



Washington State  
Commercial Association of  
REALTORS®

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**Upcoming  
Education/Events**

[CCIM Luncheon/Class  
Recession Resistant  
Selling - 3 CE hrs](#)

Seattle, WA  
March 10

[SAVE the DATE  
Forum 2010](#)

Seattle, WA  
April 1

[RLI Land Conference](#)

Fort Worth, TX  
April 8-9

[CCIM Mid Year Meetings](#)

New Orleans, LA

# WSCAR Wire

Quarterly Newsletter - Winter Quarter 2010

## A Message From Your WSCAR President



Mike Livingston  
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Washington State Commercial Association of Realtors® ("WSCAR") is picking up momentum as 2010 gears up.

**Our on-going focus for 2010:**

- Communication: help WSCAR members understand what we, and Washington Realtors ("WR"), are doing on behalf of the membership;
- Connectivity: closer interaction regarding political activism with other industry entities such as NAIOP, BOMA, SIOR, etc;
- Leverage: continue to develop a stronger bond with Washington Realtors in order to leverage the power of the Realtor designation. WR has more than 18,000 members compared to WSCAR's +/- 500;
- Advocacy: raise awareness of the need for RPAC funds and lead the effort to raise WSCAR's fair share;
- Representation: continue to work to create balance on the WSCAR board of directors by seeking appropriate representation from Puget Sound area/larger firms.

Our recent visit to Olympia (Legislative Day, January 21, 2010), which included interaction with legislators and elected officials, emphasized how serious and potentially long-lasting the budget crisis will be for the State of Washington. WSCAR is leading the effort to protect the interests of Realtors in the commercial real estate industry. Our productive 2009 has us well-positioned for 2010. We appreciate your membership and support.

*WSCAR is your organization, working on your behalf.  
Please consider active involvement on a committee or on the Board of Directors.*

## Legislative Issues Monitored by WSCAR in 2009



**Bob Mitchell**  
WSCAR Lobbyist

We're over two-thirds through the 2010 Legislative Session. The "even-year" short session always seems like a 400-meter dash and, now that we've passed the first three hundred meters, legs are burning and we're starting to show extreme signs of fatigue as we rush to get bills heard and moved out of their respective chambers by next week's deadline.

The emotional high of having over 600 REALTORS® show up for Legislative Day in January on the Capitol Campus is already a memory. What a tremendous event! Our commercial members had great, productive sessions with our Lt. Governor who chairs the Joint Legislative Committee on Economic Development and International Trade; the Director of the

April 17-24

**SIOR Spring Conference**

Orlando, FL  
April 22-24

**IREM Leadership & Legislative Summit**

Washington DC  
May 1-5

**2010 WSCAR Board Members**

Mike Livingston, President  
Kiemle & Hagood

David Magee, President Elect  
Cushman & Wakefield

Dave Elliott  
Northwest Corporate R.E.

Michael Roy, Past President  
Neil Walter Co.

Bob Mitchell  
Governmental Affairs  
WA Realtors®

Bill Almon  
Almon Commercial RE

Don Arsenault  
Arsenault Realty Advisors

Marianne Christian-Griffith  
MCG Real Estate Consulting

Bill Condon  
Grubb & Ellis

Evan Parker  
GVA Kidder Mathews

Michael Schoonover  
Coldwell Banker Bain

Robert Wallace  
Wallace Properties

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Department of Financial Institutions who oversees the state-chartered financial institutions; the Majority Leader of the House of Representatives and our Secretary of State.

The dozen commercial brokers who participated in the day explained the challenges of today's commercial market place and urged the elected officials and key regulators to please not pass legislation that would do additional harm to a very "fragile" commercial real estate world.

With just a couple of weeks remaining, many questions remain unanswered - what important programs will be cut or eliminated? What revenue programs will be enacted to fill the estimated \$2.6 billion budget hole needed to pay the state's bills through June of 2011?

Your colleagues did their part on January 21st - now we need to remain committed to doing everything we can to get Washington's economy moving again by putting people back to work.

If you've never participated in a Hill Day event, please think about joining us next January 2011 when the 105-day "race" begins again.

Our industry is at a fragile point in the real estate cycle and Realtors®, being Washington State's largest political action group, consistently delivers coordinated, powerful messages to legislators. WSCAR and Washington Realtors® continually fight to protect our industry.

Here is a list of the primary areas targeted last year:

- \* Stimulate the Real Estate Market (Bolster Demand) Housing Tax Credit Advance Loan Program; Housing Finance Commission: SB 5452
- \* Prevent Over-Supply in the Real Estate Market: Distressed Properties Fix: SB 5221; Foreclosure Prevention: SB 6033
- \* "Do No Harm" to Real Estate – Taxes: on real estate, business, or services; Real Estate Excise Tax Use: HB 1744, HB 2249, SB 5630, and SB 6164; Climate Change: HB 1490 and SB 5687
- \* Do No Harm – Washington: Vesting: SB 5148; Home Warranties: HB 1045, HB 1393 and SB 5895
- \* Other REALTOR® Legislative Priorities: Consumer/Business Affairs; Seller's Disclosure: HB 1420; Land Use/Water Issues; Transfer of Development Rights: HB 1172; Tax/Fiscal Policy; Local Infrastructure Funds: HB 1569; Tax Increment Financing: SB 5045

For a complete summary of the legislative issues monitored by WSCAR in 2009, [click here](#).

**THINK "GREEN" IS A PHASE? NOT IN SEATTLE!**

**NEWS ADVISORY!**

Energy Disclosure Ordinance identifies energy waste, gives property owners and tenants tools to improve energy efficiency

SEATTLE - Mayor Mike McGinn today approved a new ordinance to identify energy-wasting buildings. The Energy Disclosure Ordinance, unanimously approved by the Seattle City Council on January 25, 2010, will give City residents and property owners the tools they need to make necessary improvements. City officials say the new ordinance is critical to meeting the City's energy goals, while commercial property owners and energy efficiency contractors point to the economic and business benefits of the new policy. [Read more](#)

**2009 NAR Legislative and Regulatory Accomplishments Affecting Commercial Real Estate**



**1. Banks in Real Estate**

After 8 years of continuous struggle to convince Congress that real estate is not financial in nature and banks should not be allowed in the real estate brokerage business, NAR achieved its objective. On March 11, 2009,

the Omnibus Appropriations Bill, HR 1105, was signed into law, and with it a declaration that, going forward, neither real estate brokerage or real estate management can be classified as a financial activity.

#### 2. *Small Business Administration (SBA)*

NAR obtained a letter from the SBA that expressly states that real estate brokers and real estate agents are eligible for SBA loans. NAR also developed and implemented a new Small business Administration web page that describes SBA programs and helps facilitate SBA loans to agents and brokers. [www.realtor.org/realtors/sba\\_loans](http://www.realtor.org/realtors/sba_loans). NAR also created an informational video on SBA loans. [www.realtors.org/government\\_affairs\\_news\\_videos](http://www.realtors.org/government_affairs_news_videos)

#### 3. *Economic Stimulus*

HR 1, the "American Recovery and Reinvestment Act of 2009", was signed by the President on February 17, 2009. Those provisions of the bill most helpful to commercial real estate relate to: green building and energy efficiency, business tax incentives, and investment in transportation and infrastructure. Some of the most important tax provisions include extension of the 50% bonus depreciation provisions through the end of 2009 and the cancellation of the debt income provisions that provides tax relief for businesses that discharge debt obligations from 2009 through 2014.

#### 4. *TALF*

The "Financial Stability Plan" announced in early 2009 by Treasury Secretary Geithner included a major expansion of the Term Asset-Backed Securities Loan Facility (TALF) program to include commercial mortgage-backed securities (CMBS). To further ensure the stability and recovery of the commercial credit markets, NAR was successful in advocating for the extension of TALF loans from three years to five years, as well as having the TALF program extended through 2010.

#### 5. *Surplus Lines*

The US House of Representatives passed H.R. 2571, the Non-admitted and Reinsurance Reform Act, a bill that seeks to modernize the insurance regulatory system by providing a uniform approach to regulating the commercial surplus lines market. More than 25% of commercial insurance is placed in the surplus lines market, also known as the non-admitted insurance marketplace. This legislation is a key component in overhauling insurance regulation and will help ensure the availability of non-admitted and surplus lines of coverage in areas of the country where admitted property and casualty coverage has grown costly and may even be unavailable.

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## Survey Finds Firms Plan to Hire in 2010

Results of the 2010 Real Estate Hiring Survey reveal more than one-third of employers plan to hire in 2010. About half of the respondents believe industry compensation will remain flat. The survey, conducted in December includes responses from CCIM Career Center and Select Leaders Job Site Network employers. Two-thirds of respondents also said their firms slashed jobs in 2009. Find out what employers are planning. [Click - here](#)



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## If we as Realtors® want to have a say in our future WE NEED TO GET INVOLVED NOW!

The only way we are going to protect our business is to make our voices heard to our legislators and to the public at large. There are opportunities for all of us to have an impact on not only the building code changes, but also the issues of increased taxes, which is going to come up in the next legislative session starting in January. We need to be heard and we need to take action.

Please do what you can to support our causes. While an RPAC donation is greatly needed, how about giving a little time to the cause?

We need to have our voices heard. Contact me directly to see how you can help.



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## REALTOR MEMBER EDUCATION



### "2010 - More Business Now!"

Educational Series – Andrew Zezas, SIOR, begins a commercial-specific, monthly series designed to help you elevate your skills; close more deals, and generate more commission dollars! The discounted rate is \$49 per session. **When registering, be sure to use the discount code, "NAR"**. Register and read more at <http://www.realstrat.com/MBN/>



### NAR Commercial FREE Webinar Series

Looking for education, but don't have time and resources to develop courses? NAR Commercial is bringing you FREE Commercial training by top rated speakers ON DEMAND! This month, hear Bob McComb's "121 Ways to Market Yourself" and Andrew Zezas, SIOR "Getting the Tenant Rep Agreement Signed is Easy!" Click here to listen: [http://www.realtor.org/commercial/free\\_educational\\_webinars](http://www.realtor.org/commercial/free_educational_webinars)

## Online Green Broker Certification - 30 hrs CE Credit

CBA ([Commercial Brokers Association](http://www.commercialbrokers.com)), has launched an online Certified Green Broker education program for commercial real estate professionals designed to train brokers to adequately counsel clients on sustainability business practices. The Certified Green Broker course website is [www.greenbrokereducation.com](http://www.greenbrokereducation.com).

Approved for 30 Hrs CE Credit

**The course is being offered at an introductory rate of \$750. Companies buying multiple courses for their brokers qualify for additional discounts.** For more information call Barbara Travers 206.660.0307



### The Legal Assistance HOTLINE

is a service for members of the Washington Realtors®. It is funded through your dues. There is no additional charge for individual members calling the HOTLINE. The HOTLINE provides legal information, not legal representation. It offers answers to real estate questions that have broad applicability. The HOTLINE will not represent any party in a transaction. Your own attorney will continue to be an important part of your business.

For more information call 1.800.562.6027 or email [legalhotline@warealtor.org](mailto:legalhotline@warealtor.org). Visit [www.warealtor.org](http://www.warealtor.org) and log in under Realtors® only - to access thousands of questions and answers.

Stories continued from above

### Green Just a Phase - continued

The new Ordinance requires large commercial and multi-family property owners in Seattle to annually measure, or benchmark, energy use and provide the City with ratings to allow comparison across different buildings. Building owners will also be required to share energy usage and ratings with prospective buyers, tenants and lenders during the sale, lease or financing of properties. Energy disclosure is one of several measures recommended by the City's Green Building Task Force aimed at reducing energy consumption in existing buildings throughout the city by 20 percent. Today marks the first anniversary of when the Task Force provided those recommendations.

Commercial property managers already benchmarking buildings say measuring energy use is critical to keeping costs down and staying competitive in this tight real estate market.

"Energy costs are one of the largest expenses facing property owners and tenants. Energy spending is also an expense that can be actively managed and controlled," said Christian Gunter, Vice President of Responsible Property Investing at Kennedy Associates, a Seattle-based institutional real estate investment advisor. "Energy-efficient buildings cost less to operate, attract top tenants, and create value for building ownership. With this new ordinance, prospective buyers and tenants will gain new information needed to factor energy use into their decisions about where to invest, live and work. If you are not monitoring, benchmarking and managing energy use, you will simply be less competitive in the market-place."

As more building owners and managers realize the market benefits of measuring and managing energy use, more are seeking ways to improve building energy performance, from no-and low-cost measures such as retro-commissioning, to deep building retrofits -- all of which are contributing to the explosive growth in green building and energy services industries in Seattle and across the U.S.

"We believe that as more building owners work to bring energy use down and make their properties more attractive places to live and work, job opportunities will flourish for companies and contractors in the energy efficiency business" said Ash Awad, with McKinstry, a leading performance contracting company based in the Northwest.

Seattle's Energy Disclosure Ordinance builds on a state law passed last year to include multi-family dwellings and require annual reporting of building energy performance to the City.

For more information on the Seattle Building Energy Disclosure Council Bill Number: 116731 please [click here](#):

For more information on the Green Building Task Force, please [click here](#):



FORWARD THIS MESSAGE