

This column highlights promotions, transfers, hirings, awards won and other key personnel moves within the suburban real estate community. Send 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 and Shekers, Observer & Eccentric Newspapers, 36251 Schooleraft, Livenia, 48150. Our fax number is (313)-591-7279

#### Zimberg Joins Manuel



Steven Zim-berg, a certified financial plan-ner, paralegal and real estate agent has joined Ralph Manuel Associates in Farmington Hills. Hills.
Zimberg, a
Bloomfield Hills Steven Zimberg Steven Zimberg resident, spe-cializes in helping buyers and sellers exchange hard-to-sell luxury houses.

#### Eisenberg promoted



William Elsenberg, president of the Farbman Group, has a s u m ed responsibilities of all project development for the company and will continue to oversee Huntington Construction ate.

Co., a Farbman affiliate.
Eisenberg, who lives in Farmington
Hills, joined the company in 1982.

#### Williams promoted



Hedley J.
Williams, a
Rochester Hills
resident, has
been appointed
executive officer
in charge of
day-to-day
supervision of
Farbman's brokerage, management and
land acquisition

divisions.

Williams, with Farbman since 1985, will continue to oversee the company's financial services.

#### Chioni named chalr

Jerry Chioni, owner of Carlo Tile and Marble in Southfield, has been elected chairman of the Great Lakes Ceramic Tile Council.

### Fischer named VP

Edward Fischer Jr. has been appointed vice president and director of mechanical engineering for BEI Associates, an employee-owned architectural/engineering firm. Fischer studied at Lawrence Technological University.



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The Farmington Observer

# REAL ESTA'



on the way to the sale

STORY BY DOUG FUNKE . STAFF WRITER

t's only funny, unexpected or unbelievable if it doesn't happen to you, one real eather agent said. And it can be just plain embarrassing, too.

Realters, like other folks, aren't immune from bizarre twists in the

Realtors, like other folks, aren't immune from bizarre twists in the world of work.

Sill Willis, a longtime agent with Mayfair in Livonia, remembers an experience he culled from his whatmore-can-I-do-to-let you know-we're-here file.

"We called to show a house and no one was home," Willis said. "I knocked on the door real hard and we went in through the lock box.

"I showed two bedrooms, went into the living room and walked toward the master bedroom and heard a noise. It sounded like a fan. I yelled at the top of my voice, 'Hellococo'. "A wornan came out of the master bedroom with nothing on and said, 'HI.' She thought it was her husband. We were all startled. So was she. The buyer said, 'Would you mind if we extend back some other time?"

Just ask Russ Messine, associate troker with REMAX in the Hills in Bloomlaid, if sellers are hard to fig-

broker with REMAX in the Hills in Bloomfield, if sellers are hard to figure sometimes.

"I made an appointment to show a house. The seller knew I was coming. Normally, they will open the front door for you. They didn't, so I had to use the lock box.

"Ine dony wouldn't open as I

"The door wouldn't open, so I bumped it a little bit with my shoul-

"I called the seller to make an appointment," Martin said of a showing There were two houses for sale on that street. We want to the other one. The seller said she didn't know me, I argued with her and she let me in. My client bought the house.

Then I got a call back from the

other Realter asking why we never showed up at her house," Martin anid. "That's when I realized we showed the wrong one."

Rod Ruth, an agent with Realty Executives Metra in Livonia, recently had a once-in-a-lifetime experience he'd just as a soon forget.

"I forgot to tell my sellers we had a closing," he said. "I talk to those people all the time. I sold it three times, but this was the first time it went through.

"They got busy. I got busy. I forgot to call."

No word on how that one turned

No word on how that one turned out.

Rich Halmokangas, broker/owner of One Way Realty in Livonia, figured he was just doing his job. The man of the house wasn't quite sure what was happening.

A couple planning to sell without an agent wanted a Realtor's opinion of the price. Halmekangas, always prespecting, agreed.

The lady invited me to go through, 'Halmekangas said. 'We were coming out of the upstairs bedroom at the top of the stairs when her husband came through the front door. His first reaction was, 'What are you doing up there?

"They were both startled.' Halmekangas continued. 'She though the de home later. I was between them saying,' I can explain.' I ended up getting the listing and sold it. They said they were impressed with the way I handled the shock.'

Halmekangas and another chance to make lemonade out of lemons

Halmekangus had another chance o make lemonade out of lemons

during his real estate careet.

"I had a California bayer in here who wanted Farmington Hills," he recalled. "I draw into a new subdivision and hent poing and ended up getting truck at the end of a cul-de-one in mud up to the axie.

"I called AAA on my car phone.
"I called AAA on my car phone, and the mand got all the paperwork done while we waited," Halmekangs said. "After we were towed out, they went inside the house and ended up buying."
There's always potential for catastrophies in the making. If it can happen, it probably will:
"One of our biggest fears is having a cat or dog get out of the house and chasing it down the street," Martin said. "You just panie," Fortunately, she managed to corral an animal when it happened to her.

Friedman gets the last word in this installment of tales of the bizarro.
"I had two separate clients. I was

this installment of tales of the bizarro.

"I had two separate clients. I was showing both of them houses. I had no idea they were related. They were eisters-in-law and had different last names. They must have never discovered they were working with the same agent.

"They cach liked the same house, Friedman said. Before one put in an offer, she wanted family members to see the house. When the sister-in we pulled up, she said, 'Oh, my God.'

"Usually, you negotiate with the seller. This time, they (relatives) had to negotiate with each other. One bought the house."

## Builder can charge for work not written in contract



Q: I am a builder who performed some extra work on a house for a customer, although I did not have a written contract for the work. De I have any basis to pursue them for the extrementes since it was not in writing, athony my underlying contract was.

A: Yes. Under the theory of quantum meruit, where changes are authorized without a written contract was.

A: Yes. Under the theory of quantum meruit, where changes are authorized without a written contract were contract, the court can award the value of the work. The dectrine does not require actual knowledge of the expected cost nor do you have a duty to inform the purchasers may have made in the original specifications. You must prove by preponderance of the evidence the terms of the oral contract. Since there was no "transfer of land," the statute of frauds

does not impede you from pursuing this claim. In that regard, there was a recent unpublished decision from the Michigan Court of Appeals confirming this two of real. type of result.

Q: We are a cooperative association who is entertaining various insurance bids for the physical amenities. I am trying to convince the cooperative board, however, of the need to look closely at the directors and officers liability insurance as well. Do you have suggestions?

A: Unfortunately, most associations look at the bottom line cost of the fire and property damage insurance and disregard the terms and conditions of the directors and officers liability policy that frequently accompanies the policy issued by the insurance company. For community associations, it is important that they understand the full extent of coverage for the directors and officers, including what exemptions and/or exceptions from coverage are provided in the

policy. Obviously, not all insurance policies have the same coverage and/or benefits and this is particularly true with respect to directors and officers liability insurance.

Insurance.

There are several companies that stand out among the rest with regard to adequate coverage for directors and officers, but obviously their cost may be more. In the final analysis, however, volunteer directors should get the very best insurance coverage, as well as the very best management, legal and accounting advice they can find.

Robert M. Meisner is an Oakland County area attorney concentrating his practice in areas of condominium, real estate, corporate law and litigation. You are invited to submit topics which you would like to see discussed in this column by writing Robert M. Meisner, 39200 Telegraph Road, Suite 467, Bunghom Farms, MI 48025. This column provides general information and should not be construed as legal opinion.