



NCR Property Management Division | Tuesday, January 19, 2021
MINUTES

See attendance at bottom of minutes

Chair Cathy Robertson called the virtual meeting to order at 10:36am. She introduced special guests including Fred Moreno from the NC Real Estate Commission, Andrea Bushnell, CEO with NC REALTORS, and Jessica Hughes, COO with NC REALTORS.

Chair Robertson then introduced the PMD 2021 Board of Governors:

Vice Chair – Bill Aceto

Treasurer – Sharon Dawson

Governors – Aric Beals, Phillip Johnson and Brian Corbett

Immediate Past Chair – Jennifer Stoops

The minutes from September 14, 2020 were approved.

Treasurer Sharon Dawson provided a financial report. Aric Beals asked about the \$10,000 and \$5,000 donation PMD made to the NC Housing Foundation and where those dollars were allocated. Anthony Worsham, 2021 Chair of the NC Housing Foundation answered – \$5,000 went to the \$200,000 contributed to Covid relief, and the \$10,000 was placed in unrestricted funds.

The financial statements were accepted without objection.

NC PMD Staff Liaison Amy Kemp provided a membership update. As of January 8, 2021, there were 421 PMD members. On January 8, 2020, there were 307.

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Mark Zimmerman, NCR Senior VP of External Affairs was introduced and acknowledged the tumultuous year property managers had in 2020. He introduced Cady Thomas who is spearheading efforts in 2021 to address issues in the property management field.

Cady Thomas, Chief Lobbyist, NC REALTORS, provided a Legislative Update.

The top NC Government Affairs team agenda items are Covid-19 Relief, the State Budget and Redistricting. The top NC REALTORS® agenda items are Remote Online Notarization, Housing Relief Funding and Broadband expansion.

The team will be working to ensure a permanent solution to emergency video notarization that makes it safe and secure as well as allows signers to be anywhere and able to close a transaction.

Securing financial assistance for delinquent renters, mortgage payments and utilities for all residential properties is a main priority in the legislative agenda. Supporting efforts to increase broadband infrastructure in the state as well as work on private/public partnerships such as the GREAT program will be the focus.

Additional NCR agenda items include funding for EDPNC and economic incentive programs, funding for the Workforce Housing Loan Program and the Housing Finance Agency, as well as deductibility of mortgage insurance premiums and including the Code of Ethics protected class in Fair Housing Laws.

Other items Cady mentioned in the Legislative Update were a SALT workaround, Commercial property tax issues, and the uniform partition of the Heirs Property Act and reform of the Time Share Act. Her team will also work on preventing taxes on Real Estate Services as well as monitor changes to DOT funding structure.

Cady also recapped 2020 regulatory changes including:
NCREC enacted emergency rules in response to the pandemic
Licensees received a 90 days extension on the June 30 renewals if they had not completed their CE
NC REALTORS® worked with REC on the new Working with Real Estate Agents Disclosure Form.
Shared the NAR racial equity code with the Commission to assist with efforts.

Top priorities with NCR in the 2021-2022 Regulatory Outlook will be REC rule changes, residential insurance rates and private flood insurance.

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The Hope Program and its lack of efficacy was discussed. Cady said her team is working on how the anticipated federal money will be distributed to states for housing relief. There is an anticipated \$703 million for NC rental/housing and utilities relief. The Governor or the General Assembly will appropriate the funds but they are currently arguing over who will do it. Cady acknowledged property managers are not being paid for past due rent and that the tenant is being protected. She is having conversations every day to relay the issues around the Hope program and how we see this not working, how we see it working better, and how we can be better partners to help everyone, including tenants and landlords.

Cady hopes to see another 25 billion in rental assistance and 25 billion in mortgage assistance coming in 2021. NCR Government Affairs would like landlords to be able to apply, be paid directly, and the whole process streamlined so property managers receive the money in a timelier manner. She asked that PMD members please send her examples of how the Hope Program is not working. She also requested feedback about the TimeShare Act and if any of our members engage in timeshare management and/or sales to please reach out to her.

Fred Moreno, NCREC, outlined the changes on the Timeshare Act. There are many technical changes occurring and North Carolina is trying to get on board with other states like FL who have passed legislation to limit the resale of these properties. There is also some fraud with third parties who ask for a fee to get them out of the timeshare (like a foreclosure scam we have seen in other areas).

Aric Beals asked what NCR is doing on the legal front. Cady turned it over to Will Martin to address that in his report. She assured the attendees that the Hope Program is hearing a lot of noise from us – shouting in fact, and we are hoping to make some progress. It is hard to be heard currently because vaccine distribution is taking precedence with the government/administration in the state.

Cady addressed the Source of Income Discrimination coming out of Charlotte and being pushed across the state. She said it is not a protected class, it has been introduced as a bill but has not received a hearing. She is not sure the General Assembly will be willing to do anything on this front. HB2 has been repealed and is off the books so local governments are incorporating non-discrimination language in their codes. This would be a good place to put the source of income discussion but she is not sure we want to be engaged in that other discussion. We are talking with Charlotte legislators about how it is not a protected class and some options.

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Connie Corey asked if the Residential Property Disclosure form is beneficial anymore. Cady said when markets are hot there is not much benefit to the form but when we are in a buyer's market, it provides benefits to potential buyers. We will not be able to get rid of representation on this form and this could be an issue to take to the NCR Legislative Committee.

Will Martin, NCR Legal Counsel, provided a Legal Update. There are many eviction questions coming through the legal hotline. North Carolina's new chief justice allowed former Justice Beasley's Executive Directive 18 to expire. One component of that directive was the shutting of the courthouses to hearings. Summary ejectment hearings should be able to be held now. Currently it is up to local courthouse officials whether hearings are permitted. Executive Directive 18 also mandated the use of the Cares Act Affidavit - the form is still available but since the directive expired, there is a question of does the affidavit still need to be filed. Will thinks you do for forbearance on multifamily mortgage loans – you cannot evict someone who is covered by that loan for nonpayment of rent. You could apply for that through the end of the year and you would have potentially through March to obtain forbearance on a mortgage. He recommended using the affidavit through the end of March.

Executive Order 17 was extended through the end of January as well as the CARES Act. Incoming President Biden has indicated he will ask congress to extend the CDC order through September.

Legal action fund about the original order – while the order expired, we have remained in contact with a firm to proceed with discussion on litigation if we receive additional extensions.

The legal team is also receiving many questions about month-to-month and evicting for holdover – with not extending the lease – not for nonpayment of rent. The short answer is yes. The moratorium only applies to non-payment of rent. Will asked for input on these instances - which legal aid, etc. may be going for landlords on holdover theory but they are just using that as a pretext for evictions of people not paying their rent. Then the CDC and governor's order may apply to those evictions.

Amy Hedgecock asked about the loophole, for example, if the property owner wants to sell the property. Will recommends holding off asking for back rent, etc. if you are using holdover as a basis for eviction – that will help deflect that argument.

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Chair Cathy Robertson moved on to New Business. She reviewed the 2021 goals she has for the division:

Create a designation for North Carolina Property Managers

- *Work with a task force and the NC REALTORS® Member Engagement Staff*
- *Include Andrea Bushnell as well the NC Real Estate Commission on decisions*

Tweak bylaws to reflect technology challenges to nominating procedure/voting

Develop a statement on Diversity/Inclusion to piggyback on NC REALTORS® statement reflecting the value of property managers and the division as a whole (with Andrea's approval)

Continue legislation and education on challenges facing Property Managers in NC

Grow the membership

Add value to ensure members feel belonging to PMD is worthwhile

Current bylaws regarding the Nomination Procedure have been reviewed and the Board of Governors would like to make a couple changes to ensure nominations go smoothly and every PMD member who would like to serve has that opportunity. The suggested changes are attached under the current bylaws. The PMD Board of Governors has reviewed these as well as NCR COO, Jessica Hughes and NCR Chief Legal Officer, Caitlin Thompson. Cathy asked everyone to review the proposed changes and send any comments or suggestions to Amy Kemp **by March 15**. We will bring a second draft to the April meeting for additional discussion, hopefully a motion and approval.

The GRI program at NCR has brought back the property management class. They have contracted with Debbie Henry to offer this class as part of the GRI designation and it will be available at least twice in 2021. PMD will continue to offer webinars and programs as needed throughout the year. Please let us know if you have suggestions for topics to cover.

The 2021 NCNARPM Conference will be held at the Loews Kansas City from October 26-29, 2021



2021 Vision Quest & Winter Leadership Meetings



The PMD Handbook will be updated in 2021 (last update was in 2017) and should be updated and ready to print and mail to all current members by midyear.

We will be gathering a Designation Task Force to look at the possibility of creating a property management designation in North Carolina. Be on the lookout for more information.

Chair Cathy Robertson said the PMD leadership is planning to meet soon with NCR staff members regarding a Call for Action on the Hope Program and we will have an additional membership meeting if necessary. Mark Zimmerman agreed NCR is open to discussion about that.

Cathy encouraged everyone to reach out to her or to staff liaison Amy Kemp with any questions, concerns, advice or news. We are here to help in any way(s) we can.

The meeting was adjourned at 11:30am.

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In Attendance

- Aceto, Bill
- Alexander, Ray
- Allen, Matt
- Allen, Mckenzie
- Bachmann, Troi
- Baldwin, Lou
- Barr, Mike
- Beals, Aric
- Bushnell, Andrea
- Chen, Rachel
- Clark, Dalton
- Cooper, Jamie
- Coppedge, Cindy
- Corbett, Brian
- Corey, Connie M
- Daly, Denise
- Davis-Williams, Brenda
- Dawson, Sharon
- Endre, Kimberly
- Fie, Geena
- Fowler, Robert
- Gallimore, Debbie
- Gates, Bruce
- Gillison, Joel
- Googe, Jordan
- Graham, Porter
- Harris, Wendy
- Hedgecock, Amy
- hedgepeth, angela
- Hill, Pam
- Hughes, Jessica
- Jester, Susan
- Johnson, Phillip
- Kemp, Amy
- Mace, Megan

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Martin, Will

Melton, Pam

Monks, Judith

Moreno, Fred

Nixon, Erin

Phillips, Jasmine

Robertson, Catherine

Roldan, Debora

Stoops, Jennifer

Thomas, Catherine

Thompson, Caitlin

Weaver, Richard

Wing, Russell

Worsham, Antonio

Zimmerman, Mark

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NOMINATION PROCESS FOR PMD - EDITS January 2021

CURRENT BYLAWS REGARDING NOMINATION:

PROCEDURE FOR NOMINATIONS

BOARD OF GOVERNORS

Property Management Division

NC REALTORS®

- A. At least two (2) months before the Annual Meeting, a Nominating Committee composed of the last three living past Chairs, who are current members of the Property Management Division, shall be appointed by the current Chair. The Nominating Committee shall select one candidate for each place to be filled on the Board of Governors. The report of the Nominating Committee shall be mailed to each member at least four (4) weeks preceding the meeting. Additional candidates for the positions to be filled may be placed in nomination from the floor and must be present and agree to run.
- B. Election shall be by ballot and all votes shall be cast in person. The ballot shall contain the names of all candidates.
- C. The Chair, with the approval of the Board of Governors, shall appoint an Election Committee of three members to conduct the election. In case of a tie vote, the issue shall be determined by lot.



PROCEDURE FOR NOMINATIONS - REVISED

BOARD OF GOVERNORS

Property Management Division

NC REALTORS®

- A. At least two (2) months before the Annual Meeting, a Nominating Committee composed of the last three living past Chairs, who are current members of the Property Management Division, shall be appointed by the current Chair. The Nominating Committee shall select one candidate for each place to be filled on the Board of Governors. The report of the Nominating Committee shall be emailed to each member at least four (4) weeks preceding the meeting. Additional candidates for the positions to be filled may be nominated by completing the nomination form by the deadline established by the Nominating Committee. Nominations from the floor shall not be accepted.
- B. The Nominating Committee shall present a slate of Board members for election by a majority of members in attendance at the annual meeting.