



APRIL 2021

REview



COMING UP

DIVERSITY COMMITTEE

April 6; 11:00 am

MLS USERS GROUP

April 7; 10:00 am

YPN COMMITTEE

April 8; 1:30 pm

CODE OF ETHICS TRAINING COURSE

April 9; 8:30 am

RPAC FUNDRAISING TASK FORCE

April 12; 2:30 pm

SOCIAL EVENTS COMMITTEE

April 14; 10:00 am

OABR FOUNDATION COMMITTEE

April 14; 1:30 pm

REALTOR® SAFETY TASK FORCE

April 15; 2:00 pm

AFFILIATES COUNCIL

April 20; 9:00 am

GOVERNMENTAL AFFAIRS

April 21; 10:00 am

OABR DIRECTORS MEETING

April 28; 9:00 am

FAIR HOUSING VIOLATIONS

HIGH RISK FOR YOUR BUSINESS

Some real estate brokers and property managers have described a violation of the Fair Housing Act as the single most significant financial risk to their real estate business. And they may be right!

On top of that, a fair housing violation may have little to do with your intent. In the REALTOR® organization, we might hear a member boast that they never discriminate and therefore they have no worries about fair housing. However, under the Fair Housing Act, violations may not be so apparent and often do not involve blatant discrimination. Fair housing laws can reach beyond intent and often have more to do with equal professional service than a pronounced bias.

POTENTIAL PENALTIES

Real estate professionals understand the Federal Fair Housing Act outlaws discrimination against people looking to buy or rent a home based on seven protected classes: race, color, national origin, religion, sex, disability, and familial status. Nebraska law adds ancestry as a protected class in their substantially-equivalent law. Each state or local jurisdiction may also add protections in addition to those already contained in federal law. Fair Housing laws serve to protect those adversely impacted in their ability to purchase or rent housing.

Penalties for violations vary based on the case and the route of prosecution. HUD uses an Administrative Law process, or it can be an action in District, State, or Federal court. Regardless, being the respondent to a Fair Housing complaint is a financial burden. First, you need a lawyer. Even if you think the case is frivolous, you need professional help. Also, if you are found to be in violation, the penalties can be severe and include large monetary penalties and even the loss of your license.

- A complainant may be awarded compensatory damages that could include out-of-pocket expenses while finding alternative housing, rent fees associated with alternative accommodation, and legal fees to process the claim. Additional damages for mental anguish and psychological injuries are also possible.

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APRIL 2021

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Read the REview online!

OmahaREALTORS.com/news

A MESSAGE FROM THE PRESIDENT

Bill Swanson, 2021 President



DON'T TAKE A FAKE WIFE TO YOUR CLOSING...

Every time a new agent asks for general advice on our business, I always include the following: Start a Journal. This business is so wonderfully crazy and unexpected, you just HAVE to write things down or you won't remember them years later. Here are a few of the many that I have witnessed over the years...

I once sold a house I affectionately called the patriotic house because every room was red, white, and blue. The buyer had a prestigious job at a large local railroad company and his loan application went fine, or so we thought. This was before loan officers ran full credit checks and did just 'preliminary qualifications' with income, debts, and job history. One of the questions asked was "Mr Smith, do you pay child support?" to which Mr. Smith answered "No." Fast forward a week when the full credit report came in and he was over \$30,000 behind in back child support payments. The loan officer called him on the phone and was told the following: "Mr. Larsen, you asked me if I PAID child support, not if I was supposed to pay it. I don't pay it!" You just cannot make this stuff up!

Same question, a couple of years later with a young couple in the loan officer's office when the following question was posed: "Are you obligated to pay child support?" He nodded yes while she nodded no... Turns out there was a little junior running around that he failed to disclose to Mrs. Buyer... They stepped out into the hall to have a discussion and never came back in... and never returned my calls. Imagine that...

Before the internet, we had big thick MLS books that came out biweekly with all the active listings in them. The MLS office took one exterior photo of each home to display with the house data. One of the agents in the office had taken a client out to lunch whose house he had just listed. When they got back, the MLS books had just arrived. Don said, "Hey Charlie, I think your house should be in this issue." So, they thumbed through the book and lo and behold 'Charlie's house' was in there. Upon further inspection, Charlie said "Hey, what's my boss's car doing in MY driveway?" Turns out, Charlie's wife and boss had a little something going on. Apparently, the boss would make sure 'Charlie' was busy on projects in the office for several hours at a time. Busted!

A few years ago, title companies would offer to put the buyers closing docs on a CD for them to keep in case they lost their paperwork. As this closing wrapped up, the title officer asked the buyer if she wanted her closing docs on a CD. The buyer looked puzzled and shook her head no. In the parking lot, she asked me if a lot of buyers got their closing paperwork on a CD. I answered yes, a good portion do. To which she replied "What do they do? Listen to them in their cars?" I was able to keep a straight face and said "No, most just put it in a safe at home".

My friend Ralph Marasco presented a lowball offer once. The seller very calmly picked up the offer, disappeared into his office, and came back with a gallon baggie full of shredded paper. He handed it to Ralph and said, "Here you go, this is what I think of that offer. Please deliver it to their agent." We had many laughs about that one.

My first year in the business, I met a builder who built two almost-identical houses right next to each other. He listed one with me. I was so excited to have a builder... until my first open house. He started drinking early that morning and ended up putting a FSBO sign in the house next door and as my visitors left my open, he would drunkenly yell at them "Hey! C'Mere... same house... C'mere and save the commission!"

And finally... Don't take a fake wife to closing. I had sold an investment property to this buyer years ago. When the title department was preparing the closing paperwork, they discovered the buyer was married. They called him and told him he would have to bring his wife to closing for signatures. He arrived at closing with his wife, getting ready to sign all the docs. The loan officer, Ted, then asked them for photo ID to verify their identities. She said she forgot her purse at home. Ted said, "No problem, run home and get it and we'll get back together in an hour." What followed was several minutes of eerie silence until the buyer finally fessed up and said, "Um, this isn't my wife." So away they went and an hour later he did indeed bring his 'real' wife to closing, not his girlfriend. But here's the kicker, it was the wife's idea not to come. She told him she was too busy and wanted him to take his girlfriend instead...

I literally could write dozens more pages of absurdities that I've encountered in my 30+ years in this awesome wonderful business. I am sure that you have stories of your own too, no matter how long you have been licensed. So please, heed my advice... start a journal!

Bill



Earn the
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passport to professionalism

qualifications

**Nebraska REALTORS® Association
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Attend 2 OABR Social Events

1 _____
2 _____

Attend RPAC Presentation

(Must be approved by Doug Dohse or Bill Swanson)
doug.dohse@bhhsamb.com or bill.swanson@bhhsamb.com

_____ (Signature)

Attend 2 Education Courses

(Sponsored by the OABR Education Committee's OABR Academy)

1 _____
2 _____

Attend 2 Committee Meetings

(Diversity, Education, Governmental Affairs, RPAC, Safety, Social Events, YPN)

1 _____
2 _____

Name _____ Company _____ Phone _____

Deadline for Passport Submission is December 15, 2021. Qualifications for passport to be completed in the same year application submitted.

- After 2020 adjustments, maximum civil penalties may be levied up to \$21,410 for a first violation of the Fair Housing Act; \$53,524 if another violation occurred in the previous five years; and \$107,050 when two or more violations take place during the last seven years.
- In addition, punitive damages may also be awarded by federal courts. These are not damages to reimburse the complainant but instead damages to punish the wrongdoer where there is clear evidence of willful or malicious intent.

The best advice for real estate professionals is to avoid behavior that results in a possible violation and create uniform procedures when working with housing consumers. Be sure to methodically provide equal service to all – not only is it good business, but it may help you steer clear of a potential violation.

HOW A VIOLATION STARTS

Fair housing complaints originate from a fair housing watchdog group, a governmental agency like HUD, or a private individual or their lawyer. You can also have a claim brought against you when a fair housing organization sends “testers” into the marketplace looking for violations. If the organization concludes that an agent has violated the law, they can file a complaint or lawsuit.

Think you can detect when a potential customer is a tester? Think again. “Long Island Divided” is a Newsday Report published in November 2019 and is valuable reading for all real estate professionals. It summarizes a three-year investigation that resulted in an eye-opening report raising the awareness of real estate professionals across the country. The Report is an excellent example of fair housing testers in the marketplace; an interesting section of the Report explains its methodology – Google “Long Island Divided” to review the full Report.

DISPARATE IMPACT AND MLS

In 2015 the U.S. Supreme Court ruled that illegal housing discrimination can occur even without intent. Disparate impact refers to a policy or practice which negatively affects a protected class of people even if there is no discriminatory motive. The high court agreed that disparate impact occurs when another policy or action with less negative impact could have achieved the same legitimate goal.

The MLS recently adopted the Clear Cooperation Policy helping limit disparate impact when properties are not available to the entire market. Suppose the listing agent's favored customers and close friends are the only ones to know about properties in a desired neighborhood. In that case, buyers of a protected class may be on the outside with their opportunity blocked. It's not apparent discrimination and may not have been the intention of the listing agent. Still, the action's negative impact is that it denies housing to individuals of a protected class who were precluded from seeing the property or even knowing about it. The action has a disproportionate “adverse impact” against any protected group, and if there is no legitimate business need for the policy, it may produce a fair housing violation.

EQUAL SERVICE AND CONSISTENCY

Not providing equal professional service is a common violation that is also not always intentional. Think about some customer inquiries you had in the past. An email or a phone call may get a different reaction at two different times. This is where a consumer often gets the wrong impression.

An equal professional service model is a set of policies and procedures designed to help you provide the same level of service to all real estate consumers. The concept's principles were developed by NAR in the late 1980s and are still effective today. A helpful model will lead to consistent practices when you make initial contact with a consumer, gathering objective information about their needs, letting a potential customer set their own limits, offering them expanded choices, and keeping records with each customer. The key is consistent service, which is easier said than done. Real estate professionals will take a look at their practices to avoid an unintentional violation of the law.

Every year in April, the REALTOR® organization focuses on fair housing. Every day, REALTORS® need to focus on their consumer interactions and their understanding of the Fair Housing Act.

DIVERSITY CORNER

The Diversity Committee's goal is to be a leader in supporting and encouraging diversity, equity, and inclusion in real estate.

Recently, the National Association of REALTORS® has taken steps to strengthen its commitment to fair housing in the real estate industry. NAR would like to build upon the Fair Housing ACT! Plan (ACT = Accountability, Culture Change, and Training). In doing so, they have made available three different programs available to REALTORS® through their website: Fairhaven Fair Housing Simulation, Implicit Bias Training, and At Home With Diversity Class.

Completing these programs will help REALTORS® recognize stereotypes, override hidden biases, improve interactions with others, and learn how to effectively work with a diverse population in today's multicultural real estate market. The Diversity Committee encourages anyone interested to check out the NAR website and sign up.

The more we are at home with diversity, the more accepting we will be of ourselves and others.

Remember to always Pay It Forward!

Interested? Join Us!

Join us via Zoom for one of our monthly Diversity Committee meetings to see what we're all about!

Next Meeting: April 6 at 11:00 am



OMAHAREALTORS.COM/DIVERSITY

SUPRA KEYBOXES

reminder

Please remember to
order and pay for all
keyboxes in advance!

Thank you!



FOR MORE INFORMATION VISIT OMAHAREALTORS.COM/SUPRA

THE OABR DIRECTORS CHALLENGE YOU!

THE OABR DIRECTORS ARE CHALLENGING ALL MEMBERS TO
COMPLETE THREE TRAINING SESSIONS ON FAIR HOUSING.

- NAR's Fairhaven.realtor
- NAR's Implicit Bias Training Video
- At Home With Diversity (AHWD)



TAKE ON THE CHALLENGE!

[www.nar.realtor/national-leadership/
fair-housing-challenge-
stand-up-for-racial-equity](http://www.nar.realtor/national-leadership/fair-housing-challenge-stand-up-for-racial-equity)

ALL OF THESE OFFERINGS ARE AVAILABLE TO YOU AT NO COST. PLEASE FILL OUT THE CONFIRMATION FORM THAT YOU HAVE COMPLETED EACH TASK.

CROSSKEY PARK CLEANUP

SATURDAY, MAY 1ST, 2021
9:00 AM - 10:30 AM

OMAHAREALTORS.COM/CROSSKEY-CLEANUP

INSPECTOR SPOTLIGHT



Forrest Ruel
ASHI certified &
InterNachi certified
Home Inspector



Forrest has been with Home Standards since 2017 and has quickly become one of our most requested inspectors. We asked Forrest some questions:

Tell us about your family.

I have been married 27 years, have six children, 12 grandchildren, four great grandchildren, and two dogs (Auggie and Jax).

What do you like to do for relaxation or fun?

In my free time, I like camping and fishing with the family and friends. I also like watching a good movie.

How does your background or past experiences help you excel as a home inspector?

Working in the home and commercial industry with roofing installation and repair,

electrical, plumbing, building construction, remodeling, repairing of residential and Commercial Properties has given me a solid foundation of understanding of the building components and installation.

Being an ASHI and InterNachi certified inspector is a benefit for me professionally, by giving me the knowledge that keeps me sharp through the continued education. A home buyer benefits from knowing continued education is a strong part of the ability to perform a quality inspection.

What do you enjoy about home inspecting?

I really enjoy helping potential buyers make an informed decision based on the findings of the home inspection.



RECENT REVIEW

"I needed to get an inspection done on a house that I am purchasing. I have never bought a home before. Forrest was very patient and took the time to explain everything to me but never in a way that belittled me. I cannot say enough wonderful things about him! Thank you for making this process very smooth! I appreciate it!"

– Chelsea C

CALL FOR CANDIDATES



**OABR IS LOOKING FOR VOLUNTEERS
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Open positions include:

President-Elect, Secretary-Treasurer, and two Director spots

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Questions? Contact Donna Shipley
Donna@OmahaREALTORS.com or 402-619-5551



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A large cluster of colorful umbrellas (red, orange, yellow, blue, purple) is arranged in a semi-circle, creating a background for the text. The umbrellas are open and overlap each other.

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DESIGNATIONS

Susan Rauth, NextHome Signature Real Estate - Seller Representative Specialists (SRS)

Danielle Dubuc Pedersen, Coldwell Banker NHS RE - Seller Representative Specialists (SRS)

CERTIFICATIONS

Jay Svoboda, NextHome Signature Real Estate - Pricing Strategy Advisor (PSA)

Ashley Livengood, Burrows Tracts Real Estate - At Home With Diversity (AHWD)

Henry Kammandel, NextHome Signature Real Estate - At Home With Diversity (AHWD)

Thomas Meyers, Nebraska Realty - Pricing Strategy Advisor (PSA)

Kornelia Schmidt, Better Homes and Gardens - Military Relocation Professional (MRP)

Jay Leisey, BHHS Ambassador Real Estate - At Home With Diversity (AHWD)

PERSONALS

Condolences to:

- **Mike and Cokie Riedmann**, on the recent passing of Mike's father, **Al Riedmann**, a former OABR member
- **Sharon Bain**, Nebraska Realty on the recent passing of her father

Congratulations to:

- **Alex Pearson**, Nebraska Realty on the recent birth of her baby girl
- **Samantha Rookey**, Nebraska Realty on the recent birth of her baby girl



Ericka Heidvogel
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MEMBERSHIP REPORT

See the full membership report at:
OmahaREALTORS.com/membership-report

FEBRUARY ACTIVITY	MO	YTD
New REALTOR® Members	31	66
Resignations	23	37
MEMBERSHIP (As of March 1)	2021	2020
Designated REALTORS®	210	194
REALTOR®	2884	2777
REALTOR® Emeritus	70	73
TOTAL REALTORS®	3164	3051
Institute Affiliate	71	69
Affiliate Full Members	166	187
Affiliate eKey Only	157	156
TOTAL AFFILIATES	404	422

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Kim Fosdick
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Anna Lemieux, GRI, MRP
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anna@charlestonhomesomaha.com



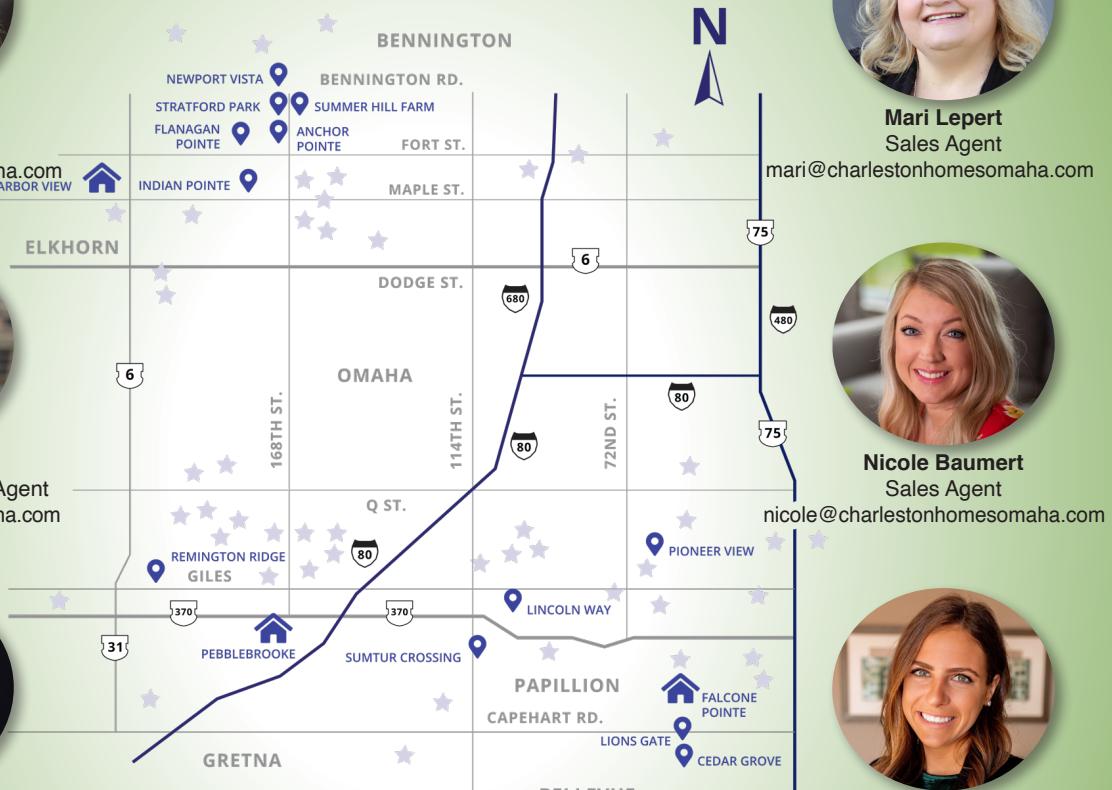
Mari Lepert
Sales Agent
mari@charlestonhomesomaha.com



Nicole Baumert
Sales Agent
nicole@charlestonhomesomaha.com



Courtney Stodola
Sales Agent
courtney@charlestonhomesomaha.com



Charleston
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Visit Our Model Homes or Contact One of Our Sales Agents!

Falcon Pointe
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1/2 mile north of 204th & Maple

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AFFILIATE SPOTLIGHT

TAX RELIEF TIPS FOR HOMEOWNERS

BY SUMMER FRANCO, U.S. BANK

Tax season is upon us and there is plenty of time to take advantage of the homeowner tax deduction perks. You can access these deductions to increase your refund or reduce the tax you must pay.

Homeowners now have access to 'standard deduction for homeowners'. Claiming any homeowner tax deductions requires extra work compared to that of a standard deduction claim.

If your homeowner tax deductions are more than your standard tax deductions, it's worth the time and effort to itemize your deductions. The standard deductions for 2020 Tax year are \$24,800 for married couples, \$12,400 for single, and \$18,650 for head of household.

Ensure that you always keep good records, save all receipts, bills, and any other paperwork that will support your tax claim. Use an organized system such as a spreadsheet. Keep a digital scanned copy of your receipts. This will make the whole process a lot less work when submitting your tax return. Especially if you are audited at any time.

Types of Deductions related to Homeownership:

- **Mortgage Interest** – on up to two homes (primary and secondary) Investment properties would require a Schedule E to be filed.
- **Property Tax Deductions** – we all know this can add up in the State of Nebraska :)
- **Home Office Deductions** – You can claim \$5 per

square foot of the home office, where the largest space that you can claim is 300 square feet or \$1,500.

- **Renting Out a Spare Room** – While you will have to claim the income made on this rent you received, you can deduct the utilities and maintenance required
- **Tax Deductions on the Sale of Your House** – If you sell your house and have lived there for at least 2 years in the last 5 years, you can take advantage of tax savings deductions on the property. You can claim tax deductions on costs associated with the sale of the property, including advertising, title insurance, & even repairs carried out within 90 days of the sale of the property. If these repairs were carried out to market your property, you can claim them. If you make a profit from the sale of your property you can exclude \$250,000 or \$500,000 for married couples from being taxed.
- **Tax Deductions for Moving Expenses** – If you have sold your home and are relocating because you have a new job and the job is not close to your current home. You must work full-time hours for at least 39 weeks after you've moved. Costs associated with storage, accommodation for not you but all your family, and traveling to the new location, can be deducted. Also, if you have a pet, costs associated with relocating your pet can be deducted.

There are many benefits to be a homeowner –please work with a licensed tax professional to take advantage of these benefits, or for more information.



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The ● One ● With ● All ● the ● Support

We had our virtual installation at the beginning of March and I really can't begin to explain what went into the success of this event. The TIME and TECHNOLOGY that went into this is not lost on me! Thank you to everyone for not shutting off the feed when I started bawling and hanging in there for the announcement of the real MVP's - congrats to our winners-Thank you for all that you do for our industry and our organization! Shoutout to the fabulous people behind the scenes who made this fabulous event: Kellie Konz-Wieczorek, Linda Moy, Ashley Livengood, Sarina McNeil, Cheryl Gerace, Lisa Brodersen, and Angel Starks. A special shoutout to Doug Rotthaus, Donna Shipley and Jody Carper who guided us through the process-we couldn't have done it without you!

Broker Panel - Be in the know

We were really feeling the love at our March event! With more than 60 guests and members in person it felt great to be adjusting to our "new norm" at an in person event. Thank you to Andy Alloway, Susan Clark, Tom Simmons and Alan Strong for taking time to join us and give us insight to the current market and tips on how to adjust to our ever changing industry!!

- Jen Monjas, President

April 15th, 11am at Champions

Want to get involved or find out more about Women's Council?
Check out all things Women's Council at our next lunch event

THANKS TO OUR DOUBLE DIAMOND SPONSORS FOR YOUR SUPPORT



CONGRATULATIONS!

Congratulations to Wendnonga J. Ouedraogo, recipient of the Judi Anding Scholarship!

REALTOR® members of the Omaha Area Board of REALTORS® are eligible to apply for a tuition scholarship for Designation and Certification Courses that are recognized by the National Association of REALTORS®. Up to five scholarships are given out per year.



JUDI ANDING SCHOLARSHIP

GO-ASHI Greater Omaha Chapter American Society of Home Inspectors

The Mission of ASHI is to set and promote standards for property inspections and to provide the educational programs needed to achieve excellence in the profession. The members of GO-ASHI promote this mission through continued education provided at our monthly meetings.



Current Membership

Jon Vacha ACI (President) - Home Standards Inspection Services
Tim Krof ACI (Vice President) - Home Standards Inspection Services
Steve Marten ACI (Treasurer) - Homespec Property Inspections
Mike Frerichs ACI (Secretary) - Home Buyers Protection Co
Ahlers, Chad ACI - Cornerstone Property Inspections
Byrd, Mark ACI - Accurate Building Inspection
Carney, Dominic - Home Buyers Protection Co
Crnkovich, Rick ACI - Heritage Home Services, Inc
Duckett, Steve - Midwest Inspection & Testing, LLC
Eggenburg, John, ACI Surehome Inspection Services
Fisher, Jessie - Home Standards Inspection Services
Gaskin, Paul, ACI - Gaskin Property Inspections
Pachunka, Paul - Home Standards Inspection Services
Petersen, Bret ACI - Home Buyers Protection Co
Ruel, Forrest - Home Standards Inspection Services
Simmerman, Brent ACI - Midlands Home Inspections, Inc
Vacha, Steve ACI - Home Standards Inspection Services
Les Wallace - Advanced Building Inspections

Check out our website! www.ASHIomaha.com
*ACI denotes ASHI Certified Inspector

NRA SCHOLARSHIP OPPORTUNITY

Do you have a family member pursuing a degree in Business Administration or Construction Management? Are they a student at UNK, UNL or UNO? If so, they are eligible to apply for the **Nebraska REALTORS® Association Past President's Scholarship!**

Qualification Criteria

- A college junior or senior in good standing for the academic year scholarship is received. - or - A post-graduate student in good standing seeking an advanced degree.
- If a college junior or senior undergraduate: Enrolled as a full-time student at one of the University of Nebraska campuses.
- Working toward a degree in Business Administration or Construction Management.

Additionally, all finalists are required to attend a personal interview as part of the selection process.

Apply online by May 31, 2021 at NebraskaREALTORS.com.



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Questions about
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Bill Swanson
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Bill.Swanson@BHHSamb.com

Doug Dohse
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Doug.Dohse@BHHSamb.com

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LORETTA MCNALLY



SARINA MCNEIL



RJ NEARY



PERRE NEILAN



LAURA OSBORN



JEANNE PATRICK



ANGELA PETERS



SUSAN RAUTH



DOUG ROTTHAUS



JESSICA SAWYER



FRANCISCO SERRANO



BILL SWANSON



DIXIE TENEYCK



STEVE VACHA



MARK WEHNER

What is RPAC?

RPAC is voluntary political action committee whose membership consists of REALTORS® and Affiliates interested in actively and effectively protecting the real estate industry and the dream of homeownership by participating in government affairs at the local, state and federal levels.



Remembering a Friend

A year has passed and with a pandemic, an election, and our daily struggles to maintain some sort of normalcy, it is hard to remember everything that happened in the past year. On April 8, 2020, we lost a friend, Debbie Peterson. It caught everyone by surprise, but in the midst of the Covid Pandemic, we had a basketful of surprises day in and day out. For the OABR Affiliates, Debbie was our point of contact, our resource, and yes, our friend. Affiliates and Affiliate leadership change every year, and Debbie was the constant in the storm for all of us. Jan Eggenberg was the Affiliate President at the time and came to me about doing something to remember and recognize Debbie. We received several ideas and ultimately landed on the bench you see below. We hope it will serve not only to help remember our friend, but also as a reminder to every once in a while take a moment and reflect that time passes quickly and we must take that moment to appreciate life.

- Eric Petersen, 2021 Affiliates Council President



(Above) Eric Petersen and Jan Eggenberg, OABR Affiliates Council.



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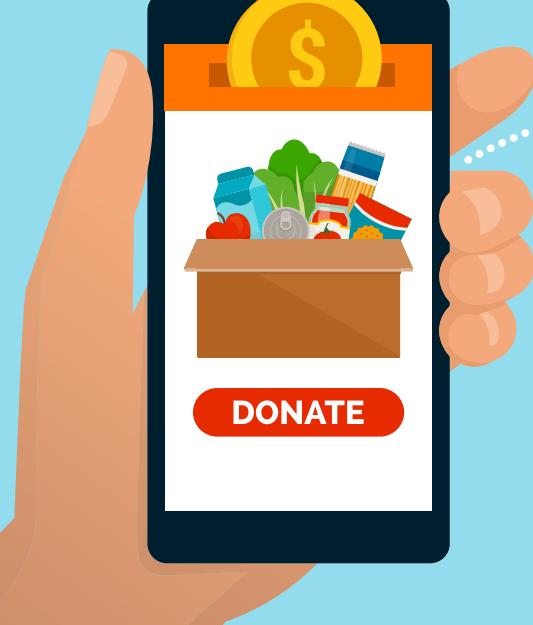
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