REAL ESTATE NEWS

Township can limit boating

Our condominium association has a number of lots on a lake in northern Michigan. The township is in process of limiting the number of boat dockings and launchings we can undertake. I understand there has been some litigation on that issue. Can the township regulate the number of boat launches in our condominium?

condo queries

Robert M. Meisner

Yes. The Michigan Supreme Court recently decided a case that challenged a township ordinance that limited the use of lakes within the township by riparian and non-riparian property owners. (Riparian refers to those adjacent to or living on a body of water.) The majority held that the township has authority under the township ordinance to regulate boat docking and launching by limiting those activities on the basis of lake frontage held by riparian owners.

But what it did say is that the reasonableness of an ordinance, while a question of law, depends upon the particular facts in each case. To determine whether an ordinance is reasonable requires an assessment of the existence of a rational relationship between the exercise of police power and the public health, safety, morals or general welfare in a particular manner in a given case. According to the Supreme Court, the reason that the regulation of boat docking and launching on inland lakes is a reasonable use of the township's police power and is not a zoning ordinace is because it does not regulate the use of land or frontage but instead regulates an activity. Under the township ordinance act, townships may enact ordinances regulating boat docking and launching on inland lakes as a measure to protect the public health, safety and welfare of persons and property within the township.

The court said that the objective sought to be achieved by the ordinance requiring a minimal amount of lake frontage for dockage through a uniform scheme of regulation to lessen the congestion and density of boats docked and launched around the lake is a legitimate use of the township police power under the act.

It would appear that your township may well have that right to regulate such activities, but you are advised to consult your attorney to determine whether the facts and circumstances are similar to those that were depicted in the recent state supreme court case.

Robert M. Meisner is a Birmingham attorney concentrating his practice in the areas of condominiums, real estate and corporate law. You are invited to submit topics you would like to see discussed in this column. Write Robert M. Meisner at 30200 Telegraph Road, Suite 467, Bingham Farms 48025. This column provides general information and should not be construed as legal opinion.

Realty prize

Frances S. Mirsky, an Orchard Lake resident, has been selected Realtor of the Year by the Birmingham-Bloomfield Board of Realtors. Mirsky, active in the industry for 16 years, currently serves as manager of Real Estate One in West Bloomfield. The award is presented annually to a Realtor who has made significant contributions to the real estate profession, remained involved in the professional association and has taken an active interest in community projects.

Buyer's agent concept clarifies Realtor's position

By Doug Funke
staff writer

Home buyers: Did you know that agents who take you around house to house legally and ethically represent the seller — even though they may never have met the seller — absent any contract to represent you?

Fred Richter, a Northville Realtor, wants to change that.

He gives seminars advising agents to sign representation agreements with buyers before starting their legwork. The purpose is to end confusion about who represents whom and to bring more balance to the negotiation proces.

"Once it catches on, everyone loves it and it works well," Richter said. "It's so much more truthful and so much more natural."

There should be no commission problems with buyer agency because agents involved in transactions now typically split commissions paid by the seller, he said.

"The difference isn't who pays whom or who handles the money," Richter said. "The buyer's agent is able to represent the buyer by having a contract with the buyer."

"IT'S COMING, it's growing and it's going to be used," said David Wood, a lawyer for the Western Wayne Oakland Association of Realtors.

"The biggest potential for conflict between buyers and agents in a traditional relationship where all agents legally represent the seller centers around exactly what to offer as a purchase price.

And that, of course, is the key part of the deal.

"The only time we're in an uncomfortable position or an uncompromising position is when we're asked what we feel the house is worth and what the seller would accept for the house," said Dennis Wolf, president of Hall & Hunter Realtors of Birmingham.

"We know the seller will take the listing price," he said. "We don't know how much less."

Agents must be fair to both buyers and sellers, Wolf said.

"We have a code of ethics we live by. It's not really slanted in the direction of the seller only. We have a moral obligation to treat both parties fairly," he said.

AN AGENT firmly in the buyer's corner might be a little more forthcoming with research and advice, Richter suggested. "The Realtor isn't in this awkward position any more."

Buyer's agency slowly but steadily will make its mark here, Wolf and Richter agreed. Tradition and lack of knowledge have been the major roadblocks.

"We don't see it a lot now," Wolf said. "Most people aren't aware of it and, in most cases, a buyer feels comfortable enough with the arrangement the way it is.

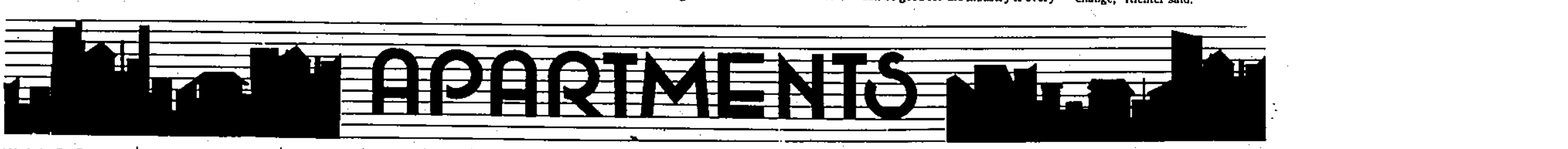
"As of now, I think it's a very confusing issue," he said. "We need to be more thoroughly educated. It can be good for the industry if everyone is informed and educated."

"In the law of agency, you have to be very careful," Wood said.

Richter is convinced that it's only a matter of time.

"There's more a consumer awareness about how come both real estate agents are representing the seller and no one is representing me," he said. "In the last 10 years, attorneys and courts have really been taking a hard look at who brokers represent.

"The only people I feel are against it are those Realtors afraid of change," Richter said.



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2 Months Rent Free!
(With 14 Mo. lease fulfilled)
2 bedroom luxury townhome rentals starting at $750. Resort living on the Clinton River. 1200 Sq Ft. fitness center, and nature trails. Hamlin/Crooks Rds. (follow Streamwood). Minutes from M-59 & I-75, immediate occupancy. 652-8060

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2 bedroom includes 2 baths
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Contemporary studio apartments with full kitchens & large walk in closets. From...$525.
Spacious 1 bedroom apartments with wood-burning fireplaces, vaulted ceilings & microwaves. From...$650.
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11 Mile between Lahser & Evergreen
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FROM $388*
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* Limited time, first 6 months of a one year lease. New residents. Selected units.

400 Apts. For Rent

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2 & 3 Bedroom Apartments
Heat Included
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SOUTHFIELD
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1 & 2 Bedroom Apts.
From $527*
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* Limited time. First 6 months of a one year lease. New residents. Selected Units.

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$100 Move-In Special
1 Month FREE & FREE HEAT
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Ask about our Senior Program
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Between 10 & 11 Mile Rds.
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1 BEDROOM From $499
2 BEDROOM From $585
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• 1½ Baths in 2 Bed Unit
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• Individual Central Air/Heat
• Deluxe Appliances including dishwasher & disposal
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• Senior Citizens Discount
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561 KIRTS
(1 blk. S. of Big Beaver, between Livernois & Crooks)
362-0290

TROY - CHURCHILL SQUARE
Nicest 1 bedroom includes:
• full sized washer & dryer in each.
• Water & heat
• full sized kitchen appliances.
• carpeting, vertical blinds.
• extra storage, carport, pool
All for $610 mo. $300 security. 13th month free. Quiet and well maintained. Short term available. 388-0960

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SOUTHFIELD - Brand new luxury apartments. Furnished and unfurnished apartments available. Washer/dryer in every apartment. Pool, hot tub and fitness center. Controlled access entry and covered parking. Easy access to The Lodge. Open daily 9-6. Sorry, no pets. Call (313) 352-2712.

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Open 7 Days
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Turn 3 Days into 30 Minutes
Over 100,000 Choices
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APARTMENTS UNLIMITED
The Easiest Way to Find a GREAT PLACE!

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SAVE UP TO $745
RENT FROM $575
SECURITY DEPOSIT $150
Luxury 1 & 2 bedroom apts. with plush carpet, vertical blinds, gourmet kitchen, self cleaning oven, frost free refrigerator, dishwasher, intercom system, lots of closets & carport, community center, exercise room, sauna & heated pool. Guarded entrance, intrusion alarm system.
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New England Place Apartments. Special Offer - 1st month rent 50% off and no security deposit. 2 miles east of Birmingham. Woodburning fireplaces, heat & water included. 1,000 sq. ft., 2 bedroom. $570-$590. For rental information call. 435-6430

SOUTH LYON
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Freshly decorated 1 & 2 bedrooms
FROM $419
• Spacious Rooms • Central Air
• Covered Parking • Beautiful Pool
• Sundeck • Clubhouse
• Laundry Facilities
Corner of 9 Mile & Pontiac Trail
Open 7 days per week
Ask about our Senior Citizens Discount
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TROY/CLAWSON
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1 & 2 bedroom apartments from $480 per month. Near downtown Birmingham & shopping malls. Quiet neighborhood setting
N. of 14 Mile, E. of Crooks
Ask about our rental incentives
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TROY
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NEAR I-75
* RENT FROM $530
SECURITY DEPOSIT $150
* ASK ABOUT OUR SPECIAL
Luxury 1 & 2 bedroom apartments with plush carpet, vertical blinds, gourmet kitchens, dens, locked foyer entry, refrigerator, range, dishwasher, garbage disposal, central heat and air conditioning, carport, tennis courts, swimming pool, cable TV available, laundry facilities.
* ON SELECT UNITS.
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400 Apts. For Rent

SOUTHFIELD
$555
• Clean, quiet 1 bedroom
• Walk-in closets
• Free Heat
• Covered Parking
• 24 hr. monitored intrusion alarm
12 Mile & Lahser
TWYCKINGHAM VALLEY
356-4403
Managed by Kaftan Enterprises, Inc.

SOUTHFIELD
1 Bedroom Apts.
From $438*
HEAT INCLUDED
HIDDEN VALLEY APARTMENTS
358-4379
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* Limited time first 6 months of a 1 year lease. New residents. Selected units.

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2 Bedroom Apartments
From $570
Heat Included
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Mon.-Fri. 9-5 Sat. 10-2

TROY/CLAWSON/ROYAL OAK
"One-Stop" apartment shopping. Come Sunday, Oct. 6th, 1pm-4pm. Office building at 4000 Crooks, Royal Oak or call for appointment. Pets? Ask!
AMBER APARTMENTS
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2 bedroom townhouse with private courtyard & basement, central air, heat included. $710 rent special. EHO
THE BENEICKE GROUP
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Executive Living
Luxury midrise 1 & 2 bedroom apts.
• Great location in the heart of Troy
• Complete fitness center
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• Peaceful setting
• Covered parking
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• Rentals from $530
S. of Big Beaver on Troy Center Dr., between I-75 & Somerset Mall.
VILLAGE GREEN OF TROY
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EHO

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Rochester Rd. North of Square Lake Rd.
3 Bedroom Townhouses
FROM $583*
HEAT INCLUDED
ROCHESTER VILLAS
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* Limited time first 6 mos. of a 1 year lease. Selected units.

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WATERFORD, lakefront, 1 bedroom apartment. Newly painted, carpeted, appliances, private entrance. No pets. Quiet professional non-smoker. $500, first & last month & security. Includes utilities. Cable available. References. 683-7211

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WAYNE - 1 bedroom, walk to town. Heat, stove & refrigerator included. $315/mo. + security. 684-4455

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Somerset Park Apartments
• Prestigious location
• 23 floor plans/1,000-1,800 sq. ft.
• 9-hole golf course
• Heat and hot water included
• Rents starting at $630
Somerset Park Apartments offers more of what you need most...living room.
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Clean 2 bedroom, air & appliances. Water included. $410 month + security. 728-2480

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1 & 2 bedroom apts. New carpet, air. $393 & up/includes heat, water & appliances. 722-6757 531-9171

WAYNE
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SPECIAL AVAILABLE
• 1 & 2 bedrooms (some/fireplaces)
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• Professionally managed
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Starting at $395
(1 bedroom apts. 780-840 sq. ft.; 2 bedroom apts. over 1000 sq. ft. plus large walk-in storage room)
Balconies - Carports
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Limited time, new residents only, 2 year lease available, discount on rent. Call for details.
Beautifully landscaped with picnic grounds and pool.
Conveniently located off Ford Rd., 1 block East of Wayne
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Special Limited Time Offer
$200 DEPOSIT ALL APTS.
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One bedroom only $440
Spacious - 700 sq. ft.
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Spacious - 900 sq. ft.
2 bedrooms with dressing room, 1000 sq. ft. - $545
No application fees
No cleaning fees
New tenants with credit & 1 year lease
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Easy access to I-275/Major X-ways
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Excellent shopping area
Spacious, clean, quiet apartments, walk-in closet, huge bath, heat, central air, carpet, pool & more. Cable hook-up, verticle blinds optional. Excellent maintenance. No pets.
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1 & 2 Bedroom Apartments
From $456
Exciting Fitness Center
Free Aerobics
Call 682-2950
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WESTLAND - available Oct. 3. Venoy & Glenwood, 1 bedroom, very clean, new stove & refrigerator, low deposit, $393. 274-6202

WESTLAND - available Oct. 3. Venoy & Glenwood, 1 bedroom, very clean, new stove & refrigerator, low deposit, $395. 274-6202

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CALIFORNIA STYLE APARTMENTS
• 1 bedroom starting at $420
• Heat & water included
• Cathedral ceilings
• Balconies
• Fully carpeted
• Vertical blinds
Great location to malls. Livonia School system.
Special security deposit - $200
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Westland
TOP FLOOR
If you have never lived in an apartment before, or are about to leave your parents' home, we have the ideal place for you!
ONE & TWO BEDROOMS
Carefree, no lawn to cut or maintain of any kind. Join our other 122 residents already living with us at Warren near Middlebelt. Enjoy swimming in our large heated pool. $450 - $495 per mo. Includes everything except electricity & telephone. Call for an appt. at 427-1997

WESTLAND - Venoy & Palmer. 1 bedroom apartment, $350 per month includes heat and water. 326-2770

Westland
WARREN FARMS APARTMENTS
1st month rent free. Spacious 2 bedroom units only. 2 bedrooms have 2 full or 1½ baths. All units include washer/dryer, verticals, central air & appliances. Hours 9am-5pm Mon. thru Fri. Closed Sat. & Sun. 421-8200

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1 & 2 Bedroom Apts.
From $350*
HEAT INCLUDED
Window Treatments & Microwaves
HINES PARK APARTMENTS
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*Limited time, first 6 months of a one year lease. New residents. Selected units.

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WAYNE/FORD RD. AREA
Spacious 1 & 2 bedroom apartments located close to shopping & expressway. Other amenities include:
• Carpeting
• Park-Like Setting
• Owner Paid Heat
• Air Conditioning
• Garbage Disposal
• Laundry Facilities
• Window Treatments/Mini Blinds
From $410 monthly
COUNTRY COURT APARTMENTS
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Western Hills Apts.
2 Bedroom Special
$75 Off Per Month
Plus FREE
Gas Heating
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Hot & Cold Water
Vertical Blinds
Storage Area
729-6520
Cherry Hill & Newburgh
Open Monday thru Saturday

400 Apts. For Rent

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DISCOVER PEACE & QUIET
IN THE HEART OF THE ACTION
AT RIDGEWOOD APARTMENTS
• Single story
• Private entrance
• Pets welcome
• Washer, dryer hook ups
• Walking distance to Westland Mall, Restaurants and movies
• Studio, 1 & 2 bedroom apts available
• Starting at $378
728-6969
Yale St., S. of Warren.

WESTLAND
FORD/WAYNE RD. AREA
Spacious 1 & 2 bedroom apartments located close to shopping & expressway. Other amenities include:
• Carpeting
• Dishwasher
• Park-Like Setting
• Owner Paid Heat
• Laundry Facilities
• Window Treatments/Mini Blinds
• New countertops
• Garbage Disposals
• Private Entrances
From $405 monthly
COUNTRY VILLAGE APARTMENTS
326-3280

WESTLAND WOODS APARTMENTS
Spacious 1 and 2 bedroom apartments. Amenities include:
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• Owner Paid Heat
• Pool
• Laundry Facilities
• Intercom
• Air Conditioning
• Close To Shopping & Expressway
• Window Treatments/Mini Blinds
From $420 monthly
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- WOW -
$450 FREE IN RENT COUPONS*
SECURITY DEPOSIT-$200
FREE HEAT/HOT WATER
Clubhouse, Pool, Decks, Air
Carpet Included
Cable TV, Pet Units, Dishwashers, Vertical Blinds - Available
1 BEDROOM from $455
2 BEDROOM from $505
BLUE GARDEN APTS.
Cherry Hill Near Merriman
Daily 11am-6pm - Sat. 10am-2pm
Sun. 1pm-5pm
* Call for details & appt
729-2242

Westland
$200 DEPOSIT
INCLUDES HEAT
Westland Park Apts.
Across from City Park
(Cherry Hill)
(between Middlebelt & Merriman)
Clean, spacious 1 & 2 bedroom, 1½ - 2 baths, walk-in closets, dishwasher, vertical blinds, central air, intercom, secure & locked hallways, cable hook-up, laundry each building, swimming pool, excellent maintenance. No fees.
1 bedroom only $455
2 bedroom from $505
1 year lease with credit
Open 7 days
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WESTLAND
2 BEDROOM APTS.
ASK ABOUT OUR SPECIALS
2 bedroom, 1 bath with plush carpeting, walk-in master closet & storage. Blinds, dishwasher, security hall doors with intercom, balcony or patio, pool & play areas.
By Westland Mall, cats allowed
WOODLAND VILLA
422-5411

WESTLAND
6200 North Wayne Rd.
STUDIO - $395
1 BEDROOM - $445
2 BEDROOM - $470
ONE MONTH FREE RENT
Includes blinds, pool, air, heat & water, Senior Discount. Close to Westland Shopping Center.
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WESTLAND 1 bedroom apartment. Private parking, balcony. Good neighborhood. Redecorated. $420/month includes utilities. 595-0601

W. BLOOMFIELD - Sublet fully furnished apt., 2 bedrooms. Reasonable rent. Available immediately 681-0159

402 Furnished Apts. For Rent

AUBURN HILLS - Executive 1 bedroom on private road. Nicely furnished & decorated, washer/dryer, microwave, etc. 646-5435

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American suites
• Short Term Rentals from ...
$35/day including utilities
• Fully Furnished
• Housekeeping/Linen Service
• Continental Breakfast
• Dinner Optional
• Cable TV
• 24 Hour Security
• Carport
• Pets Welcome
• Flexible Rental terms
1100 NORTH ADAMS BIRMINGHAM
645-0420

BIRMINGHAM BEACHFRONT, private entrance, gorgeous sunsets on Walnut Lake, furnished down to linens & silverware. Includes utilities, cable, washer, dryer, microwave, no lease $695 855-5870

BIRMINGHAM - DOWNTOWN
Executive 2 bedroom, 2 bath condo Oct 15 - May 15. Designer decorated, new kitchen, washer/dryer, fully furnished $1500/mo. 543-7597

BIRMINGHAM - DOWNTOWN
Completely furnished 1 bedroom, prime location. Dishes, linens, TV, micro. Short term available $725 includes utilities 642-0093

BIRMINGHAM/Downtown 1 bedroom executive rental with all amenities. Quiet, elegant & exceptional. Weekly rates available 335-0750

Birmingham Downtown
MONTHLY LEASES
1 OR 2 BEDROOM
Furnished & Unfurnished
Starts at $32.50/Day
UTILITIES INCLUDED
851-4147
EXECUTIVE GARDEN APTS

BIRMINGHAM
PUTNEY MEWS
Completely furnished townhouses. 20 delightful 2 bedroom units. TV, dishes, linens. Extendable 30 day leases. Great location.
From $960
689-8482

Birmingham/Royal Oak
Furnished Apts.
• Monthly Leases
• Immediate occupancy
• Lowest Rates
• Tastefully Decorated
SUITE LIFE
549-5500

Birmingham/W. Bloomfield/Troy
BLOOMFIELD LAKES APTS
Corporate apartments in small, quiet complex. Fully furnished & decorated 1 and 2 bedroom units includes dishes, linens, etc. Cleaning services available. Beach privileges. No pets please. Rents starting at $550. Heat & water included. Short term leases for qualified applicants 681-8309 Beeper 333-7580

LIVONIA/WESTLAND area. 2 bedrooms, 1½ baths, appliances, carport, $555/mo. plus security 728-5523

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