

e-Professional Edge

A Publication of the Winston-Salem Regional Association of REALTORS®

September 2003

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From the President's Desk

By Ron Rosenberg

We still need your help in reaching our goal this year for RPAC contributions. We are only about halfway there, having collected over \$9,000 so far. The RPAC Committee started a membership phone campaign in August

to raise awareness and encourage you to make an investment in your business future. RPAC is the muscle behind the National Association of REALTORS®. RPAC helps to elect officials at the national, state, and local levels who support the free enterprise system and private property rights. 100% of your contribution is used to elect pro-REALTOR® candidates, with 30% going to national races, and 70% focusing on state and local elections. RPAC has a bi-partisan tradition, contributing 60% of its funds to Republicans and 40% to Democrats. Your contribution to RPAC is a vote for a pro-REALTOR® Congress, regardless of political party.

Some of you might think that RPAC is “buying” votes from politicians. RPAC helps elect candidates who share our philosophy, or will at least listen to the REALTORS® viewpoint. RPAC supported candidates will not always support us on every vote, but they will be fully informed on our position before voting. Even though RPAC has been successful in the past, new legislation is constantly being introduced. We must remain strong and ready to assist candidates at all levels that support our point of view.

What has RPAC done for you lately? In the last few years, on a national level, RPAC has helped to preserve the home mortgage interest deduction, promoted tax relief benefiting the real estate industry and improved federal mortgage programs. On the state level, RPAC has helped with homeowner's insurance relief and prevented new taxes on homeownership. Given the current budget crisis, new challenges for 2003 and beyond include fighting state legislation to impose a sales tax on services and opposing any local transfer taxes or impact fees.

At the very minimum consider investing \$20 in RPAC this year, about five cents a day, not a lot to protect your livelihood. If you invest \$99 or more, you will be recognized both locally and at the state level. Last year, we collected over \$21,000, a record-breaking year! This year with your support I am sure we will do even better! We would like to reach our goal by the end of September. Please consider showing your support by making a check out to RPAC today! Thank you to everyone who has already contributed.

Governmental Affairs Report

By Chuck Folds

Winston-Salem Regional Association of REALTORS® Government Affairs Report September 2003

Site Plans and General Use Zonings:

The City/County Planning department no longer accept site plans prior to a general use rezoning approval. The rezoning must gain approval by the elected body, and then the site plan can be submitted. This new policy is by direction of the County Commissioners following concerns raised by Commissioner Linville. They felt that if elected officials are not allowed to take into consideration what is being planned for that site, then the plans should not be accepted for review by government staff. This is an administrative change, and there is currently no stated policy or ordinance that the department must accept plans prior to approval.

(The following is a recent NAHB news release. I felt it relevant to many issues locally because this underlines why regulation or ordinance should be reasonable and based on good science.)

Ninth Circuit Court of Appeals Rejects Pygmy Owl ESA Listing as "Arbitrary and Capricious" (from NAHB news releases)

August 20, 2003 - In a unanimous decision underscoring the importance of science over speculation in determining appropriate federal government protection of threatened and endangered species, the U.S. Ninth Circuit Court of Appeals ruled yesterday that the U.S. Fish and Wildlife Service's (FWS) rationale for its 1997 listing of the Arizona population of the cactus ferruginous pygmy owl as endangered under the Endangered Species Act (ESA) was arbitrary and capricious. The court also ruled in *National Association of Home Builders et al v. Norton* that, based on the science utilized by the Service, the owl should never have been listed and that the listing violated the federal agency's own policies.

By sending the listing back to a lower court and the Service for further review, the court has also called into question the status of a proposed ESA critical habitat designation for the bird. That designation included land use restrictions that could have added as much as \$12,000 to the price of a new home in the Tucson area and brought \$108 million in costs to Arizonans living in Pima and Pinal counties over the next ten years.

The Ninth Circuit decision marks the first time in over a decade that a court has ruled that the Service was wrong in listing a species, and it may be the first decision in which an appellate court has ruled that an FWS listing decision was arbitrary.

"With yesterday's decision, the court has firmly reiterated what we have argued for the past three years: whether federal protection of Arizona's pygmy owls is necessary is a decision to be made on the basis of good scientific data," NAHB Executive Vice President and CEO Jerry Howard said. "All Americans are entitled to the U.S. Fish and Wildlife Service using the best scientific research available when it comes to protecting endangered and threatened species.

Without it, we end up with unnecessary ESA regulations that increase housing costs and prevent Arizona families from being able to afford a new home. Bad science contributed to the 1997 listing of the pygmy owl and bad science continues to drive land use restrictions that increase housing costs. This is unfair to Arizona home buyers and taxpayers, especially when you consider that 1,300 families in the Tucson metropolitan area can be priced out of the market if only \$1,000 is added to the cost of a median-priced home."

For decades, a central element of the Endangered Species Act has been protection measures for areas where a threatened or endangered species is likely to be found. In the pygmy owl case, NAHB, the Southern Arizona Home Builders Association and the Home Builders Association of Central Arizona successfully argued to the Appeals Court that the Service failed to take into consideration the number of pygmy owls in Mexico, where the bird is plentiful. In Arizona, which is the northern edge of the bird's range, the owls would naturally be more scarce in comparison. The court also agreed that the Arizona pygmy owl was not genetically different from populations in Mexico. Therefore, it was not endangered and needed no federal protection.

The Ninth Circuit Court of Appeals decision reverses a September 2001 decision by the U.S. District Court for the District of Arizona, which had previously validated the listing of Arizona's pygmy owl population. The Ninth Circuit will now send the case back to Judge Susan Bolton of the U.S. District Court to issue an order consistent with the opinion.

"On too many occasions, the Fish and Wildlife Service has decided to list species first and then attempted to justify its decisions later," Howard added. "The Ninth Circuit told the Service to do its research first and then make a listing decision. The history of the pygmy owl situation up to this point has been rife with needless land use restrictions for Arizona builders, businesses and local governments; acrimony between the Service and property owners trying to do the right thing; increased housing costs for Arizona families; and a waste of scarce government resources. In an era of limited budget resources, we

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2003 Housing Forecast Stronger Than Earlier Predicted

Total State Existing-Home Sales Hold in Record Territory

WASHINGTON (August 13, 2003) – Low mortgage interest rates and strong market fundamentals fueled total existing-home sales in the second quarter to the second-strongest pace on record, with 36 states and the District of Columbia posting increases from a year ago, according to the National Association of Realtors®.

The NAR survey showed that nationwide, the seasonally adjusted annual rate* of existing single-family, apartment condominium and co-operative home sales totaled 6.69 million units in the second quarter, up 5.8 percent from the 6.32 million-unit pace in the second quarter of 2002. This was the second highest annual rate since NAR started tracking the total state resale series in 1981, and is only slightly below the record pace of 6.70 million units in the first quarter of this year.

Total sales rose by double-digit rates in 17 states and the District of Columbia in the second quarter compared to the same quarter in 2002. Twelve states reported generally small declines in the resale rate, while complete data for two states was not available.

David Lereah, NAR's chief economist, said home sales essentially held even. "Total home sales during the first half of this year were at a record level, driven by historically low mortgage interest rates and a growing number of households," he said.

According to Freddie Mac, the national average commitment rate for a 30-year conventional fixed-rate mortgage was a record low 5.51 percent in the second quarter, down from 5.84 percent in the first quarter; it was 6.82 percent in the second quarter of 2002. The Freddie Mac mortgage interest rate series began in 1971.

NAR President Cathy Whatley, owner of Buck & Buck Inc. in Jacksonville, Fla., said solid market fundamentals will prevail. "The recent rise in mortgage interest rates is projected to have a slight braking effect on home sales, but we're coasting for a record in 2003," she said.

"Interest rates remain very affordable, and the economy is expected to improve during the second half of the year--that should boost labor prospects as well as consumer confidence, factors that also bode well for housing," Whatley said.

The strongest year-to-year increase was in Nevada, where the second quarter resale pace rose 24.6 percent over the second quarter of 2002. Next came Alaska, which rose 20.9 percent from a year ago. Missouri posted the third highest increase, up 17.5 percent from last year's second quarter rate.

Regionally, the Midwest experienced the highest increase with a 1.40 million-unit annual sales pace, up 8.3 percent from last year's second quarter rate. After Missouri, Nebraska had the strongest increase in the region with a gain of 19.9 percent in resale activity over the same period

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An Introduction to Virtual Office Web sites

Virtual office Web sites. What are they, and why must the National Association of REALTORS® establish a policy for MLSs to regulate them? These are among the key questions NAR answers in this special section of REALTOR® Magazine, prepared by the national association's Legal Affairs and Board Policy and Programs divisions in May, 2003.

In May of 2000, NAR's Board of Directors adopted a policy enabling MLS participants to advertise other brokers' listings on their Web sites, with the consent of the other brokers. This policy, known as Internet Data Exchange ("IDX") or Broker Reciprocity, has been widely adopted and implemented by MLSs across the nation.

At the same time, some MLS participants have developed a business model that they've labeled a virtual office Web site (VOW) in an effort to distinguish their displays of real property listings on the Internet from the displays governed by the IDX policies.

The primary distinguishing feature of a VOW is the requirement that visitors register by entering an e-mail address and receive a password prior to accessing MLS listing data. Some MLS participants also post terms of use on their VOWs and require visitors to agree to those terms.

In large measure, VOWs have emerged in response to changing real estate business models, driven in part by the industry's embrace of the Internet as a business tool. VOW operators describe virtual office Web sites as vehicles for conducting online brokerage, allowing a company to establish and work with clients and customers in cyberspace in a way that's similar to how a brokerage interacts with its clients and customers in a bricks-and-mortar office. Viewers of MLS data on a VOW must register and, in return, typically receive more robust information on listings.

In contrast, IDX allows brokers to "advertise" each others' listings; the MLS data presented on an IDX Web site is typically less detailed, and viewers of the data remain anonymous.

REALTORS® who operate VOWs maintain that the registration process, coupled with the requirement that visitors agree by mouse click with the VOW operator's terms of use, take such Web sites outside the realm of an MLS's IDX rules. In fact, VOW operators maintain that by registering and agreeing to terms of use, consumers aren't simply site visitors who view real estate advertisements. Instead, they become clients or customers of the company that displays MLS listing information via the Internet. Because clients and customers in a bricks-

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How You Can Stop SPAM

by Bill Koelzer

Used to be you'd download your e-mails and get one from a relative, one from a friend and (yippee!), maybe even one from a prospective homebuyer. Now, however, your downloads seldom number less than twenty e-mails and most are unsolicited ads for various body enlargements, or shrinkages, vitamins, loans, bankcards and porn sites.

It's insane! It's outa hand. Spam has doubled in the past several months alone! AOL says that just between February and April, the total Spam messages sent to AOL's 35 million customers totaled 2.4 billion in a single day. In fact, Spam is about to overtake legitimate e-mail on the Web.

AOL blocks about 1.7 billion Spam messages a day and yet still gets about 7 million daily complaints from its subscribers about Spam. So even mighty AOL cannot block all Spam.

Collectively, Internet service providers process nearly 7 BILLION Spam messages daily! If huge online firms, with ultra-sophisticated software, cannot stop Spam, what can you do?

First, get several secondary free e-mail addresses at MSN hotmail, Yahoo, and other sites. Start using these for your online purchases and anything else requiring you to give out an e-mail address online. Never check those boxes giving a Web site permission to send you information and never use your main e-mail address in a chat room. When one e-mail address starts becoming too Spammed, abandon it, get a new one and start over. Use one e-mail for family and friends and another for commercial purposes.

You can also create settings in your Outlook or Outlook Express e-mail program to automatically send certain e-mails containing Spam-like wording to a selected folder, or delete them. Here is what Microsoft says in "Outlook Express Help" about creating message rules.

To create a rule for e-mail messages:

On the Tools menu, point to Message Rules, and then click Mail. Message rules cannot be created for IMAP or HTTP e-mail accounts.

If this is the first rule you are creating, proceed to step 3. Otherwise, on the Mail Rules tab, click New and proceed to step 4.

Select the conditions for your rule by selecting the desired check boxes in the Conditions section. (You must select at least one condition.) You can specify multiple conditions for a single rule by selecting more than one check box. Click the and hyperlink in the Rule Description section to specify whether all of the rule conditions must be met before the specified action occurs (and), or whether at least one must be met (or).

Specify the actions for your rule by selecting the desired check boxes in the Actions section. (You must select at least one condition.)

Click the underlined hyperlinks in the Rule Description section to specify the conditions or actions for your rule. You can click contains people or contains specific words in the Rule Description section to specify the people or words you'd like Outlook Express to look for in messages. If you enter multiple people or multiple words per condition, use the Options button in the Select People or Type Specific Words dialog boxes to further customize the condition.

In the Name of the rule text box, select the default name or type a new name for your rule, and then click OK.

Creating new message rules can easily get rid of the rare identical e-mails (those that contain the same key words), but Spammers keep changing their wording (on From and Subject, and even in the message body). So, rules stop only those annoying consistently worded e-mails from, say, your ex-spouse, ne'er-do-well nephew who always needs something, or from that badgering Indian casino that you sadly owe money to. Another tactic is to use e-mail aliases made possible by setting up a "catch-all" e-mail address. In this, you can have the part of your e-mail that precedes the "@" say different things and still have those e-mails all

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Membership Report:

Board of Directors Report

Below are highlights of the August Board of Directors meeting:

- Approved two REALTORS® transferring from other Associations
- Approved two new Affiliate member
- Approved Life Membership status for one member
- Approved 12 new MLS Principal Members
- Heard a report from the Governmental Affairs Director on Winston-Salem street standards being reviewed by the City
- Heard a report from the MLS Chairman regarding a new Tempo interface that we be launched next year; learned that directions will become a required field
- Heard a report that NAR and other trade associations filed a petition with the Federal Communications Commission (FCC) to ask for a delay in the do-no-fax rules that were to have gone into effect on August 25; the rules will now take effect on January 1, 2005
- Decided to have an Inaugural dinner-dance in January to install new officers and directors
- Decided to move the Awards presentation to the November Membership Meeting
- Approved funds to password protect the Association's website
- Decided to ask students from our area's school graphics art departments to design a logo and give a \$500 scholarship to the winner
- Denied a request from a former member for a waiver of the Initiation Fee to re-join
- Approved a budget to hire strategic planning facilitator
- Discussed NAR mandated Bylaws changes and decided to vote on these at next month's meeting
- Denied a request from an insurance company for an endorsement of their product
- Were informed that one of the candidates for next year's Board has withdrew his nomination; his name will be removed from the ballot and the Board will appoint a replacement at a later date
- Discussed the recurring problem of the high number of no-shows at the membership meetings and the amount of money that is being spent on meals for no-shows; no decision was made and this will be discussed at the Strategic Planning meeting
- Learned our Association received \$390 from the NCAR Partners Program
- Learned that NAR has purchased a lockbox company



Membership Changes

Transfers:

- Fran Briggs (from United Triad Realty to Robertson Realty)
- Briggett Ferrell (from Pennington & Company to Premier Carolina Properties)
- Judy Garrett (from United Triad Realty to Robertson Realty)
- Lynn Gough (from Back Home Realty to Coldwell Banker Triad)
- Joann Greene (from United Triad Realty to Robertson Realty)
- Kay Hiatt (from Roberts Realty to Keller Williams)
- Tom McKenna (from HMC to Keller Williams)
- Jeff Norris (from Crowder McChesney & Associates to Graham & Boles)
- Greg White (from Re/Max Realty Consultants to Graham & Boles)

New MLS Companies:

- HomeSeeker (Susan Barbour, Broker)
- J.C. Properties (John Alspaw, Broker)
- McLaughlin Appraisal Group (Michael McLaughlin, Appraiser)
- Premier Carolina Properties (Rodney Bailey, Broker)
- Robertson Realty, Inc. (Patsy Robertson, Broker)
- Sanzenbacher and Associates (Brad Sanzenbacher, Appraiser)
- Veteran Real Estate, Inc. (Jerry Miller, Broker)

New Members Transferring from Other Associations:

- Carl Hedwall (from Kingman/Goldman Valley Association in Arizona to Keller Williams)
- Melinda Szeliga (from Greater Newburyport Association in Massachusetts to Coldwell Banker Triad)

New Affiliate Members:

- Matt Pannell (Portrait Homes)
- Bill Sinclair (Sinclair Construction and Services, Inc.)

Triad MLS Training - New Tempo™ Classes and Training Schedule

By:

Darrin D. Edwards, Executive Vice President
Triad MLS, Inc.

Triad MLS is pleased to announce a new set of FREE Tempo™ classes designed for your specific needs. Have you attended Tempo™ training since we first cutover to Tempo™ in 2001? If not, then you need to take a look below at our new classes.

We have added significant changes and enhancements to Tempo™ since 2001; a new Prospecting module, Broker Reports, CMA Wizard, and of course the invaluable Realist™ tax product. As a result, the original required class (Basic Training) became too difficult to comprehend in the time allotted. So, we broke out the basics for new members in the new Basic Training class and created specific classes for the other Tempo™ modules.

Please review the schedule below, pick out a class that you would like some additional training in, and show-up at the scheduled time. It's that easy!

Class Schedule

- Basic Training (Required class) - Mondays at 9am – 11:30am
Basics of Tempo™ Roster, Searches, and Reports.
- Add/Edit - Mondays at 1pm – 1:45pm
Adding new properties and editing current properties. Not all users have Add/Edit permission--look under "My Page" on the navigation bar in Tempo™. If you see Add/Edit, then you have permission. If you don't have it and you want it, see your Broker-In-Charge.
- Prospects - Mondays at 2pm – 2:30pm
Setup and management of prospects within Tempo™.
- Financial Reports - Mondays at 3pm – 4pm
Explanation of financial reports available within Tempo™ - Amortization Schedule, Buyer's Worksheet, and Seller's Net Sheet.
- Realist (Tax) - Tuesdays at 1pm – 3pm
Detailed instruction regarding tax searches, downloading and label printing. This is an extremely valuable part of Tempo™. A Great farming tool!!
- CMA Wizard - Tuesdays at 3:30pm – 4pm
In depth explanation of CMA Wizard. Creates a CMA within Tempo™ which can be printed or emailed.
- Broker Class - First Wednesday of each month at 1pm – 2pm
Offered for users with Office and Head Brokers permissions only. This class teaches you how to manage access for your staff and agents. Also, reports will be explained. If you have any questions regarding management level functionality, this is your time to ask!

Please arrive at the Triad MLS office on time. Anyone arriving 10 minutes after the scheduled start time will not be admitted in the class.

All classes are limited to 20 attendees on a first come, first serve basis. Registration is currently not necessary for individuals.

You can link to other newsletters from the Triad MLS web site online at www.triadmls.net.

Safety is Priority for REALTOR® Group

(July 24) -- Real estate professionals, who tend to spend a considerable amount of time outside the office, can become victims of violent crime, in some cases when they're showing homes. What's more, practitioners' photographs on advertisements and signs can invite unwelcome attention.

According to the nonprofit Real Estate Safety Council, 21 real estate practitioners nationwide were slain while working in 2000. From 1982 to 2000, the death toll was more than 200.

In response, local and national trade groups are taking steps to protect their members.

As part of its campaign to improve safety, the National Association of REALTORS® is promoting the use of Mobile Callback--a technology that became available to industry professionals at the beginning of this month. The product is programmed to call a practitioner's mobile phone back within five minutes of the person establishing a showing location. If the subscriber does not pick up after three contact attempts, live operators are alerted that the user may require emergency response and the closest authority is notified.

The service costs \$50 for activation and \$21.95 per month. NAR and industry experts also are developing a safety kit that will be distributed to state and local REALTOR® groups as part of REALTOR® Safety Week in September.

Source: *Charlotte Business Journal* (07/21/03); Salgat, Ken

The Triad MLS Board of Directors has voted to make Directions a required field for all active residential listings. In addition, the field may not include contact information, personal agent information or web addresses. This field will be added to our fine policy beginning October 1st.

NEW ENHANCEMENTS IN TEMPO! QUICK SEARCHES CAN BE SAVED AS CUSTOM SEARCHES. CUSTOM SEARCHES CAN BE ATTACHED TO PROSPECTS DIRECTLY FROM THE CUSTOM SEARCHES SCREEN. FROM HOT SHEETS, PROPERTIES CAN NOW BE SELECTED AND REPORTS PRINTED DIRECTLY FROM THE RESULTS SCREEN. PDF ATTACHMENTS CAN NOW BE SAVED AS MEDIA - 200K MAXIMUM FILE SIZE, SAME RESTRICTIONS AS ALL MEDIA: NO PERSONAL OR COMPANY CONTACT INFORMATION.

IMPORTANT INFORMATION PLEASE POST MLS GRID FOR PLACEMENT IN HOMESPOTTER

The following is the list of coordinates and their respective placement in our HomeSpotter publication. Please use this as a guide to determine the quadrant that your listing will be placed in HomeSpotter. All information is pulled directly from your data inputted into MLS. When mapping coordinates, please use a Forsyth County map. If you need further assistance please contact Stephanie or Susan at 768-5560.

South East Forsyth County

33D4, 33D5, 34A4, 34A5, 34B4, 34B5, 34C4, 34C5, 34D4, 34D5, 35A4, 35A5, 35B4, 35B5, 35C4, 35C5, 35D4, 35D5, 36A4, 36A5, 36B4, 36B5, 36C4, 36C5, 49D1 – 5, 50A1 – 5, 50B1 – 4, 50C1 – 4, 50D1 – 4, 51A1 – 4, 51B1 – 5, 51C1 – 5, 51D1 – 5, 52A1 – 5, 52B1 – 5, 52C1-C5, 51C1 – 5, 63D1, 64A1

South West Forsyth County

AREAS: 47 & 48,
29C4, 29C5, 29D3, 29D4, 29D5, 30A4, 30A5, 30B4, 30B5, 30C1, 30C2, 30C4, 30C5, 30D4, 30D5, 31D4, 31D5, 32D4, 32D5, 33A4, 33A5, 33B4, 33B5, 33C4, 33C5, 45C1, 45D1, 45D2, 45C2, 45D3, 31A4, 31A5, 31B4, 31B5, 31C4, 31C5, 32A4, 32A5, 32B4, 32B5, 32C4, 32C5, 46A1, 46A2, 46A3, 46B1, 46B2, 46B3, 46C1, 46C2, 46C3, 46C4, 46D1, 46D2, 46D3, 46D4, 46D5, 49A1 – 5, 49B1 – 5, 49C1 – 5, 61A1 – 3, 61B1 – 3, 61C1 – 3, 61D1 – 3, 62A1 – 2, 62B1 – 2, 62C1, 62D1, 63A1, 63B1, 63C1

North West Forsyth County,

ALL of AREA 16 & 17

GRIDS: 4A2, 4B2, 4C2, 4A3, 4B3, 4C3, 4A4, 4B4, 4C4, 4A5, 4B5, 4C5, 18A1 – 5, 18B1 – 5, 18C1 – 5, 29C3, 30D1, 30D2, 30D3, 30A2, 30A3, 30B2, 30B3, 30C3, 31A1 – 3, 31B1 – 3, 31C1 – 3, 31D1 – 3, 32A1 – 3, 32B1 – 3, 32C1 – 3, 32D1 – 3, 33A1 – 3, 33B1 – 3, 33C1 – 3, 1C2, 1C3, 1C4, 1D2, 1D3, 1D4, 1D5, 2A2 – 5, 2B2 – 5, 2C2 – 5, 2D2 – 5, 3A2 – 5, 3B2 – 5, 3C2 – 5, 3D2 – 5, 15C1 – 5, 15D1 – 5

North East Forsyth County

ALL OF AREAS 19 & 20

4D2 – 5, 5A2 – 5, 5B2 – 5, 5C2 – 5, 5D2 – 5, 6A3 – 5, 6B3 – 5, 6C3 – 5, 6D3 – 5, 7A3 – 5, 7B3 – 5, 7C3 – 5, 18D1 – 5, 21A1 – 5, 21B1 – 5, 21C1 – 5, 33D1 – 3, 34A1 – 3, 34B1 – 3, 34C1 – 3, 34D1 – 3, 35A1 – 3, 35B1 – 3, 35C1 – 3, 35D1 – 3, 36A1 – 3, 36B1 – 3, 36C1 – 3

OTHER:

Davidson County	Davie County	Stokes County	Surry County	Yadkin County	Rockingham County	Wilkes County	Alleghany County
Beach	700						
Mountain	800						
Lake	900						
Other	999						

(Continued from page 4)

and-mortar office could be provided with information that includes all listings available in the MLS, including those of sellers who have prohibited Internet or other electronic display of their property as a term of their listing agreement, as well as the listings of participants who have opted out of IDX, such information is often displayed by VOW operators on their virtual office Web sites.

Additionally, some VOW operators display all MLS data fields, including information intended only for other brokers, such as showing instructions and broker-to-broker offers of compensation. Some VOWs also include listings that have been sold, expired, or withdrawn.

The display of MLS data on VOWs currently occurs in an unregulated environment since MLSs have no specific rules addressing the display of MLS content on VOWs.

There has been a pressing need for NAR to adopt a policy governing the display of MLS content on VOWs to provide guidance both to VOW operators and to MLSs. The approved policy provides answers to these critical issues

- * Is there a meaningful distinction between the display of other participants' listings on an IDX site versus on a VOW?
- * What minimum criteria can be required of consumers before they access MLS content via a VOW?
- * May an MLS prohibit VOWs from displaying certain listings, such as those for which the seller has withheld consent for display on the Internet?
- * May an MLS prohibit VOWs from displaying certain data fields, such as the showing instructions, property security information, and type of listing agreement, i.e., exclusive agency or exclusive right to sell?
- * May an MLS require that listings displayed on a VOW include the name of the listing broker?
- * May an MLS establish reasonable limits on the number of listings a consumer may view, retrieve, or download from a VOW?

RPAC CONTRIBUTIONS TO DATE \$13,261

\$1,000:

Robert E. Helms
June Dinkins
Brent Bruner

\$500:

Katy Boles

\$250:

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 Shelly L. Hartman
 Edward Norsen
 Debbi S. Shields GRI
 Nancy Stonehouse
 Mary Ann Vescio
 Tish G. Vilar
 Janice E. Williams
 Judith E. Sidden
 Bev Supple GRI CRS
 Walter E. Hash
 Kathy Hustus
 Robert Jones
 Glen Stanley
 Genia Cline

Julia C. Howard
 Mary R. Howard
 Connie O. Kowalske GRI CRS ABR
 Kenneth G. Sales
 Jane B. Whitlock GRI
 Ava H. Blount
 Robert L. Clendenin
 Fannie Fleming
 Mary Ellen James GRI ABR
 Christopher D. Livengood
 Millard F. Martin
 Brad Millsaps
 Louise Z. Austell ABR
 Eleanor R. Bell GRI CRS ABR
 Michael Bradshaw
 Lara Carpenter
 Rosanne J. Clark
 Mickey Cruse
 Jennifer B. Davis
 Nancy C. Davis
 Donna L. Fiori ABR
 Curtis Leonard
 Patricia McCormick GRI ABR
 Paula Mosteller
 Chris Perry
 Julie Poplin
 Andrew Reid Scott
 Nancy Sipe CRS GRI
 Beverly S. Atwell
 Jerry T. Gray GRI CRS CRB
 Terry R. Hedrick ABR
 Doris Hohman
 Billye Keith Jones GRI CRS
 Linda Liu GRI
 Nancy Mershon
 Gene Nail ABR
 Mary Ann Parrish
 Dottie E. Pritchard GRI
 Ruth Prongay
 Judy E. Ricardo
 Ella D. Styers GRI CRS
 Phyllis C. Wilcox
 Michael A. Clapp MAI
 Paula Stephen GRI
 Jimmy Barrett
 Darlene Strickland
 Mary Gettys Hardwick GRI CRS
 Rosie Shackelford
 Cathy Rothrock
 Marie T. Horton
 Mindy Smith
 Sharon McElveen
 Helen H. Wright
 Oscar J. Pearl, Jr.
 Sandee Lawless GRI CRS ABR
 Vicki F. Bell
 Denise A. Jenkins
 Susan M. Myers ABR GRI e-PRO
 Christine Ritchie
 Jack Stack GRI
 Lynn R. Stewart
 Merry S. Barber
 Margie W. Cashion GRI
 Linda M. Helsabeck GRI CRS
 Julie Holland
 Mary Nell Humes GRI CRS
 Mary L. Wilson
 Frances Bonnett
 Stephen J. Cox
 Gary T. Ettinger

September Birthdays



- 1** Harriet B. Phillips GRI
Joshua B. Vernon
- 2** Alice M. DeLancy
William P. Isley
Carvel Lawson
James F. Lovette Jr.
Patricia L. Messick-Burns
Cheryl B. Mooney GRI CRS
Mason W. Reilly
- 3** Mary W. Gaines
Robert L. Hendrix
- 5** Patsy Griffin GRI CRS
- 6** Tammy Chipman
V. Shannon Conrad GRI CRS
Brenda T. Matthews GRI
- 7** Shirley P. Craver
Caren Kiskis
- 8** Doug Cooke
James Crisall
Julie Poplin
- 9** Carolyn Boyles
- 10** Gray Brewer GRI
Ann A. Reagan
- 11** Charles Miller
John Nagel
- 12** Brad Millsaps
Larry Williams
- 13** Paul F. Shoaf
Kathi C. Wall
Marie White
Amos U. Wilson II
- 14** Glenn Cobb
Tiffany Earnhardt
Martha S. Wood ABR GRI
John L. Young
- 15** Kathy King
- 16** Karen Lawson GRI CRS
- 17** Lorita O. Crews
- 18** Lucy S. Cadd
JoAnn M. Greene
George A. Munford Jr. GRI CRS ALC
- 19** Louise Z. Austell ABR
Donald R. George

- Brant Godfrey GRI
Gray Kiger
James Vanzant
- 20** Dale B. Cox
Janice Harley
Steve M. Owens
Kent Tucker
- 21** Mark Decker
Janie Green
G. Buck Horn
Pamela R. Lowder
Amanda L. Miller
- 22** M. Susan Parker
- 23** Beverly Godfrey GRI CRS
Carol M. Hudson GRI
Bitra S. Salem
Brian Sprinkle
Melissa Stowe
Jo Ann L. West GRI
- 24** Sam J. Carson
Mabelline Mitchell
Mike Moran
- 25** Grace M. Andronica GRI
Lara Carpenter
Mary Gettys Hardwick GRI CRS
Tamara Parsons ABR GRI
- 26** Michele Y. Browning GRI
Bruce Hubbard GRI
Rosetta B. Kirkpatrick
Sam Ogburn Jr GRI CPM CRB CRS
CCIM
Beatrice Phibbs
Nicoleta Vasilescu
- 27** John R. Bost
Sherri M. Coram
Bonnie S. Lawson GRI ABR
Lane Young
- 28** Raelene J. Morris
- 29** Sharon C. Duvall GRI
Shelby W. Hill
Tom D. Honeycutt
Billye Keith Jones GRI CRS
Garland Pryor

NAR Secures Stay To Clarify Do-Not-Fax Rule

WASHINGTON (August 19, 2003) — In response to petitions for stay filed by the National Association of Realtors® and other associations, the Federal Communications Commission (FCC) took action yesterday in ordering an unprecedented 18-month delay in the implementation of its do-not-fax rule in order to give businesses more time to comply with the rule. The do-not-fax provisions will now take effect on January 1, 2005.

Last month the FCC reversed its long-standing interpretation allowing for an "established business relationship" exception from the pre-existing unsolicited fax rule. The new rule, which was scheduled to take effect August 25, 2003, requires companies to obtain written permission before sending unsolicited faxes even if there is an established business relationship.

NAR and several other groups, including the American Society of Association Executives, National Federation of Independent Business and the U.S. Chamber of Commerce, filed petitions earlier this month requesting the FCC stay the effective date of the new interpretation for one year to clarify how businesses can get written consent and set a realistic timeframe for compliance. The U. S. Small Business Administration also supported the stay.

NAR is supportive of the intended consumer protection and privacy objectives of the FCC's new rule but believes that this new interpretation would interfere with day-to-day business relationships between Realtors and their clients as well as unfairly limit communications between state, local and national associations and their members. NAR continues to work at helping its members comply with the new requirements.

"Over 2 million U.S. homes are in the sales transaction pipeline on any given day. The ability to move promptly and communicate via fax is instrumental to the success of these transactions in highly competitive housing markets. Yet businesses were originally given less than 30 days to amend their current practices and gain new consent from customers and vendors," said NAR President Cathy Whatley, owner of Buck & Buck Inc. in Jacksonville, Fla. "We're glad that the FCC decided to grant our request for a workable stay period. This will ensure minimal disruption to the real estate market and give Realtors® more time to comply with the new fax procedures."

The National Association of Realtors®, "The Voice for Real Estate," is America's largest trade association, representing over 900,000 members involved in all aspects of the residential and commercial real estate industries.

OCC Proposes Preemption of State Banking Laws

(August 18) -- On August 5, 2003, the Office of the Comptroller of the Currency (OCC) issued two documents: a Determination and Order that states the National Bank Act (NBA) preempts Georgia's anti-predatory lending law; and a Notice of Proposed Rulemaking that would identify types of state laws that are preempted for national banks in the areas of real estate lending and other banking and lending laws. As the regulator for federally chartered banks, the OCC's proposed rule making has the potential impact of allowing national banks to get around state anti-predatory lending laws, licensing requirements, and credit report disclosure laws, for example.

The OCC's action results from national banks increasingly asking for supervisory support to protect national banks from state laws that interfere with ability to engage in real estate lending, equity lending, credit card issuance and other areas of banking activities. Additionally, national banks have turned to courts for recognition of the distinct status of the national banking system and the limits placed on state involvement in national bank supervision and regulation by the NBA. The direction that the OCC is taking in reinforcing national charter banks' independence from state laws is a distinguishing feature of the dual banking system and has the potential to make a national bank charter more attractive to multi-state banks that want to operate under one set of Federal standards.

Determination and Order

The Order responded to a request by National City Bank of Indiana, N.A., for a determination as to whether the recently adopted Georgia anti-predatory lending law applies to the national bank and its operating subsidiaries. The Order provides a detailed analysis of how several statutes and regulations that have been reinforced by recent court decisions already preempt much of the state anti-predatory lending law and then discusses how remaining provisions conflict with national banks' power to make real estate loans. Earlier this year, the Office of Thrift Supervision (OTS) issued a legal opinion that federally chartered thrifts are exempt from the GFLA by virtue of the Home Owners' Loan Act preempting the state law.

Notice of Proposed Rulemaking

The OCC's rationale for the Notice of Proposed Rulemaking closely follows the determination of preemption of the Georgia anti-predatory lending law and offers specific amendments to real estate lending rules (part 34) and banking and other lending activities rules (part 7) detailing the types of state laws found to conflict with Federal power vested in national banks and their operating subsidiaries. It is important to note that the OCC regulation identifies the types of state laws it proposes to preempt, but the list is not exhaustive. Other types of state laws that similarly affect the exercise of national banks' activities may be identified and addressed by the OCC on a case-by-case basis.

The OCC is seeking comment on all aspects of the proposed regulation including, the types of state laws that are proposed to be preempted, the scope and authority governing the OCC's ability under the NBA to take such a position on preemption, and whether the new anti-predatory lending standard is sufficient to curb abusive lending practices. Comments are due October 6, 2003.

--NAR



JOIN US FOR OUR
SEPTEMBER MEMBERSHIP MEETING

ANNUAL ELECTION OF
OFFICERS & DIRECTORS

&

DR. GEORGE FLEETWOOD,
ASSISTANT SUPERINTENDENT OF CURRICULUM &
INSTRUCTION OF FORSYTH COUNTY SCHOOLS

5:45 P.M.

PINE BROOK COUNTRY CLUB

September 9th, 2003

No cost for members
and only \$20.00 for guests

PLEASE RSVP BY August 26 , 2003 at 5:00 P.M.

Respond by fax 768-7295 or

email to wsrar@wsrar.com

Cancellations need to be received by August 28,2003

Mortgage Deals Collapse as Rates Rise

(August 12) -- The rapid surge in interest rates has angered scores of borrowers whose rate locks expired before they could go to closing, forcing them to settle for a higher rate, obtain a different type of loan, or forego refinancing altogether.

Though some mortgage brokers waited too long to lock rates in an attempt to catch an even lower rate and earn more money, most of the failed rate locks can be attributed to processing delays at lenders, appraisal companies, title firms, and other businesses involved in the process as well as to the quick jump in rates.

Lenders have been so overwhelmed with applications that many rate locks are expiring before the deal closes, which means borrowers need to request longer lock periods or extensions.

In addition to lengthier rate locks, borrowers can avoid higher rates and fees by making sure that all rate-lock agreements are in writing and all necessary documents are immediately submitted to the lender.

Source: *Wall Street Journal* (08/12/03); Simon, Ruth

Mortgage Strategies Change Pace

(August 18) -- Freddie Mac reports that the average interest rate for 30-year fixed rate mortgages declined for the first time in nine weeks, from 6.34 percent last week to 6.24 percent this week. Rate locks become an issue during a run-up in rates because mortgage deals can go bad for a number of reasons, but borrowers are likely to miss out on an opportunity for huge savings if the secondary mortgage market shows no interest in buying low rate mortgages from lenders. Refinancing volume has fallen in recent weeks, but it still may be time to take out a new home loan since rates remain more than 2.5 percentage points below the average mortgage rates for the last 31 years. Meanwhile, the Mortgage Bankers Association of America reports that mortgage applications seeking adjustable rates have risen from 13.4 percent to 22.5 percent over the last six weeks.

Source: *USA Today* (08/15/03); Fogarty, Thomas A.

Freddie Mac CEO Defends Stock Sales

(August 18) -- Freddie Mac CEO Greg Parseghian released a statement on Friday insisting that his June 2002 sale of approximately 42,000 company shares worth \$2.7 million was not an attempt to profit from insider information. Parseghian's statement comes in response to a lawsuit recently filed on behalf of a pension fund for West Virginia that charged he made the sale fully aware of improper accounting transactions that were carried out to obscure the financial results of Freddie Mac. The stock price of Freddie Mac declined by more than 20 percent after the accounting transactions were made public knowledge and three top company officials were forced out. Unlike earlier shareholder legal action, the West Virginia lawsuit targets Parseghian--who has come under fire over the past week for his activities and role in Freddie Mac's troubles.

Source: *Wall Street Journal* (08/18/03); Barta, Patrick

(Continued from page 2)

need environmental protection - including land use restrictions -- based on solid scientific evidence."

Sue Who?

By Christina Farnsworth

You played by the development rules, but elected officials turned your project down anyway. How about suing them as individuals to win approval?

(a particularly interesting article in this month's issue of "Builder")

On Feb. 24, the city council of Tucson, Ariz., voted 6-1 against an infill project. Nothing new? Not until you learn how local developer Jonathon D. Tate responded to rejection. He threatened to sue not the city, which had approved his plans, but the individual city council members, because they were not following the dictates of the law in their positions as council members. As a result, upon getting an opinion from the city attorney that council members really might be personally liable, they reversed themselves and approved the project by 6 -1 on April 21.

Tate's 6.52 acres in the foothills of the Tucson Mountains are totally surrounded by existing homes, a classic infill project. He completed the engineering and permitting requirements for 14 architect-designed production homes in a mini-subdivision he named WestView Estates.

Tate played by the rules. He received his city approvals in November 2002 and Community Design Review Committee approval in January 2003. The project just needed an OK from the Tucson city council. But the council rejected the project, despite the other approvals, because they thought it was ugly. In response, Tate hired a lawyer to bring suit against the individual council members.

Just like corporate executives, elected officials can be held personally liable if they act beyond their legal authority. An easy way to understand how council members might exceed their authority is to compare council actions to building inspections. Consider a home wired to an approved plan and prevailing codes, awaiting inspection approval. The role of the inspector is to ensure that the electrician did the job according to the rules of both the code and the approved plan. If the inspector refuses to approve the job simply because he or she doesn't like it, that is an action outside the inspector's legal authority.

Arizona law provides that the approval can't legally be "withheld unreasonably" if a plan meets the governing jurisdiction's development standards. City officials had determined that the subdivision plat was "in conformance with all applicable laws and ordinances and thus legally entitled to receive approval"

In Tate's initial complaint his attorney, Lawrence Schubart, cited a number of similar cases: a 1988 case in Billings, Mont., in which Gerald Bateson was thwarted in his plans to build a condominium. Appealed all the way to the Ninth Circuit U.S. Court of Appeals, the opinion handed down read in part, "The council members ignored clearly established law and their attorney's advice. They are not shielded from personal liability." Also, "The meaning is clear: If a reasonable government official would understand that an action violates rights clearly established by the law, that action will give rise to individual liability... ."

There are other cases ruled on by the Third Circuit Court of Appeals in which builders and developers won with conclusions similar to the Bateson case. One of these cases was the 1998 case of Mission Springs Inc. vs. the city of Spokane, Wash., in which the Washington State Supreme Court found city officials to be individually liable for not approving a project. A 2003 Ninth Circuit Court case of Kaahumanu vs. the county of Maui, Hawaii, also held that county officials were individually liable for arbitrary decisions rejecting land use "that met all applicable regulations." So there is significant precedent for developers suing legislative officials as individuals and winning.

Attorney Schubart has negotiated out-of-court settlements and/or won cases for other local developers and builders. One case involved Wong Family LLC, which wanted to develop the 80 acres it owned in Oro Valley, Ariz. In this case, Wong followed local zoning ordinances to subdivide and sell its property, but the town of Oro Valley used years of delaying tactics to subvert both the process and the plans. Wong won the right to develop per its plans and a cash settlement because of the delays.

On May 12, Tate's WestView Estates subdivision plat finally was officially approved. Tate and Schubart are now negotiating a monetary settlement to recover Tate's legal costs and losses during the time his perfectly legal project was delayed.

So, could you do this? Maybe. Have other builders and developers done so and won? Yes. It was worth the two extra months of time Tate spent to win approval, otherwise he would not have been able to build his subdivision at all. Moreover, Schubart and Tate also expect to recover the money spent in pursuing the case. Neither is worried about gaining approval for future legal projects.

We offer our sympathy to the family of Gertrude Miller, a long-time member of our Association who passed away on Aug. 14.

(Continued from page 3)

in 2002, followed by Kansas with a gain of 14.1 percent. Ohio and Minnesota also experienced double-digit gains.

The South, with a resale rate of 2.68 million units, posted a 5.8 percent rise for the second quarter of 2003 over the same quarter a year ago. The strongest increase was in Tennessee, where the resale pace was 17.5 percent higher than the second quarter of 2002. Alabama was up 14.2 percent, South Carolina increased 10.9 percent, Arkansas rose 10.6 percent and the District of Columbia was up by 10.5 percent.

In the West, sales activity in the second quarter was at a sales rate of 1.81 million units, up 5.6 percent from a year ago. After Nevada and Alaska, the next highest increase was in Idaho, where existing-home sales rose 17.0 percent. Hawaii resales were up 16.6 percent and Arizona rose 15.2 percent; Washington, Montana and New Mexico also posted double-digit increases.

In the Northeast, the total existing-home sales pace of 802,000 units in the second quarter was 1.4 percent higher than a year ago. Leading the region was Pennsylvania, where existing-home sales rose 2.5 percent from the second quarter of 2002. "The Northeast was constricted by shortages of homes available for sale, which is why this region experienced the sharpest price increases in the country," Lereah said.

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The seasonally adjusted annual rate for a particular quarter represents what the total number of actual sales for a year would be if the relative sales pace for that quarter was maintained for four consecutive quarters. Total home sales include single family, townhomes, condominiums and cooperative housing. This differs from NAR's monthly series on existing-home sales, which is based only on single-family homes (detached and townhomes). NAR began tracking the state sales series in 1981.

Seasonally adjusted rates are used in reporting quarterly data to factor out seasonal variations in resale activity. For example, sales volume normally is higher in the summer and relatively light in winter, primarily because of differences in the weather and household buying patterns. Quarterly sales rates have been revised going back to 1989 using updated modeling to seasonal adjustment factors; there are no changes to annual sales totals or price data.

Membership Totals Report

REALTORS®	1039		
Affiliates	74	Applied for Membership	23
Institute Affiliates	12	Non-Member Licensees	138
Public Service	2	MLS Participants	1268
Life Members	<u>26</u>	RCA Participants	106
TOTAL	1153		

(Continued from page 5)

come to you. All you need is your own domain name, like mine, www.koelzer.com. If you send me an e-mail addressed to Bill@Koelzer.com, GreekGod@koelzer.com, dork@koelzer.com, coolguy@koelzer.com, Jay-Leno@koelzer.com, Hemingway@koelzer.com, marketing@koelzer.com or anything you want---I will still receive that e-mail. It doesn't matter what precedes the "@". (Just from these few above examples appearing in this very column, I will soon begin receiving Spam addressed to these sample e-mail addresses that include my domain name. See, even I can't win.)

One small consolation...if I remember to which firm I gave each e-mail address, I can tell where an e-mail is coming from at just a glance. For more on this, read a great column on "catch all" e-mail accounts by my fellow Agent News columnist, Gary Hall.

Realtors®, especially, are easy game for Spammers because Realtors® have so many paid and free links in public Web sites like www.realtor.com, www.realtytimes.com, www.realestateabc.com, www.relibrary.com and dozens of others. Spammers use tools which scan public web sites and "harvest" e-mails found there. Now they are even sending e-mails to text-capable cell phones. Cell providers such as AT&T Wireless so far cannot seem to stop them.

There are Spam filters of all kinds. A popular one is called a challenge-response system. This one tries to verify that a human and not a mass-mailing computer is sending an e-mail before letting the e-mail through. First, the program checks the sender against a known list, often your address book. If the name is not there, a message is sent asking the sender to solve a simple problem. This might be: how many balloons are in this picture?, which is the biggest number?, etc., and then the person solves the problem, clicks SEND, and, if he's correct, his e-mail gets through. If not, the system stores the e-mail in a "suspicious" folder for you, or deletes it.

This definitely stops most Spam, but there is a danger. It stops good e-mails, too. Say you just made a rental car reservation at Hertz's web site and their automated system wants to send you a confirmation. Since ConfirmedAuto@Hertz.com is not on your approved list, but is sent by a computer, you may never get the confirmation.

Also, what about other automated e-mails that you do want? These could include ad expiration notices sent to you by real estate directories such as www.agentnews.com, www.realestateabc.com, www.realtor.com and others. How would you know when to renew, unless you had added their renewal-related e-mail address (sometimes impossible to know ahead of time) to your approved list? You could also end up missing the industry newsletters that you subscribe to, and those all-important computer generated e-mail reminders to renew your Web site's soon-to-expire domain name.

Other Spam filters just take all suspicious e-mails and put them into a quarantine folder, which you have to check frequently to make sure that nothing was put there that you really wanted. Such programs may require so much tinkering that the time they'd save you could easily be lost in the tinkering itself.

For a reliably ranked list of software products, from free, to a range of \$20 to \$70 that help stop Spam, pick up the August issue of Consumers Reports or visit CR online. (If you don't yet belong to Consumers Reports online, you should join. It is some of the best few dollars you'll spend in your lifetime.)

To save you time, I've listed below the top nine Spam-blocking software programs as tested by Consumer Reports. These are in the same diminishing order of preference as ranked by CR:

- [State Labs](#) (SAProxy) - Free
- [Mailshell](#) (SpamCatcher) - \$20
- [Blue Squirrel](#) (Spam Sleuth) - \$30
- [Symantec](#) (Spam Alert) - In stores | \$70
- [MailFrontier](#) (Matador) - \$30

(Continued on page 20)

- [Sunbelt Software](#) (HateSpam) - \$20
- [FireTrust](#) (MailWasher Pro) - \$30
- [McAfee](#) (SpamKiller) - In stores | \$30
- [InterMute](#) (Spam Subtract) - \$30

Is there a solution out there? Hah! Spammers use offshore locations that make U.S. policing difficult, though no one is trying very hard right now. Many state and federal agencies could do more to stop Spam, but what is really needed is an international agreement enabling prosecution of the offshore Spammers within the countries in which they operate. Until that happens, count on even more Spam...remember, an e-mail sent to millions of people is so inexpensive that even a few resulting sales is highly profitable to the Spammers. Sending a million messages may cost only about \$500. That's the allure. Thus, poorer people in third-world countries see a goldmine there.

The FTC is befuddled. Last year, FTC research showed that only about a third of requests to be removed from a list were honored. You should, however, forward your own Spam to the FTC and complain about it. That will encourage them to take action---sort of a "noble Spam" that you'd be performing. Forward the Spam messages to uce@ftc.gov. The UCE stands for Unsolicited Commercial E-mail.

Should you reply to a Spam e-mail and ask to be removed from their mailing list...even if they provide a link that, when clicked, says that they will delete you? No Sireee! Doing so often only tells them that you are a viable e-mail recipient. You can't win.

Astonishingly, there is no federal law against Spamming, though 33 states have such laws.

A July 21, 2003 story in Eweek said, "Spam is not a partisan issue, but it is embroiled in politics. In the past, turf battles between the House judiciary and commerce committees ruined chances of a vote on the floor. In addition, disagreements within the committees threaten to slow momentum for passing a measure this year." "At present, two bills are competing - one authored by Rep. Richard Burr (R-N.C.), and the other authored by Reps. Heather Wilson (R-N.M.), and Gene Green (D-TX). The Burr bill has the support of both committee chairmen, but the majority of the commerce committee members support the Wilson-Green bill."

Rep. John Dingell (D-MI), the ranking Democrat on the full Committee, is a cosponsor of HR 2515, the Wilson bill. He called the Wilson bill a "strong" bill, while the Burr bill "is weaker in several important respects". Rep. Fred Upton (R-MI), a cosponsor of Burr's HR 2214 and chairman of the Subcommittee on Telecommunications and the Internet," said, "Efforts in the last couple of Congresses have fallen short, particularly because of squabbles between Committees of jurisdiction." (The Committees of jurisdiction are the House Commerce Committee and the House Judiciary Committee.) "We may finally be in a position to respond to our constituents' plea for help," added Upton.

Well, duh! Yes, isn't it about time you politicians quit handcuffing yourselves and act?

So, can you stop the tidal wave of Spam e-mail that you're getting? No. All you can do right now is to make it less worse. But be afraid. Be very afraid. It is going to get many times worse before it gets any better. The best thing that you can do is to send your own "noble Spam" to uce@ftc.gov and to your state and federal politicians, especially those named above. As you do, urge them to take immediate action to stop a needless malady that costs U.S. productivity (including Realtors®) billions annually.

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Bill Koelzer is a Web marketing consultant for realty-related corporations. He is co-author, with Barbara Cox, Ph.D., of the Prentice-Hall books, "Internet Marketing in Real Estate" and Internet Marketing. Koelzer is also webmaster of Orange County Real Estate - Search MLS, among the most-awarded known Realtor® sites. Contact info: www.koelzer.com or e-mail him at Bill@Koelzer.com ~