

REview



COMING UP

LANCERS HOCKEY NIGHT

February 1; 5:30 pm - 9:30 pm
Ralston Arena

NEW MEMBER ORIENTATION

February 5; 8:00 am - 5:00 pm
OABR Education Center

MLS USERS GROUP

February 6; 10:00 am - 11:00 am
OABR Education Center

PAST PRESIDENTS COMMITTEE

February 11; 11:30 am - 1:30 pm
OABR Boardroom

DIVERSITY COMMITTEE

February 12; 11:00 am - 12:00 pm
OABR Boardroom

OABR CHILI COOK-OFF

February 13; 11:00 am - 1:00 pm
OABR Education Center

YPN ADVISORY BOARD

February 14; 1:30 pm - 2:30 pm
OABR Boardroom

GOVERNMENTAL AFFAIRS

February 20; 10:00 am - 11:00 am
OABR Boardroom

Landlord Registries and Inspections

Perre Neilan, Governmental Affairs Director of OABR

REALTORS® believe that every individual should have the opportunity to live in safe and decent housing; similarly, the REALTOR® organization does not advocate for the ownership of sub-standard, unsafe housing. To the contrary, The Omaha Area Board of REALTORS® supports the timely enforcement of existing building codes – especially when related to the health and safety of local residents.

These words come directly from existing OABR public policy. And they are directly on point with the situation we have seen at Yale Park Apartments.

On Sept. 20, armed with a search warrant and housing complaints from dozens of tenants, Omaha city inspectors swarmed the property. They found gas leaks, mold, bedbugs, ceiling holes and other conditions that led the city to declare all 100 units uninhabitable. 92 former tenants have filed a lawsuit against the landlord seeking security deposits, rent refunds and other damages.

Omaha City Councilman Pete Festersen is leading a subcommittee of fellow council members to review new options to try to address any other or future situations like the conditions described at Yale Park.

Omaha Sen. Justin Wayne doesn't think the City of Omaha is moving quickly enough and has introduced legislation at the capitol in Lincoln to require both a landlord registry and an inspection of all 79,000 rental units in Omaha every three years. **OABR and the Nebraska REALTORS® Association believe this is an overreaction.**

Continued on Page 4



FEBRUARY 2019

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Read the REview online!

OmahaREALTORS.com/review-newsletter

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A MESSAGE FROM THE PRESIDENT

Doug Dohse, 2019 President



STAY INFORMED & GET INVOLVED!

H

ope your year is off to a great start! We have several great upcoming OABR events to help engage, educate and enlighten you!

Meet new friends and hit your network! On February 12, **Wake Up YPN**, a morning coffee-program aimed at the under-40 crowd and young-at-heart members; then on February 13, attend the **Annual Chili Cook-Off** which is a great event where you can eat-and-run as part of your busy day.

Bill Swanson and I will be giving a review of new laws proposed in the 2019 Nebraska Legislature as part of the **Women's Council, Omaha Network Breakfast** on February 21.

The Education Committee is presenting **Arbitration & Mediation in a Nutshell** at 1:00 p.m. on February 21. Expand your understanding of the arbitration and mediation process! Also watch for additional education and professional development opportunities from the Education Committee, coming soon!

REcharge! April 4

The REcharge! team is busy finalizing details for this new OABR event. This will be a full day of education, motivation and industry-related knowledge that will help take your business not just to the next level, but the level after that. We guarantee you will leave this event entertained, educated, and fully charged! Registration opens soon!

As always, there is a great deal of education and networking beyond our local programming:

The Nebraska REALTORS® Association will host their **Annual Convention** April 15-17 at the Embassy Suites in La Vista.

The National Association of REALTORS® has a **Broker Summit** April 2, eight different Tech Edge events scattered from March to October, the Legislative Meetings in May, and the **Conference & Expo** in November. These are all great investments on behalf of your business!

Please add these dates to your calendar. If you have questions about any of these meetings and events, please do not hesitate to ask. These are all great learning experiences!

Today's Call for Action - Important!

Most importantly, check your email and read the front-page article written by our Governmental Affairs Director Perre Neilan. He breaks down recent activity on LB85, an ineffective and costly bill which involves a landlord registry and mandatory inspections of all rental properties. Please participate in the REALTORS® Call for Action to defeat this bill which in our opinion will make local government larger and create upward pressure on property taxes. Never miss a REALTOR® Call for Action, by texting "realtors" to 30644. To see the full, OABR position, go to: <https://www.omaharealtors.com/govt-affairs-advocacy>.

Doug

Continued from Page 1

The conditions described at Yale Park are unacceptable. However, the registry and three year rolling inspection is unworkable and unrealistic. The City of Omaha estimated a price tag of \$3 - \$4 million.

We are opposing the bill by Sen. Wayne and have offered solutions such as tenant education and higher fines for violations. The city needs to make sure they are enforcing existing law against bad actors before all landlords are burdened with a new, expensive and cumbersome solution.

A Call for Action was sent to you from the Nebraska Association of REALTORS® and OABR on January 30 and 31 in email form. If you did not receive these emails, contact OABR and we will resend the information.

For more info on this statewide Call To Action

Contact Jeff Hebb at 402-323-6507 or
Jeff@NebraskaREALTORS.com

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Nebraska REALTORS® - Prioritized Legislation 1-30-2019



The Nebraska REALTORS® Association met this week and reviewed newly introduced legislation and continues to monitor many bills as they impact the real estate industry and private property ownership. Nearly 700 bills were introduced during the first few days of the 90-day 2019 session.

LB 85 (Wayne) Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class – **OPPOSE**

LB 186 (Lindstrom) Adopt the Online Notary Public Act – *Support*

LB 172 (Pansing Brooks) Change provisions relating to cofiduciaries, payable on death accounts, and competency for person eighteen years of age or older entering into certain financial agreements – *Support*

LB 314 (Briese) Adopt the Remote Seller Sales Tax Collection Act and change revenue and taxation provisions – **OPPOSE**

LB 384 (Walz) Change certain education requirements under the Nebraska Real Estate License Act – *Support*

LB 393 (Groene) Increase the documentary stamp tax – **OPPOSE**

LB 454 (Clements) Eliminate a high school diploma or equivalent requirement for real estate license – **OPPOSE**

LB 507 (Briese) Impose sales tax on certain services and eliminate sales tax exemptions – **OPPOSE**

LB 553 (Clements) Require reasonable accommodation for a person with a disability to have an assistance animal in a dwelling as prescribed – *Support*

LB 627 (Pansing Brooks) Prohibit discrimination based upon sexual orientation and gender identity – *Support*

LB 653 (Wayne) Adopt the Healthy Kids Act and require tests for lead-based hazards in housing – **OPPOSE**

LB 689 (Cavanaugh) Prohibit discrimination by a seller or landlord on the basis of sexual orientation, gender identity, or citizenship status in any real estate transaction or lease – *Support*

LB 737 (Vargas) Change requirements for an annual status report relating to the Affordable Housing Trust Fund – *Support*

Questions about the legislative process?

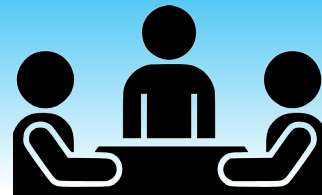
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A HISTORY OF DISRUPTION, A FUTURE OF CHANGE

BY STEVE MURRAY, PRESIDENT REAL TRENDS

Every news report you see includes the buzzword disruptor. The truth is that innovators and entrepreneurs have continually disrupted the industry. Let's take a walk down memory lane:

October 1977. Merrill Lynch, then the most powerful firm on Wall Street, announces to a private gathering of 50+ of the top independent brokerage firms that it's entering the residential brokerage business to offer full, one-stop shopping to American consumers. It announces it will do so by acquiring the same residential brokerage firms sitting in the room. Panic ensues.

Fall 1981. Sears announced that it would purchase the 80+ percent of shares of Coldwell Banker that it did not already own. Sears says it would also offer one-stop shopping of housing-related financial services to consumers. It opens Coldwell Banker offices in many Sears stores. Sears also later acquires a retail stock brokerage business to complete its consumer financial services. Panic again ensues for residential brokerage firms across the country.

1983. This is the year that Intercommunity Relocation, one of the nation's largest networks of independent residential brokerage firms, was acquired by Equitable Relocation Management, then one of the nation's largest relocation management firms. They formed Equitable Realty Network. The network (and relocation business) was sold again in 1987 to Travelers Insurance, which shortly after that traded these assets to General Electric (GE). GE sold the network back to many of the same independent brokerage firms that had sold it to Equitable just eight or nine years before.

August 1985. Metropolitan Life Insurance announced that it would extend its consumer financial services reach by acquiring Century 21 Real Estate.

August 1989. After spinning off its residential brokerage arm, Merrill Lynch Realty, to a separate entity, Merrill Lynch sells the entity to Prudential to help Pru's franchise arm achieve its growth plans in residential brokerage, which it could not achieve organically.

1993. Sears announced it would sell Coldwell Banker Residential Real Estate to investment firm Fremont Group and a group of top executives. Fremont would go on to sell Coldwell Banker to HFS (today's Realogy) for nearly triple what it had paid Sears just three years before.

1995. Metropolitan Life sold Century 21 to HFS (today's Realogy).

Think today's froth of new entries is incredible to watch? Think that the brokerage industry is under attack from outsiders with substantial capital and that's something new? As these historical events show, this is not the first time it's happened. And, it won't be the last.



Today's Well-capitalized Entries

Are today's new well-capitalized entries different? Yes, to some extent, but today's new competitors have the same goals as those listed above. The goal was the consolidation of a fragmented, under-capitalized industry, to improve the customer experience in buying and selling homes, and to cross-sell related services to American homebuyers and sellers. Oh, and to improve the profitability of the brokerage business in doing so.

Now, substitute Zillow, iBuyers, Compass, eXp, and others for Merrill Lynch, Sears, Metropolitan Life, Realogy, and Berkshire Hathaway HomeServices. Improve the consumer experience in buying and selling homes. Consolidate market share among participants. Raise the profit margins for business enterprise. Sounds familiar, doesn't it?

We don't say that today's entrants are the same as those in the past, or that they will end up in the same position as some of these giants did in the past. Their approaches are different, and these are different times. Clearly, the internet has changed almost everything. But we note again, which we have in these pages before, that the underlying relationships between housing consumer and agent, and the agent and their brokerage, and the brokerage and the consumer have not changed all that much—yet.

DESIGNATIONS

Congratulations on earning your professional designation!

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 Suzanne Reed with eXp Realty LLC
 Carol Kaufman with NP Dodge Real Estate
 Milton Schneider with Nebraska Realty
 Christopher Rock with Nebraska Realty
 Dixie TenEyck with RE/MAX Results

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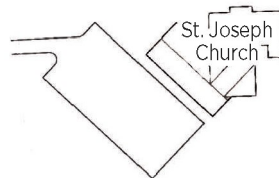
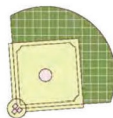
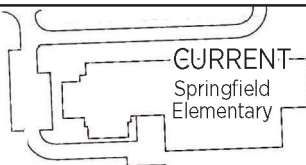


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PERSONALS

Congratulations to **Duane Safarik** of NP Dodge for being named president of the Greater Bellevue Area of Commerce.

Congratulations to **Chris Rock** on being appointed to the Municipal Landbank Board of Directors – City of Omaha.

Congratulations to **Susan Clark** on being elected to the Douglas County Planning Commission.

Condolences to **Suzi Mack-Modlin** with NP Dodge on the recent loss of her mother.

THANK YOU!

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Wendy Walker, Cobalt Credit Union
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DECEMBER ACTIVITY	MO.	YTD
New REALTOR® Members	6	444
Reinstated REALTOR® Members	2	39
Resignations	36	465

OABR - Dec 1	2018	2017
Designated REALTORS®	200	200
REALTOR®	2527	2446
REALTOR® Emeritus	67	53
TOTAL REALTORS®	2794	2699
Institute Affiliate	67	64
Affiliate	361	423

GPRMLS - Dec 1	2018	2017
Participants (OABR)	195	193
Participants (MLS only)	79	70
Subscribers (OABR)	2553	2454
Subscribers (MLS only)	254	229
TOTAL	3081	2946

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with the Education Forum
2nd Wednesday of the Month

REact

with the Diversity Committee
2nd Tuesday of the Month

REpresent

with the Governmental Affairs Committee
3rd Wednesday of the Month

REmix

with the Social Events Forum
2nd Wednesday of the Month

RElocate

with the MLS Users Group
2nd Wednesday of the Month

RElate

with the Young Professionals Network
2nd Thursday of the Month

NAR JOINS AMICUS IN AHP LITIGATION

NAR continues to fight for more affordable health insurance options for members and their families, including through association health plans (AHPs). Today, as one of the founding members of the Coalition to Protect and Promote Association Health Plans, NAR joined and filed an amicus brief in support of the Department of Labor's (DOL) regulation expanding access to AHPs in the U.S. District Court for the District of Columbia.

In this case, twelve attorney generals (AGs) filed suit against DOL challenging the Association Health Plan (AHP) rule issued in June. The state AG's include New York, Massachusetts, California, Delaware, Kentucky, Maryland, New Jersey, Oregon, Pennsylvania, Virginia and Washington, plus D.C. The lawsuit challenges DOL's redefinition of "employer" under the Employee Retirement Income Security Act (ERISA), which the AGs argue is unprecedented and in violation of the Administrative Procedures Act (APA). The AGs further allege harm imposed by the rule related to state

insurance market destabilization and increased fraud and abuse by insurers, among other concerns.

The Coalition argues that DOL is entitled to deference because the law is itself ambiguous, which allows DOL to act upon its Congressional authority to interpret ambiguous statutory terms. Furthermore, the interpretation of ERISA was well reasoned and occurred through the proper notice-and-comment procedures under the APA. To counter the AG arguments, the brief also describes the comprehensiveness of AHP coverage, the substantial federal and state oversight over the plans to protect against fraud and abuse, and the fallacies of market destabilization concerns.

Oral arguments in the case are scheduled for late January, which NAR continues to closely monitor and will provide updates. For more information on NAR's advocacy efforts, please visit the health care reform topic page.

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AFFILIATE SPOTLIGHT

UNDERSTANDING THE INSURANCE CLAIMS PROCESS

BY LOU BOZAK, PAUL DAVIS RESTORATION



The experience of dealing with damage to your home or business can be traumatic. Filing an insurance claim is a key part of the recovery process, but many people are unfamiliar with how the insurance claims process works. This guide will help you understand what is involved in filing an insurance claim.

The first step in submitting your claim is to contact either your agent or a representative of your insurance company. With most companies, this may be done via telephone or online. You can always speak with the agent who sold you your policy for guidance, or they may be able to submit a claim on your behalf. To file a claim yourself, look on your policy for a phone number or website. Your insurance company may also have a mobile app for filing claims.

- Once a claim has been filed, a claim number will be assigned by the insurer. In most cases, they will also assign a claim representative. Most claims are adjusted based on photos and documents, with or without a contractor's involvement. Some companies have field adjusters who will visit your home to inspect the damage; others may use independent adjusting firms.
- For emergency situations, prompt attention is critical to stop the damage from getting worse. One of the most important things to understand about your policy is that it is your obligation to prevent any further damage from

occurring. In these circumstances you should report your claim promptly, contact an experienced restoration contractor, and keep track of expenditures. Knowing your policy, claim number and self-pay amounts will help expedite the process.

- It is important to use a qualified restoration contractor who understands the claims process and can prepare a detailed estimate.
- Depending upon the severity of the damage, contractor availability and your insurance company's claims handling processes, your claim may take anywhere from a few days to several weeks to settle. In emergency situations, some work can begin while estimating is in progress.
- In many cases, your insurance company will pay the restoration contractor directly for the work. If your name is included on the insurance check, you will be asked to endorse the check over to the contractor when the work is complete and you are satisfied with the outcome. In some cases, your mortgage company may also be included on the insurance check. If so, your assistance may be required to get an endorsement from your mortgage company. You may be responsible for paying a portion of the loss, which in most cases may be due to the contractor at the time work is started. The amount can be found on your insurance policy.



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January Meeting attendance

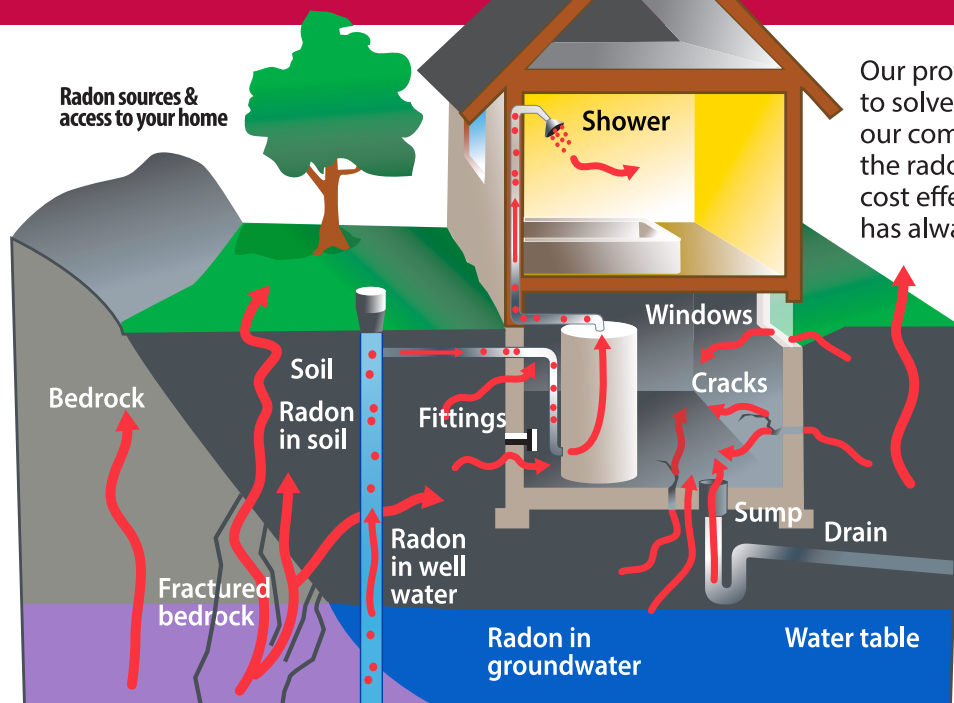
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Up until now, the internet has been organized into a handful of generic top-level domains (TLDs, or gTLDs) which were limited to three letters — .com, .org, .gov, .net, .biz, .edu, and so on. Until recently, the list of TLDs stood at 22 extensions.

In early 2011, the Internet Corporation for Assigned Names and Numbers (ICANN), the international authority over top-level domain names, approved the expansion of the number of generic top-level domains (gTLDs), which included allowing companies and organizations to create domains for their brands. NAR has been following this initiative since ICANN first began considering the introduction of a new round of gTLDs in 2005.

To make it easier for home buyers, sellers and investors to locate a trusted valued source of real estate information, resources and services online, NAR has secured the branded .realtor top-level domain (TLD) as an alternative to the commonly used .com and .org. NAR believes the new domain name creates a more positive experience for consumers who are seeking expert information and services and want to ensure they are working with a REALTOR®, a real estate professional committed to abide by a strict Code of Ethics. Given the internet's convenience and round-the-clock accessibility, REALTORS® know that every year a growing number of consumers turn to the internet as a source of information. According to NAR research, nearly nine out of 10 recent buyers used the internet in their home search process.

"Over time, more and more stations targeting specific verticals or industries came along, and now you can pretty much find a channel for almost any niche such as 24/7 news, fashion, food, homes, or even golf," Matthew Embrescia, President of Second Generation, says.

During the late 1990's while Matthew was working in broadcasting on the west coast, he had a front row seat to the online startup business bubble—and subsequently the dot com boom. Savvy and attuned to the broadcast industry's shift to cater to more distinct audiences, Matthew saw scalable potential in the top-level domain (TLD) industry.

"We knew the same thing that happened with radio and television stations would happen with the TLD industry," Matthew says. "There's no real specific meaning or intent behind 'com,' so you'll start to see web addresses that will have specific endings—TLDs that will mean

something and will cater towards specific niches, verticals or industries, just like .edu does for education or .realtor™ does for REALTORS®."

To solidify their new venture in the TLD space, Second Generation worked closely with the Internet Corporation for Assigned Names and Numbers (ICANN)—the organization who coordinates domains and IP addresses for the internet—and secured the TLD .jobs when ICANN first pushed for a top-level domain expansion in 2003.

They continued to think about other verticals, and one of the next industries and business models that made the most sense to invest in was real estate. In 2012, they joined forces with the National Association of REALTORS® (NAR), and secured the TLDs .realtor™ and .realestate.

"The partnership between us and the National Association of REALTORS® (NAR) is a true collaboration," Matthew says. "Second Generation brought the expertise in licensing and working with ICANN in the TLD space, and NAR brings their expertise in real estate and membership—understanding what's important to their members."

And a sound strategy delivers. During the most recent ICANN61 conference this past March, .realtor™ proved to be exactly what ICANN envisioned when they set out to help information be shared online in a more meaningful way. Matthew was "continually questioned by other people" about how "the .realtor™ launch—and the .realtor™ TLD—[became such a] poster child for success."

"Other people wanted to understand what it was we did and how we did it, in hopes to potentially replicate that for their own business," Matthew says. With NAR's two top-level domains, .realtor™ and the newly launched .realestate, being a part of NAR's new Strategic Business Innovation, and Technology group, Second Generation's partnership with NAR is sure to continue to shape members' ability to best build their business in the digital age.

"We understand what it's like to go out and try to grow your business every day," Matthew says. "And having an online presence is not only important, but critical today to be in business." Visit get.realtor and get.realestate to learn more about the .realtor™ and .realestate top-level domains.

9 RPR APP FEATURES TO INCREASE YOUR PRODUCTIVITY IN THE NEW YEAR

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You know that thrill you get when you come across a tip or trick that helps make your app experience just a tad more efficient? Like pressing the app button for a shortcut to a favorite feature, or swiping to the left to quickly save for later. Every app has tricks of the trade, yet for some reason, they don't always appear magically on our radar. This post will give you 9 tips to make sure your next experience with the RPR app is a productive one.

1) Build a CMA on the go

When the need arises for a CMA when you're away from the computer, turn to your RPR app. From any Property Details screen, choose Create Comps Analysis to launch an express, four-step wizard that will walk you through confirmation of the home's facts, selecting comps, and identifying price. The completion of step #4 will generate the Seller's Report.

2) Save properties for quick access later

Your activity is always in-sync between the RPR website and mobile app. Which means when you save a property using the website, you can see that same property in your saved items by way of the app. This makes it a snap to recall key properties quickly. Try it for yourself.

3) Tap in list view for shortcuts

Next time you're in the RPR app and see a list of properties, try tapping the button in the right corner of any property to reveal shortcuts for saving the property, calling the listing agent, adding notes, and creating reports.

4) Zoom to parcel level when canvassing a neighborhood

The RPR app can display every home in the neighborhood on a map. Press Locate Me at the top of the app, then pinch and zoom the map to street level and press Redo Search in this Area. Pins over the properties should now appear. Each pin displays the Realtor Valuation Model® (RVM®). Press a pin to reveal home and owner information.

5) Send report by text message

Many consumers prefer communication by text message when appropriate. For agents, the benefit is clear; text messages are simple and have very high open rates. Next time you create an RPR report, use the app's Share button to text a digital copy of the RPR report to your client. The link will be active for 30 days.

6) Buyer Tour Report for mobile

RPR's Buyer Tour Report, found in the RPR app, will make an agent's life a little easier and give buyers a supersized impression of his/her REALTOR'S® skill set. Simple in nature but comprehensive all the same, the new report enables agents to select properties, determine the order with which to tour them, and then the ability to create a colorful, client-friendly report to share with buyers.

7) 3D Touch shortcuts

Next time you are standing outside a property you're about to search, press and hold the RPR app icon to display a shortcut with buttons to This Property, My Listings, Recent Reports, Saved Searches and Share. Then choose This Property. This is an example of RPR's new 3D Touch functionality available on qualified OS versions (iOS10 and above [Phone 6s and newer] and Android 7.1 and above).

8) Advanced search

Need to dig a little deeper on a particular property? Swipe the RPR app's home screen and the Search screen will appear. Press Advanced Search to access recent searches, saved searches, and advanced search types such as by APN, owner name, schools, or even your own listings.

9) Full screen photos

If photos displayed on the app's Property Details page aren't large enough for your comfort level, try holding your phone in landscape mode. That will make the photo go fullscreen. Then simply rotate back and the property record appears again.



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Let's be Honest with Buyers



By Steve Vacha
President

Many moons ago when I was a high school educator, a popular expression with us teachers was, "They will walk through the doors of your expectations".

Home buyers' expectations are shaped by the people, including agents, lenders and home inspectors that they are working with during the home-buying process. If an agent tells their client, "Your home inspection will detail each and every imperfections of the house", then the buyer expects to have an extensive list of problems. They may also expect to have that list fully addressed before they take possession. This can be a recipe for complications.

Describing a home inspection as a way to protect against major structural and safety concerns is a much better and honest way of setting expectations for

what a home inspection is.

I like to point out to my clients that virtually every home has minor irregularities and maintenance needs, "Even mine, just ask my wife." What we are trying to do is to help the client focus on the big picture, the true value of the home, and not to get caught up with incidentals. We all know of sales that went south due to minor issues that caused conflict between the buyer and seller.

During a recent inspection on a 30-year-old house there were some 30-year-old-house-type maintenance issues, including a toilet that needed a new wax ring, and a dishwasher that was noisy. There were also some safety items including a jumper wire present at each outlet providing a false ground. A gas fireplace recently had a new damper installed at the top of the chimney which sealed very tightly when pulled shut with the chain that hangs down the inside of the chimney. While this is a good design for a wood burning fireplace, it is a real safety



concern when gas is introduced (if the gas is accidentally left on or has even a minor leak, the chimney would fill with gas and literally create a bomb). After the walkthrough with the client, the minor maintenance issues were major sticking points for them. If their expectations prior to the inspection were to focus on the safety concerns they would have had an easier time doing that.

I suggest being honest with buyers by telling them maintenance is a part of home ownership. What the inspection is for is to help find any major structural or safety items. This information will help a buyer to make good decisions. Setting the proper expectations of what a home inspection is will help more houses sell and keep clients protected.



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