

CLASSIFIED REAL ESTATE



REAL ESTATE NEWS

Broock leads state Realtor association

BY DOUG FUNK
STAFF WRITER

This year should shape up as especially eventful in the professional career of Bowen R. Broock. Broock, president and chief executive officer of a real estate firm founded by his grandfather, Max, will serve as president of the Michigan Association of Realtors. "Our theme for 1993 has everything to do with communication," Broock said. "We have a logo that says Let's Connect."

"We'd like to shine our light a little more outstanding so we and

our public can get a little clearer picture of what we do and our relevance," he added. Some 23,000 agents belong to the statewide professional association. Broock, active in the business for 32 years, has Max Broock Inc. offices in West Bloomfield, Birmingham, Bloomfield Hills, Rochester and Clarkston with 120 agents.

"Perhaps the most visible, prominent issue now is expansion of the agency," he said. "The opportunity for buyer brokerage to

the residential side of the business is fairly new. We're going to find buyer broker more prevalent. "We're going to introduce a new computer system this year," Broock added. "It's like a bulletin board system electronically linking an agent at his desk to a very broad information network at the state association."

"A glimpse of the future shows that brokers and associates will increasingly rely on electronic media to stay abreast of the market and assist in promotion," he said. Broock, 58, is a GRI, Graduate

Realtors Institute, a certified residential specialist and a certified residential broker. He's a director of the National Association of Realtors and a past president of the Birmingham-Bloomfield Board of Realtors. Broock also recently was named to the board of directors of RELO/The International Relocation Network, a worldwide association of independent owners not affiliated with franchise operations.

"It's a way for me to put someone (transferee) in the hands of a

capable counterpart in another city," Broock said. "For that, they send back a small referral fee as a courtesy." Broock, who lives in Orchard Lake, enjoys tennis, golf, singing, shooting and fishing. He also collects vintage fountain pens. He is married to Joy and father to Kathy, who is in the real estate business, and Konrad, a musician in California.

Broock said he got started because he thought it would be fun working with his dad, Ferd. "It's a people business, most



Bowen R. Broock: Heads Michigan Association of Realtors.

enjoyable," Broock said. "The challenge of problem solving — that's what real estate is all about. You meet a need."

Dissatisfied condo owner may have case against seller



ROBERT M. MEISNER

Since I bought my condominium a year ago, I have been trying to sell it because the condominium association is not enforcing the bylaws and is allowing co-owners to intentionally create damage to the common areas. The co-owners across the hall from me have warped the condominium doors with continuous slamming and have disturbed my selling prospects to the extent that it has killed every sales at-

tempt. I also was not aware of a major suit that the association was involved in with the municipality and a neighboring industrial firm when I purchased. I was also not advised of the percentage of rentals in the buildings at the time of purchase. What can I do? To the extent that the seller of the condominium unit did not disclose material information that would have had an effect on your purchase of the condominium unit, you may have a cause of action against the seller. It also appears that the board or the managing agent is lax in regard to enforcing the condominium documents against the residents, par-

ticularly as it relates to the protection of common element property and the deprivation of your rights as a member of the association from excessive noise. I would write a letter to the board demanding that it take action against the co-owners involved, threatening legal action should that not be done. I would also point out to the board that you will hold it and the association responsible for the damages you are sustaining in being unable to sell your unit because of the failure of the part of the association to enforce the rules and restrictions.

I am a businessman on our

board of directors and find that our other board members have their head in the sand. All they are concerned about is whether the co-owners of the condominium will find difficulty with them or criticize them because we need to raise the assessments. They don't seem to care about their fiduciary duties. How can I instill in them the need to be businesslike in the operation of the association?

Call your insurance carrier and have it provide you with documented figures in regard to the number of liability lawsuits that are being brought against boards of directors for mismanagement,

including the failure to adequately fund the association to meet the reasonable needs of the association. You are correct that too many boards are overly concerned with what other co-owners will think of them when they raise assessments. My experience in more than 30 years of law practice dictates that those same people who scream the loudest about the increase in assessments will be the first in line to sue the board if it does not do its job properly. Directors of associations have a fiduciary duty to run the business in a proper fashion. You are correct in your concerns, which

should be expressed to the members of the board on a regular basis. 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 by writing Robert M. Meisner at 30200 Telegraph Road, Suite 467, Birmingham Farms 48025. This column provides general information and should not be construed as legal opinion. To leave a voice mail message for Robert Meisner, dial 953-2047, mail box 1871.

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