

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 and Shakers, Observer & Eccentric Newspapers, 36251 Schoolcraft, Livonia, 48150. Our fax number is (313)-591-7279

Dawkins wins honor



Joan Dawkins, an associate broker with RE/MAX on the trail in Plymouth, has earned the professional designation of Graduate Realtors Institute.

Dawkins, a multi-million dollar sales producer, also has acquired the designation of Certified Buyer Representative. She lives in Wayne.

Joins Century 21



Margie Duncan has joined the Century 21 Town & Country Birmingham office as a sales associate. Duncan, who also lives in that community and is a residential specialist in the Birmingham/Bloomfield area, has earned degrees from Central Michigan University and Oakland University.

Owns mortgage firm



Shahnaz Bailled is the owner of Approved Mortgages in Canton. The company specializes in residential mortgages including refinancing, new home purchases and poor credit situations.

Bailled, a Central Michigan University graduate, previously was business development manager of Traxex Financial and an auditor with Cooper & Lybrand.

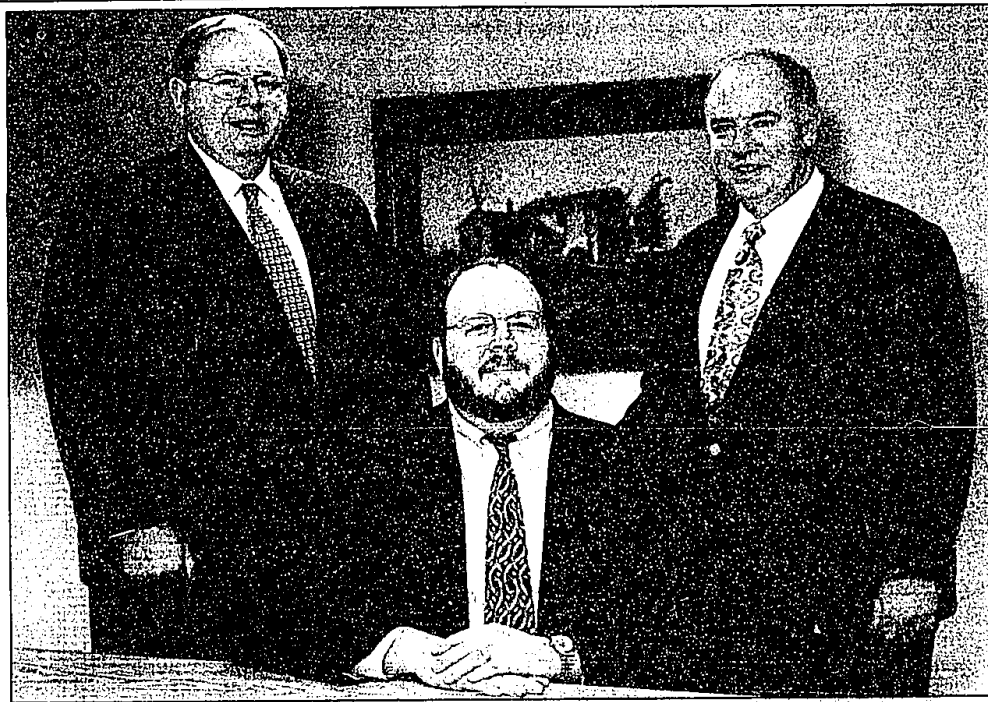
Realtor trains

Nancy J. Howell, a Realtor with ERA Home & Land in Rochester Hills, has received the designation of Leadership Training Graduate through the Women's Council of Realtors.

Howell also has acquired the GRI designation.

REAL ESTATE

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New leaders: Incoming presidents of area realty boards include Larry Martin, left, Western Wayne Oakland County Association of Realtors, James M. Newton, North Oakland County Board of Realtors, and Robert J. Corbett, Birmingham Bloomfield Rochester South Oakland Association of Realtors.

New leaders answer old questions

BY DOUG FUNKE
STAFF WRITER

What's the biggest mistake most people make when buying or selling a house?

Who better to respond than incoming presidents of the three real estate boards (professional associations) that serve the Observer & Eccentric coverage area.

Larry Martin, director of training for Romeria of Michigan, will head the Western Wayne Oakland County Association of Realtors.

"The biggest mistake buyers make is they don't buy the house when they see it," he said. "They see too many houses. If you see what you like, buy it."

"The biggest problem most sellers have is they don't clean the house up," Martin added. "If they spend a little time and just do minor things ... they'll get maximum value."

Robert J. Corbett, an associate broker with Century 21 Campbell in Madison Heights, will lead the Birmingham Bloomfield Rochester South Oakland Association of Realtors.

"For buyers, the biggest mistake is they don't take the time up front to get mortgage preparation out of the way, pre-approval," he said. "Buyers

very often will underestimate or overestimate their buying power without pre-approval.

"Sellers too often listen to uninformed opinion about pricing from friends, a neighbor, and when a Realtor comes in with hard, cold facts, they're not willing to listen," Corbett said.

James M. Newton, vice president of appraisal operations for Standard Federal Bank in Troy, takes over the reigns at the North Oakland County Board of Realtors.

"It's the same thing — not using the services of a professional Realtor," he said. "The typical transaction isn't done every day by the average consumer. Most buyers and sellers will have a much better experience if a Realtor is used."

The three incoming board presidents bring an aggregate of more than 60 years experience in sales or support services to the real estate business.

"The biggest charge for me is the different personalities you get to meet," Corbett said. "In real estate, you trade one boss for a couple dozen bosses. It's a parade of personalities." "It's ever changing," Newton said.

"Every transaction brings new people and challenges."

"In 1989, the average agent sold 12 to 20 houses," Martin said. "Now, agents sell 50, 100. A couple in our market approach 200 sales. I don't know how they even find time to make 200 appointments. I get a charge seeing these people go above average."

The business has changed in many other ways, too, and will continue to do so. Computers, faxes and cellular phones have virtually replaced listing books and transporting purchase offers by car.

"The big challenge for me ... is to enhance opportunity for agents to do business ... and, at the same time, bring them to the year 2000 with new technology," Newton said.

Corbett sees a similar challenge. "Introduce agents how to exploit the Internet for marketing," he said. "A majority of agents probably aren't as comfortable with computers."

"Most of our agents are trying to figure out a way to get a page on the World Wide Web," Martin said. "The ones trying to learn how to do that will be very successful. Those that put their heads in the sand will find

it very difficult to compete." The reputation of Realtors as a group has experienced a renaissance in recent years, the incoming association presidents agree.

"I don't think it hurt that Realtors took the lead on sellers' disclosure, agency disclosure," Corbett said. "We were cooperative and very supportive on lead-based paint. We wore an easy sale. Many of us have kids and we were sensitive to that."

"We've had to become more professional and I believe we have," Martin said. "Plus, I think our customers are smarter. Any nine-year-old kid can find any house for sale on the computer and tell mom and dad, 'This is where we should be living.'"

"The professional Realtor does all the paper processing, the negotiating and usually helps them attain a mortgage," Martin said.

Newton picks up on that theme. "Local, state and national associations and boards have done a lot to enhance professionalism and help bolster the reputation of Realtors," he said. "Realtors have the opportunity to attain designations — education, classes — and these are, in turn, promoted to the general public."

What an association's insurance should cover

REAL ESTATE QUERIES



ROBERT M. MEISNER

Q. I am a member of a board of directors and our association's insurance company is now balking at indemnifying the association in a lawsuit in which the directors and the association have been sued for mismanagement.

They have even threatened not to come in and defend the action, and we are extremely upset since we have been paying a high premium and had an insurance agent who represented himself to be an expert in condominium representation so as to protect our interests. What is the insurance company's duty?

A. Obviously, the insurance company's duty to defend depends, in part, upon the nature of the policy that you have obtained from it and the nature of the lawsuit that was filed against the association and the directors.

Keep in mind that an insurer's duty to defend dif-

fers from the duty to provide coverage and extends even to non-meritorious claims where those claims allege theories of recovery that fall within the insurance policy.

The insurer owes the duty to defend until such time as the insurer has confined the claim against the insured, namely the association, to those theories that the policy would not cover; any doubt regarding whether an allegation comes within the scope of the policy must be resolved in the insured's favor.

I would immediately consult with counsel for the association, who is not tied in with the insurance company, to provide you with an analysis of your situation.

Q. My supervisor told me that I could have my old job back if the new one in the same company did not work out. I went to the new job and was later fired. I was also told that my job performance would be reviewed on a monthly basis. Do I have any basis for a claim for wrongful discharge?

A. More than likely you do, based upon a recent

Michigan Court of Appeals decision. The court, based on facts like those you have stated, indicated that when an employee is told orally that "he can return to his old job if his new job did not work out," and as long as he remained the kind of employee that he was, he would have a job.

The court indicated that that was sufficient for a jury to find that the plaintiff could not be discharged without just cause.

In that case, as well as yours, the employer had also stated in writing that the employee would be reviewed monthly. In effect, the court was saying that the employer had created a "promise implied in fact" of employment security.

Robert M. Meisner is an Oakland County area attorney concentrating his practice in the areas of condominiums, real estate, corporate law and litigation. You are invited to submit topics that 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 MI 48025. This column provides general information and should not be construed as legal opinion.

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