of the service.

Correspondingly, the three consecutive months last year with the most sales were June, July and August. Nearly a third of the 32,740 sales occurred then.

"That is typical," Kage said. "I've been doing this a long time now, 17 years, and summer is usually the busiest for sales."

"In my opinion, when it's close to school being let out, a lot of people will list their house in attempts at selling and relocating before school starts," she said.

And the real slow months?

**Housing sales should climb to their usual spring and summer levels. So price your house properly. You want a price high enough for you get what the house is worth, but not so high no one will buy it.**

"It's the holidays," Kage said. "People don't want to show their home during the holidays."

Last summer, agents bemoaned a shortage of houses for sale. As of June 1, RealComp reported 20 percent less inventory than was available on that date in 1994.

Things are still tight.

As of the end of January, 8,534 houses and condos were available for sale in the RealComp II network, a 5.5 percent decrease from what was available in January of 1995.

"Normally, as soon as the holidays are over, we're really busy," said **Carol Kary**, a partner and sales associate with the Prudential Real Estate in Livonia. "That's not the case because we just don't have enough inventory to sell."

"It could be everyone has refinanced, they have low payments and might be reluctant to sell," she said.

"We have lots of buyers, people calling on houses," Kary said. "When we get a listing, it sells in a couple of

days if it's priced right."

**Larry Horn**, an associate broker with Century 21 Today in Farmington Hills, attributes low inventory to refinancing and an increase in housing values so that people feel they're limited to what they can subsequently buy after selling.

Buyers and agents both have to move quickly today, Horn said.

"If a house is updated and in good shape, you don't have a day or two to think about it," he said. "Last week on Friday, I gave a customer 20 listings he wanted to drive by and look at. He called me on Sunday with eight he was interested in and only one was still available."

**Mike Workman**, sales manager for the Michigan Group Livonia office, shares that observation.

"You see a home you like, you better grab your checkbook," he said. "It's a big decision we're asking people to make instantaneously. I'd like to see more inventory."

An agent, apparently, must pay

even more attention to detail when inventory shrinks.

"You really have to follow new listings on a daily basis, even hourly basis," Horn said.

**Tom Lipinski**, a Realtor with Chamberlain in Birmingham, projects an upswing in inventory.

"Last year, it was difficult for people to make the decision to sell and buy a new house after just refinancing," he said. "People are past the break-even point now (on refinancing expenses). I feel it's going to be a better year on that alone."

Agents farm inventory by contacting owners trying to sell their own houses and following up on expired listings.

"I'm bumping into a lot of real estate agents," Lipinski said. "When inventory is tight, more people are fighting for the few."

"Part of the problem is some people are still waiting for warmer weather," Workman said. "If you put your home on the market now, you can still move in June or July."

"Typically, you look at March as being an inventory explosion month. With the market being hot now, it may behoove the seller to move quickly."

Sales prices, reportedly, are holding firm.

"In many cases, we're getting multiple offers and sales are in excess of asking prices," Workman said. Houses priced too high generally

## Management company and lawyer may be liable

**REAL ESTATE QUESTIONS**



**ROBERT M. MEISNER**

**Q.** I am extremely upset with my fellow condominium board members for basically being duped.

The management company, which has turned out to be a dud, induced us to not use our present attorney, who was doing a good job, because they said that they could find a cheaper lawyer who would handle the management contract with them at no charge.

The lawyer, in turn, reviewed the management contract, said it was in order, and then we hired the management company.

The management company strongly encouraged us to fire our old lawyer. The management company also wanted us to get the attorney who had done this free work for us.

It turned out that the attorney also had some previous involvement with the management company in a proprietary way and has been too busy to handle our work in a proper fashion in any event.

We think that both the attorney and the management company failed to disclose what their relationship was.

Can we pursue either the management company or the attorney?

**A.** Obviously, the management company had a fiduciary responsibility to operate in the best interests of the association and to disclose all relationships which it had with any persons it recommends to the association.

It appears that the management company was attempting to bring in the attorney which, as you indicated, had some sort of financial interest in the management company to represent the interests of the association.

The attorney should have disclosed to you the relationship that it had with the management company. Also, the attorney who was fired because of this arrangement may have a cause of action against both the management company and the attorney.

The management company and the attorney you hired may have conspired together to interfere with the contractual relations between the association and its former attorney.

Moreover, the new attorney itself may have breached both legal and ethical responsibilities to the association in connection with full disclosure to it.

You may also treat this as a learning experience in regard to interviewing management companies and attorneys.

Remember, you usually get what you pay for and that there is no such thing as a free lunch.

**Q.** My condominium project is approximately 18 years old. The percentages of value we use are based upon square footage. These percentages of value are used for the allocation of assessments.

**We want to consider changing the master deed so that everyone pays equal assessments. Can we do so?**

**A.** That is a very complicated issue, but even under the amendments to the 1978 Condominium Act, which may or may not apply to your condominium, based upon one's reading of the savings clause of the

1978 Condominium Act, you cannot change the percentage of value, without everyone's consent.

While you can probably amend your documents to give everyone an equal voting right, to the extent that the percentages of value are used for levying assessments, you would not be able to amend the percentage of value to accomplish that purpose.

You are best advised, however, to have an attorney give your condominium a complete legal audit of its governing documents, including your master deed, your articles of incorporation, and bylaws.

*Robert M. Meisner is a Birmingham area attorney concentrating his practice in the areas of condominiums, real estate, corporate law and litigation. You are invited to submit topics which you would like to see discussed in this column, including questions about condominiums, by writing Robert M. Meisner, 30200 Telegraph Road, Suite 467, Bingham Farms, Michigan 48025.*

*This column provides general information and should not be construed as legal opinion.*

## Meisner on the air

Observer & Eccentric real estate columnist Robert M. Meisner was asked to participate as a featured guest on the radio program "Ask the Realtor." "Ask the Realtor" is broadcast 9-10 a.m. weekdays on WPON radio, 1460 AM. Meisner will be speaking on the "Law of the Land" at approximately 9:45 a.m. The show deals with questions and answers regarding multiple real estate issues.