

Realtors, consumers applaud disclosure bills

BY CHRIS MCCOSKY
STAFF WRITER

"Every once in a while, government works like it's supposed to by the people, for the people."

Such was the case two weeks ago when Gov. John Engler signed into law a series of bills that should strengthen truth-in-selling practices in real estate transactions.

"This was special because it was put together using guidelines from both the National Consumers Federation and from the National Board of Realtors," said Dave Wygonik, spokesman for State Senator George Z. Hart (D-

Dearborn) one of the bill's sponsors. "This is the way government is supposed to work."

The bills do two things: They force real estate agents to disclose whose interest they represent to potential home buyers and they force the seller of the house to disclose any and all known defects in the house.

"This is something that we have been working on getting through for two years," said Bill Deacon, president of the Western Wayne Oakland County Association of Realtors. "We are very much in support of it and we will work hard to educate our mem-

'It is good for both the consumers and for our industry.'

*Bill Deacon
WWOCAR president*

bers about it. It is good for both the consumers and for our industry. It puts everybody on the same playing field."

Sen. Hart: "Too many consumers assume that real estate agents are working for the buyer when, in fact, they are committed to getting the best deal for the seller of the home," Hart said.

"My bill will clear up this matter when the buyer and agent first meet."

There are three types of agent relationships: agent for the seller, agent for the buyer and agent for both parties. If disclosure is not made, agents are subject to limitation or suspension of their license or certificate of registration, a fine not exceeding \$10,000 and/or probation.

"The seller's disclosure of defects is something we've been doing for five years," said Dan Elsen, president of the northeast division (Farmington Hills) of Real Estate One. "We were the first in

the state to do it and we actually caught some flak for it."

Real Estate One heard the same objections that held up the bill for two years. Attorneys and others skeptical of the Realtors' objectives didn't like the extra paper work.

"It's only a couple of extra pieces of paper that actually make things simpler," Elsen said. "And it increases the level of understanding and clarity. It puts all the cards on the table."

Elsen added that the buyer-seller relationship was adversarial by nature, and the disclosure bills

help take the edge off.

Deacon agrees: "It takes everybody off the hook and puts everybody where they should be. Just because the seller doesn't disclose a defect doesn't mean it's going to go away. It'll just end up in court. You are better off getting it out in front."

Which is right where the legislation puts it.

"These bills are a reaction to market action in other states and they address what is going on today," Wygonik said. "They mark real estate legislation more pertinent to what's going on and it also offers consumer protection."

Condo associations have power to ban cable television

CONDO QUERIES

Our local cable company is insisting that it provide service to the residents of the condominium. The cable company claims that construction of the system is OK over the public right of way and through easements. We don't want cable television. Do we have a chance to resist the cable company?

Chances are your association will be successful in keeping the cable system out. At least four separate Federal Courts of Appeals have upheld the right of a condo association to stop a

cable company.

Legislative history regarding cable companies shows that Congress intended to limit cable companies' access to developments. The original statute included a section that would have specifically allowed access to residential units even if the owner of the surrounding areas objected, but that section was deleted.

I am thinking about developing a condo project under a Michigan Limited Partnership Agreement. I have heard about a new type of corporate entity with limited liability.

Can you give me any information on this?

Effective June 1, Michigan adopted a new form of business entity called the Michigan Limited Liability Company (LLC). This new entity combines most of the favorable characteristics of a corporation with attributes of a partnership.

An LLC provides limited liability protection and allows for the flexibility and flow through taxation like a partnership. Its application may be beneficial to many types of businesses with

particular emphasis on real estate rental or development, oil and gas extraction and professional and venture capital firms.

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 questions by writing 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. To leave a voice mail message for Robert Meisner, dial 953-2047, mail box 1871.

CLASSIFIED REAL ESTATE

THE Observer & Eccentric NEWSPAPERS

CLASSIFIED ADVERTISING

REACH MICHIGAN'S FINEST MARKET

BUY IT. SELL IT. FIND IT. CLASSIFIED.

Where You Will Find...

Autos For Sale	SECTIONS	G
Help Wanted	SECTIONS	F
Home & Service Guide	SECTIONS	F
Merchandise For Sale	SECTIONS	G
Real Estate	SECTIONS	D,E
Rentals	SECTIONS	E,F

DIAL CLASSIFIED DIRECT

Wayne County 591-0900
Oakland County 644-1070
Rochester/Rochester Hills 852-3222
Fax Your Ad 953-2232

OFFICE HOURS:
8:00 A.M.-5:30 P.M.
MONDAY-FRIDAY

AFTER HOURS:
Use Our 24-Hour Voice Mail System

Ask About AD SITTER
Your very own talking classified ad and voice mailbox service.

FOR THE LATEST INFORMATION ON OPEN HOUSES - CALL: HOMELINE 953-2020

DEADLINES
For Planning, cancelling or correcting of line ads.
Publication Day Deadline
MONDAY ISSUE: 5 P.M. FRIDAY
THURSDAY ISSUE: 5 P.M. TUESDAY

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. This newspaper will not knowingly accept any advertisement for real estate which is in violation of law. Our readers are hereby informed that all advertising advertised in this newspaper are available on an equal opportunity basis.

INDEX OF CLASSIFICATIONS

HOME & SERVICE GUIDE
1-299
An alphabetical directory of all your service needs. See Above For Section.

REAL ESTATE FOR SALE
300-364

COMMERCIAL/INDUSTRIAL SALE OR LEASE
365-372

EMPLOYMENT/INSTRUCTION SERVICES
500-524

ANNOUNCEMENTS
600-614

PETS/LIVESTOCK
738-749

RECREATIONAL VEHICLES
800-884

WE ACCEPT
VISA MasterCard

PLEASE CHECK YOUR AD

The Observer & Eccentric will issue credit for typographical or other errors only on the first insertion of an advertisement. If an error occurs, the advertiser must notify the Customer Service Department in time to correct the error before the second insertion.

POLICY

All advertising published in The Observer & Eccentric is subject to the conditions stated in the applicable rate card, copies of which are available from the Advertising Department, Observer & Eccentric Newspapers, 36251 Schookoff Road, Livonia, MI 48150, (313) 591-2300. The Observer & Eccentric reserves the right not to accept an advertiser's order. Observer & Eccentric Ad-Takers have no authority to bind this newspaper and only publication of an advertisement shall constitute final acceptance of the advertiser's order.

355 Time Share
316 Southern Property
337 Farms
338 Country Homes
329 Lots & Acreage
340 Lake River Resort Property
342 Lake Front Property
346 Cemetery Lots
358 Mortgage/Land Contracts
316 Money to Loan/Borrow
362 Real Estate Wanted
366 Southfield/Lathrup
364 Listings Wanted

422 Wanted to Rent
423 Wanted to Rent - Resort Property
424 House Sitting Service
425 Carpenters/Handyman Services
428 Home Health Care
427 Foster Care
428 Homes for the Aged
429 Garages/Mini Storage

609 Bridal
610 Cakes of Thanks
612 in Memoriam
628 Health Notices
629-624 Personal Score (Use Reverse Side Main Dry)

700 Auction Sales
701 Collectibles
702 Crafts
703 Cloths
704 Furniture Sale/Flea Markets
705 Wishing Appeals
706 Garage Sale - Oakland County
707 Garage Sale - Wayne County
708 Household Goods - Oakland County
709 Household Goods - Wayne County
710 Mac for Sale - Oakland County
711 Map for Sale - Wayne County
712 Appliances
713 Bicycles
714 Business & Office Equipment
715 Computers
716 Commercial/Industrial Equipment
717 Lawn, Garden, Farm & Snow Equipment
718 Building Materials
719 Tools, Saws & Pools
720 Farm Produce - Flowers, Plants
721 Hospital Equipment
722 Hobbies - Coins, Stamps
723 Cameras and Supplies
726 Musical Instruments
727 Video Games, Tapes
728 VCR, TV, Stereo, Tape Decks
729 CB Radios, Cellular Phones
730 Sporting Goods/Exercise Equipment
734 Trade or Sell
735 Wanted to Buy
736 Absentee/Fire-Monday only

738 Household Pots
740 Pet Services
744 Horses, Livestock Equipment

800 Recreational Vehicles
802 Snowmobiles
804 Amphibies
805 Boat/Decks, Haines
806 Boats/Motors
807 Boat Parts & Service
808 Household Boat Storage
810 Insurance, Motor
812 Motorcycles, Go-Karts, Minibikes
813 Motorcycles, Parts & Service
814 Campers/Motorhomes/Trailers
816 Auto/Truck, Parts & Leasing
818 Auto Rentals, Leasing
819 Auto Financing
820 Autos Wanted
821 Junk Cars Wanted
822 Trucks for Sale
823 Vans
824 Jeeps/4 Wheel Drive
825 Sports & Imported
826 Classic Cars
828 American Motors
829 Eagle
830 Buick
830 Cadillac
830 Chevrolet
830 Chrysler
831 Dodge
832 Ford
833 Geo
834 Honda
835 Lincoln
836 Mercury
837 Nissan
838 Oldsmobile
839 Plymouth
840 Saturn
841 Toyota
842 Volkswagen

400 Apartments
401 Furniture Rental
402 Furnished Apartments
403 Rental Agency
404 Houses
405 Rent Open to Buy
406 Property Mgmt.
407 Mobile Homes
408 Duplexes
410 Flats
412 Townhouses/Condominiums
413 Time Share
414 Southern Rentals
415 Vacation Rentals
416 Halls
417 Businesses to Exchange
418 Mobile Home Space
420 Rooms
421 Living Quarters to Share

600 Personals
601 Wedding Chapels
602 Lost & Found (by the word)
603 Health, Nutrition, Weight Loss
604 Announcements/Meetings/Seminars
606 Legal Notices
607 Insurance
608 Transportation/Travel