

**Tennessee REALTORS®**  
**Board of Directors Meeting**  
Wednesday, October 14, 2020  
10:45 a.m. (CDT)  
**MINUTES**

**CALL TO ORDER**

President Hagan Stone called the meeting of the Board of Directors to order on Wednesday, October 14 at 10:45 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Leon Dickson and was followed by the Pledge of Allegiance to the flag of the United States of America.

**CREDENTIALS REPORT**

CEO Angela Shields reported a quorum was present.

**ADOPTION OF AGENDA**

The Agenda was adopted as presented.

**ADOPTION OF RULES**

President Stone stated the Standing Rules are in the Directors' packet and there being no objection, the rules were adopted.

**INTRODUCTIONS**

President Stone welcomed all members and guests and introduced: Travis Close, First Vice President; Regina Hubbard, Treasurer; Kathy Tucker, Immediate Past President; Greg Glosson and Lauren Wiuff, Division I Vice Presidents; Sher Powers and Dawne Davis, Division 2 Vice Presidents; Kelly White and Aaron Taylor, Division 3 Vice Presidents; Angela Shields, CEO; Patricia Junkin, Parliamentarian; Russ Farrar, General Counsel; and Jay Rinehart, NAR Region 4 Vice President.

**APPROVAL OF MINUTES**

The minutes of the March 2020 Board of Directors Meeting were approved as published.

**FINANCIAL REPORT**

Treasurer Regina Hubbard presented the July 2020 Financial Report and membership numbers for information.

**PRESIDENT'S REMARKS**

President Stone gave a report highlighting the accomplishments of the year.

**NAR UPDATE**

NAR Region IV Vice President Jay Rinehart gave a NAR update.

## **COMMITTEE AND OTHER REPORTS**

### **Convention Committee**

Chair Karen Roach reported on behalf of the committee reminding everyone of the 2021 TNEX Conference in February 2021 and the Annual Conference to be held in Chattanooga in September 2021.

### **Diversity & Inclusion Committee**

Chair Casandra Bell-Warren presented a report on behalf of the Diversity & Inclusion Committee.

### **Governmental Affairs Committee**

Chair Sally Sparks presented a report on behalf of the Governmental Affairs Committee.

1. Currently, TREC rules require written authorization from the property owner be required when a licensee is wishing to advertise property listed by another licensee. The proposed rule change would change permission from property owner to permission from the listing agent or listing broker. A motion was presented on behalf of the committee to support the proposed change.

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

2. A motion was made on behalf of the committee to support the changes in response to the Fresh Start Act.

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

### **RPAC**

Chair Mike Gaughan presented a RPAC report on behalf of the RPAC Trustees.

### **Commercial Forms Committee**

Chair, Rosemarie Fair presented a report on behalf of the Residential Forms Committee. On behalf of the committee, a motion was made to approve form RF634 "Investment Property Addendum." (Report Attached).

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

**Residential Forms Committee**

Chair, Joan Smith presented a report on behalf of the Residential Forms Committee.  
(Report Attached)

1. A motion was presented on behalf of the committee for the approval of the additions to form RF161 "Agreement to Show Property."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

2. A motion was presented on behalf of the committee for the approval of the additions to form RF301 "Working with a Real Estate Professional."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

3. A motion was presented on behalf of the committee for the approval of the additions to form RF304 "Disclaimer Notice."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

4. A motion was presented on behalf of the committee for the approval of the additions to form RF401 "Purchase and Sale Agreement."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

5. A motion was presented on behalf of the committee for the approval of the additions to form RF623 "Buyer's First Right of Refusal Addendum."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

6. A motion was presented on behalf of the committee for the approval of the additions and additions to form RF656 "Notification."

President-Elect Alex Bynum reported the Executive Committee recommends approval of the motion.

Motion carried.

### **TREEF**

TREEF President-Elect Bobbie Noreen gave a report for information only. TREEF Nominating Committee Chair, Aaron Taylor presented the report from the TREEF Nominating Committee and moved election of the following Trustees:

Bobbie Noreen (Greater Nashville)	1 Year Term – Immediate Past President
Greg Renfrow (Memphis Area)	3 Year Term
Cheryl Muhammad (Memphis Area)	3 Year Term
Doyle Webb (Knoxville Area)	3 Year Term
Pattie Whalen (Knoxville Area)	3 Year Term

President-Elect Alex Stone reported the Executive Committee recommends election of the Trustees.

Motion was passed to elect the Trustees as presented.

### **Nominating Committee**

On behalf of the Nominating Committee, Chair Brian Copeland presented the following slate of Tennessee REALTORS® Officers for 2021 and moved their election.

First-Vice President:	Sher Powers, Nashville
Division 1 Vice President :	Katie Townsend, Parsons
Division 2 Vice President:	Lucy Smith, Nashville
Division 3 Vice President:	Will Sliger, Morrison

President-elect Alex Bynum reported the Executive Committee recommends approval.

There being no nominations from the floor motion was passed to elect the proposed slate of officers as presented.

**Budget & Finance Committee (Proposed 2021 Budget)**

Treasurer Regina Hubbard presented the Proposed Budget for 2021 and stated the budget is based on 27,000 members. The annual dues will remain at \$105 and the Issues Mobilization assessment will remain at \$15.00. The proposed Budget is attached. Treasurer Hubbard moved adoption of the Proposed Budget for 2021.

President-Elect Alex Bynum reported the Executive Committee recommends adoption of the Proposed Budget for 2021.

Motion was passed to adopt the 2021 Budget as presented.

**NEW BUSINESS**

**Recognition of Tennessee REALTORS Committee Chairs.**

President Stone thanked all Committee Chairs for their service.

Meeting adjourned at 12:00 p.m.

Submitted by:

Angela Shields, CEO / Secretary

**Tennessee REALTORS®**  
**Operating Budget**  
**July 31, 2020**

	YTD 2020 ACTUAL	YEARLY BUDGET	BUDGET VARIANCE	PERCENT TO BUDGET
<b>INCOME</b>				
State Dues	3,122,699.17	2,791,250.00	331,449.17	111.87%
Credit Card fees	-62,846.34	(52,060.00)	-10,786.34	120.72%
Interest Income(Operating)	19,096.60	52,560.00	-33,463.40	36.33%
Other (Affinity Programs, Labels, Pins, etc.)	5,991.66	13,300.00	-7,308.34	45.05%
AREA Leadership Tuition	0.00	13,485.00	-13,485.00	0.00%
Copyright Licenses	15,000.00	-	15,000.00	
TNEX Registration fees	44,475.00	62,500.00	-18,025.00	71.16%
Sponsorships	34,500.00	110,000.00	-75,500.00	31.36%
<b>TOTAL OPERATING INCOME</b>	<b>3,178,916.09</b>	<b>2,991,035.00</b>	<b>187,881.09</b>	<b>106.28%</b>
<b>EXPENSES</b>				
<b>General Business</b>				
Building	27,480.75	81,862.00	-54,381.25	33.57%
Taxes and Insurance	9,584.00	56,500.00	-46,916.00	16.96%
Professional Fees	32,073.74	47,814.00	-15,740.26	67.08%
Human Resources	635,943.02	1,302,054.00	-666,110.98	48.84%
<b>Subtotal</b>	<b>705,081.51</b>	<b>1,488,230.00</b>	<b>-783,148.49</b>	<b>47.38%</b>
<b>Administrative</b>				
General Office Expenses	9,494.23	10,240.00	-745.77	92.72%
Dues & Subscriptions	2,000.00	2,175.00	-175.00	91.95%
Committees and Task Forces	753.62	4,660.00	-3,906.38	16.17%
Executive Committee Meetings	7,750.37	43,300.00	-35,549.63	17.90%
Officers' Travel (Pres, Pres-elect, 1st VP & Treas)	10,750.47	112,700.00	-101,949.53	9.54%
TN Leadership Conference	2,844.70	26,000.00	-23,155.30	10.94%
Leadership Roadshows	8,734.06	30,000.00	-21,265.94	29.11%
Mbrp Fee - TN Chamber of Commerce	3,000.00	3,000.00	0.00	100.00%
Legal Hotline	37,172.94	64,000.00	-26,827.06	58.08%
Leadership Initiatives	0.00	31,000.00	-31,000.00	0.00%
Booth at MiPIM Conference	0.00	30,000.00	-30,000.00	0.00%
NAR Realtor Relief Fund	25,000.00	5,000.00	20,000.00	500.00%
Broker's Summit	0.00	-	0.00	0.00%
DVP's & IPP Travel	2,466.67	12,500.00	-10,033.33	19.73%
National Director Travel	0.00	51,000.00	-51,000.00	0.00%
NAR Regional Meeting	0.00	5,000.00	-5,000.00	0.00%
NAR Regional Hospitality	5,649.00	15,000.00	-9,351.00	37.66%
Awards & Memorials	5,417.07	12,360.00	-6,942.93	43.83%
Staff Travel & Prof. Development	19,769.14	77,970.00	-58,200.86	25.35%
<b>Subtotal</b>	<b>140,802.27</b>	<b>535,905.00</b>	<b>-395,102.73</b>	<b>26.27%</b>

# **Tennessee REALTORS®**

## **Operating Budget July 31, 2020**

	<b>YTD 2020 ACTUAL</b>	<b>YEARLY BUDGET</b>	<b>BUDGET VARIANCE</b>	<b>PERCENT TO BUDGET</b>
<b>Education and Professional Develop</b>				
Education Programs/Spring Conference	126,027.85	96,100.00	29,927.85	131.14%
Business/Other - Spring Conference	64,575.72	56,350.00	8,225.72	114.60%
AREA Leadership Program	22,036.89	25,950.00	-3,913.11	84.92%
Staff Travel & Professional Development	768.48	8,475.00	-7,706.52	9.07%
<b>Subtotal</b>	<b>213,408.94</b>	<b>186,875.00</b>	<b>26,533.94</b>	<b>114.20%</b>
<b>Governmental Affairs</b>				
Dues & Subscriptions	6,400.00	6,250.00	150.00	102.40%
Governmental Affairs Programs & Exp	301.85	6,000.00	-5,698.15	5.03%
REALTOR® Advocacy Training	0.00	25,000.00	-25,000.00	0.00
Tennessee REALTORS® Day on the Hill	18,242.95	17,500.00	742.95	104.25%
Lobbying Fees and Expenses	67,381.25	114,975.00	-47,593.75	58.61%
Annual Platinum RPAC Investment	0.00	10,000.00	-10,000.00	0.00%
Travel Exp (Govt'l Chair & FPCs DC Mtg.)	0.00	1,500.00	-1,500.00	0.00
Staff Travel & Professional Develop	2,232.06	21,250.00	-19,017.94	10.50%
<b>Subtotal</b>	<b>94,558.11</b>	<b>202,475.00</b>	<b>-107,916.89</b>	<b>46.70%</b>
<b>Member Engagement</b>				
Online Forms & Support	4,929.60	-	4,929.60	0.00%
AE Education Program	750.00	10,000.00	-9,250.00	7.50%
Forms Committees	506.17	3,000.00	-2,493.83	16.87%
Staff Travel & Professional Development	639.98	5,100.00	-4,460.02	12.55%
<b>Subtotal</b>	<b>6,825.75</b>	<b>18,100.00</b>	<b>-11,274.25</b>	<b>0.00%</b>
<b>Communications</b>				
Dues & Subscriptions	594.37	850.00	-255.63	69.93%
Communication Platforms	27,367.60	59,460.00	-32,092.40	46.03%
Realtor® Branding	5,303.86	75,400.00	-70,096.14	7.03%
Staff Travel & Professional Development	1,822.39	11,540.00	-9,717.61	15.79%
<b>Subtotal</b>	<b>35,088.22</b>	<b>147,250.00</b>	<b>-112,161.78</b>	<b>23.83%</b>

**Tennessee REALTORS®**  
**Operating Budget**  
**July 31, 2020**

	YTD 2020 ACTUAL	YEARLY BUDGET	BUDGET VARIANCE	PERCENT TO BUDGET
<b>Technology</b>				
Equipment Maintenance	0.00	12,000.00		
Online Forms & Support	153,886.53	261,000.00	-107,113.47	58.96%
Document Archiving	0.00	11,000.00		
Internet Site & Services	11,397.34	16,200.00	-4,802.66	70.35%
Domains	48.00	-	48.00	0.00%
Technology Resources	38,493.96	51,500.00	-13,006.04	74.75%
Webinars, Webcast Streaming	2,442.23	500.00	1,942.23	488.45%
Staff Travel & Professional Development	5,271.53	10,000.00	-4,728.47	52.72%
Subtotal	211,539.59	362,200.00	-150,660.41	58.40%
<b>TOTAL OPERATING EXPENSES</b>	<b>1,407,304.39</b>	<b>2,941,035.00</b>	<b>-1,533,730.61</b>	<b>47.85%</b>
<b>NET OPERATING INCOME</b>	<b>1,771,611.70</b>	<b>50,000.00</b>	<b>1,721,611.70</b>	<b>0.00%</b>
<b>OTHER INCOME/EXPENSE</b>				
Convention Income	155.00	-		
Convention Expense	-13,288.00	(50,000.00)		
Gain/Loss on Investments	-148,101.00	-		
Capital Expenditures	-24,479.44			
Depreciation Expense	0.00	-		
Subtotal	-185,713.44	(50,000.00)		
<b>RESTRICTED INCOME/EXPENSE</b>				
Issues Mobilization Assessment	456,155.00	397,500.00	58,655.00	114.76%
Issues Mobilization Interest	4,578.07	19,200.00	-14,621.93	23.84%
<b>TOTAL RESTRICTED INCOME</b>	<b>460,733.07</b>	<b>416,700.00</b>	<b>44,033.07</b>	<b>110.57%</b>
Issues Mobilization Expenses	38,782.50	-		
<b>NET RESTRICTED</b>	<b>421,950.57</b>	<b>416,700.00</b>		
<b>NET INCOME</b>	<b>2,007,848.83</b>	<b>416,700.00</b>	<b>1,591,148.83</b>	<b>0.00%</b>



**TENNESSEE REALTORS®  
OPERATING BUDGET  
JULY 31, 2020  
MAJOR VARIANCE EXPLANATION**

**INCOME**

State Dues (up). Budgeted for 26,500 members: actual 30,080

Issues Mob (up). Budgeted for 26,500 members; actual 30,080

Credit Card fees (up). Based on number paying thru eCommerce. Membership is up.

Interest (down). Interest rates dropped as of March.

AREA (down), program moved to 2021 due to COVID-19

Sponsorships (down). Less participation than expected due to COVID-19.

**EXPENSES**

*Administration*

REALTOR Relief Fund (up). Due to Disaster Relief in 2020.

*Education and Professional Develop*

Education Programs/Spring Conf (up). Spring Conf expenses (Rooms and Superbowl Party)

*Technology*

Webinars, Webcast Streaming (up). Increased Zoom usage. Etc due to COVID-19

**TENNESSEE REALTORS®****Balance Sheet****July 31 2020**

<b>ASSETS</b>		
Petty Cash	\$25.00	
Checking Account	\$33,423.36	
Operating & General Reserve Accounts	\$3,869,836.50	
<b>Total Operating &amp; General Reserves</b>		<b>\$3,903,284.86</b>
<b>DESIGNATED FUNDS</b>		
Issues Mobilization Fund	\$4,619,145.49	\$4,619,145.49
Legal Fund	\$100,574.61	\$100,574.61
<b>Designated Reserves:</b>		<b>\$439,614.24</b>
NAR Officer Candidate Account (Region 4)	\$26,327.70	
Education Reserve	\$56,467.31	
Building Reserve	\$145,979.43	
Auto Reserve	\$14,901.49	
Equipment Reserve	\$195,938.31	
<b>TOTAL DESIGNATED FUNDS</b>		<b>\$5,159,334.34</b>
<b>PERMANENT RESERVES</b>		
Accounts Receivable & Prepaid Expenses	\$71,163.13	\$71,163.13
<b>Subtotal Assets</b>		<b>\$10,479,769.33</b>
Office Furnishings & Equipment	\$385,210.35	
Real Estate	\$3,261,598.16	
Accumulated Depreciation	-\$1,340,951.25	
<b>Total</b>		<b>\$2,305,857.26</b>
<b>Total Assets</b>		<b>\$12,785,626.59</b>
<b>LIABILITIES AND EQUITY</b>		
Liabilities	\$25,055.66	
Equity	\$12,760,570.93	
<b>Total Liabilities and Equity</b>		<b>\$12,785,626.59</b>

## Largest Association to Smallest Association

Association	Institute Affiliate	REALTOR®	REALTOR® Associate	Total	Non-Member
Greater Nashville Association of REALTORS®	114	5516		5630	40
Knoxville Area Association of REALTORS®	16	4846		4862	6
Memphis Area Association of REALTORS®	75	865	3011	3951	28
Williamson County Association of REALTORS®	32	2697	1	2730	4
Middle Tennessee Association of REALTORS®	2	2213		2215	
Greater Chattanooga Association of REALTORS®	11	2097		2108	35
Northeast Tennessee Association of REALTORS®	1	1378		1379	1
Robertson County Association of REALTORS®	1	1346		1347	3
Eastern Middle Tennessee Association of REALTORS®	3	1335		1338	
Clarksville Association of REALTORS®		1119		1119	1
Sumner Association of REALTORS®	4	765		769	
Southern Middle Tennessee Association of REALTORS®	1	617		618	4
River Counties Association of REALTORS®	1	543		544	3
Central West Tennessee Association of REALTORS®	1	526		527	1
Great Smoky Mountains Association of REALTORS®		454		454	
Upper Cumberland Association of REALTORS®		433		433	
Lakeview Area Association of REALTORS®		422		422	
Tennessee REALTORS®		334		334	
Bristol Tennessee Virginia Association of REALTORS®		250		250	
Tennessee Valley Association of REALTORS®		118		118	
Reelfoot Regional Association of REALTORS®		62		62	

### Tennessee REALTORS® Membership Compared To Previous Year

Date of Previous Year		Date of Current Month/Year						
	Total	REALTOR®	REALTOR® Associate	Institute Affiliate	State Affiliates	Total	Percent Difference	Non-Member
<b>Western Division</b>								
Central West Tennessee Association of REALTORS®	504	526	0	1		527	5%	1
Memphis Area Association of REALTORS®	3866	865	3011	75		3951	2%	28
Reelfoot Regional Association of REALTORS®	57	62	0	0		62	9%	0
Tennessee Valley Association of REALTORS®	123	118	0	0		118	-4%	0
<b>Middle Division</b>								
Clarksville Association of REALTORS®	1113					1119	1%	1
Eastern Middle Tennessee Association of REALTORS®	1449	1119	0	0		1119	1%	1
Greater Nashville Association of REALTORS®	5186	1335	0	3		1338	-8%	0
Middle Tennessee Association of REALTORS®	1989	5516	0	114		5630	9%	40
Robertson County Association of REALTORS®	1325	2213	0	2		2215	11%	0
Southern Middle Tennessee Association of REALTORS®	544	1346	0	1		1347	2%	3
Sumner Association of REALTORS®	837	617	0	1		618	14%	4
Upper Cumberland Association of REALTORS®	450	765	0	4		769	-8%	0
Williamson County Association of REALTORS®	2848	433	0	0		433	-4%	0
		2697	1	32		2730	-4%	4
<b>Eastern Division</b>								
Bristol Tennessee-Virginia Association of REALTORS®	259					250	-3%	0
Great Smoky Mountains Associations of REALTORS®	426	250	0	0		250	-3%	0
Greater Chattanooga Association of REALTORS®	1998	454	0	0		454	7%	0
Knoxville Area Association of REALTORS®	4822	2097	0	11		2108	6%	35
Lakeway Area Association of REALTORS®	440	4846	0	16		4862	1%	6
Northeast Tennessee Association of REALTORS®	1315	422	0	0		422	-4%	0
River Counties Association of REALTORS®	579	1378	0	1		1379	5%	1
		543	0	1		544	-6%	3
<b>Tennessee REALTORS® Secondary Members</b>								
	355	334	0	0		334	-6%	0
<b>Total</b>	<b>30485</b>	<b>27936</b>	<b>3012</b>	<b>262</b>	<b>0</b>	<b>31210</b>	<b>2%</b>	<b>126</b>



**Tennessee REALTORS®**  
**Government Affairs Committee Minutes**  
**Monday, October 12, 2020 | 2:15 p.m. – 3:15 p.m.**

**PRESENT:**

*\*Italics indicates not present*

Sally Sparks (Chair)	Larry Evans	Kim Keith	Mike Pappas
Sue Stinson Turner (Vice Chair)	Brian Foster	Lois Killebrew	Karen Randolph
Kim Bass	Chris Garrett	Jewell McKinney	Fay Robinson
Scott Boles	Debbie Guthery-Owen	Lee McWaters	Ron Tucker
Kathy Dunn	Jim Hodge	Greg Myers	<i>(Melinda Kelly-Major)</i>

**INFORMATION ITEMS:**

- NAR Senior Political Representative, Drew Myers gave a federal update.
- Russ Farrar gave state legislative update.
- Will Sliger presented a request from the Lakeway Area Association.
- Alex Bynum presented on Government Cameras on Private Property
- Addison Russell presented on the new proposed TREC rules.
- The Homebuilders Legislative Agenda for 2021 was reviewed.

**RECOMMENDATION:**

- Motion was made to further research LAARs request. APPROVED
- Motion was made to further research TWRA and the use of cameras on private property. APPROVED
- Motion was made to approve the proposed TREC rules. APPROVED.

Meeting adjourned at 3:15 p.m.

Submitted by,

Sally Sparks, Chair

# RAMSEY FARRAR & BATES

## TREC RULEMAKING HEARING NOVEMBER 12, 2020

TREC will hold a rulemaking hearing concerning the 2 rules below. Included in this document is a brief overview of both of those:

### 1) Advertising listings of another licensee; required permission

- Currently, TREC rules require written authorization from the property owner be required when a licensee is wishing to advertise property listed by another licensee.
- The proposed rule change would change permission from property owner to permission from the listing agent or listing broker.
- This would mean if a licensee wanted to share the listing of another licensee on their facebook page, for instance, they would need to contact the listing agent and obtain written permission from the agent.
- This rule seems to be more aligned with the practicality of today's real estate practice.

Here is a redline version of the rule. Blue language denotes new language. The language which is in red and stricken is the language being replaced.

Rule 1260-02-.12(3)(e) shall read:

(3)(e) No licensee shall advertise property listed by another licensee without written authorization from the **listing agent or listing broker** ~~property owner. Written authorization must be evidenced by a statement on the listing agreement or any other written statement signed by the owner.~~

To view the complete rule filing, visit below:

[https://publications.tnsosfiles.com/rules\\_filings/09-08-20.pdf](https://publications.tnsosfiles.com/rules_filings/09-08-20.pdf)

### 2) Changes in response to the Fresh Start Act

- In 2018, the Tennessee General Assembly passed the Fresh Start Act which was designed to further reduce Tennessee's recidivism rates by providing a pathway to employment for citizens who are returning to their communities following incarceration and who desire a fresh start in life. The bill stated denials and refusals for professional license renewals based on a prior criminal conviction are only allowable when the criminal offense directly relates to an individual's ability to perform duties associated with the occupation or profession they are seeking a licensure for, excluding violent felonies.
- Currently, TREC has a rule which contains a "blanket ban" for any applicant for a real estate license who has been convicted of felonies and misdemeanors which involve theft within the past 2 years.
  - This rule will be stricken and those people will be eligible to apply for a real estate license.
  - However, the real estate commission will retain the ability to interview those applicants and the real estate commission will also retain the ability to deny any applicant convicted of such felony or misdemeanor if the commissioners feel the crime was so egregious and the applicant has not changed their life in a manner that would not put consumers at risk of harm.
- Currently, TREC requires any applicant who has been convicted of a felony or misdemeanor within the past ten years related to theft, the applicant shall provide certain documentation regarding the conviction with their application.
  - This rule change would make it so this requirement only applied to Class A, B, or C felonies and not Class D or E felonies, which are much smaller in nature.

Here is a redline version of the rules. Blue language denotes new language. The language which is in red and stricken is the language being replaced.

TREC Rule 1260-01.01

~~(4) No person shall be eligible for examination or be considered for licensure unless two (2) years have passed from the date of expiration of probation, parole or conviction, or from the date of release from incarceration, whichever is later in time. This restriction shall apply to all felonies, and to misdemeanors which involve the theft of money, services, or property. An applicant who appears before the Commission requesting licensure and who is denied will not be eligible for reconsideration for six (6) months from the date of denial.~~

~~(5)~~(6) If within the past ten (10) years, an applicant has been convicted of or pled nolo contendere or guilty to any Class A, B, or C felony or a misdemeanor involving the theft of services, money or property, or had disciplinary sanctions imposed on them by any local, state or federal occupational licensing body, the applicant shall:

(a) Complete and submit a form prescribed by the Commission containing information relevant to the conviction, plea or disciplinary sanction.

(b) Submit certified copies of the court disposition or other document acceptable to the Commission for each conviction, plea of guilty or nolo contendere or a copy of the order or other document which shows the disciplinary action taken by the local, state or federal agency and the factual and legal basis for the action, whichever is applicable.

1. If the background check produced pursuant to T.C.A. § 62-13-303(l) does not reveal the disposition of any arrest or charge related to a Class A, B, or C felony or a misdemeanor involving theft of services, money or property and the charge has been dismissed, nolle prosequi or otherwise disposed of without conviction or a plea of guilty or nolo contendere, the applicant shall submit certified copies of the court disposition or other document acceptable to the Commission for each such arrest or charge.

2. If the court has no record of the arrest, charge, or conviction due to age of the record or any other reason, the applicant shall submit a letter from the court clerk stating the absence of the record(s).

To view the complete rule filing, visit below:

[https://publications.tnsosfiles.com/rules\\_filings/09-07-20.pdf](https://publications.tnsosfiles.com/rules_filings/09-07-20.pdf)





		Goal			Actual through September 30, 2020					
		Membership as of 10/31/18	Investor Goal (37% Part.)	Total per Local Association	Participants to Date \$15 or more	Total Contributed	Remaining Amount to Meet Goal	% of Participation Goal	% Dollar Goal	Average Investment
WESTERN	Central W. TN	495	183	\$18,533	330	\$16,890.00	(\$1,643)	180%	91%	\$ 51.18
	Memphis Area	3,700	1,369	\$138,527	1502	\$95,520.00	(\$43,007)	110%	69%	\$ 63.60
	TN Valley	127	47	\$4,755	117	\$3,740.00	(\$1,015)	249%	79%	\$ 31.97
	Reelfoot Reg.	55	20	\$2,059	59	\$1,970.00	(\$89)	290%	96%	\$ 33.39
MIDDLE	Clarksville	1,052	389	\$39,387	525	\$69,137.79	\$29,751	135%	176%	\$ 131.69
	E. Middle TN	1,298	480	\$48,597	1057	\$31,365.00	(\$17,232)	220%	65%	\$ 29.67
	Gr. Nashville	5,181	1,917	\$193,975	2697	\$121,056.00	(\$72,919)	141%	62%	\$ 44.89
	Middle TN	2,018	747	\$75,553	665	\$44,052.00	(\$31,501)	89%	58%	\$ 66.24
	Robertson	1,251	463	\$46,837	918	\$26,730.00	(\$20,107)	198%	57%	\$ 29.12
	S. Middle TN	577	213	\$21,603	199	\$6,625.00	(\$14,978)	93%	31%	\$ 33.29
	Sumner	816	302	\$30,551	445	\$37,365.00	\$6,814	147%	122%	\$ 83.97
	U. Cumberland	403	149	\$15,088	248	\$15,390.00	\$302	166%	102%	\$ 62.06
Williamson	2,670	988	\$99,964	1443	\$67,490.60	(\$32,473)	146%	68%	\$ 46.77	
EASTERN	Bristol TN-VA	224	83	\$8,387	107	\$5,111.00	(\$3,276)	129%	61%	\$ 47.77
	Gr. Chattanooga	1,940	718	\$72,633	671	\$59,687.01	(\$12,946)	93%	82%	\$ 88.95
	G. Smoky Mtns	428	158	\$16,024	337	\$18,445.00	\$2,421	213%	115%	\$ 54.73
	Knoxville	4,619	1,709	\$172,934	2015	\$77,642.77	(\$95,291)	118%	45%	\$ 38.53
	Lakeway Area	396	147	\$14,826	298	\$19,419.00	\$4,593	203%	131%	\$ 65.16
	Northeast TN	1,341	496	\$50,207	912	\$59,284.89	\$9,078	184%	118%	\$ 65.01
	River Counties	581	215	\$21,752	320	\$13,215.00	(\$8,537)	149%	61%	\$ 41.30
AT LARGE						\$25,540.00				
TOTALS		29,172	10,794	\$1,092,192	14,865	\$815,676.06	(\$276,516)	138%	75%	\$ 54.87

\*Each local association should be utilizing the Aristotle PAC management system to keep track of their local numbers.



**Tennessee REALTORS®**  
**2020 Forms Committee – Motions to move forward presented**  
**at the 2020 Virtual Fall Convention**

**COMMERCIAL FORMS**

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To approve the following new form [RF634 INVESTMENT PROPERTY ADDENDUM](#)

# INVESTMENT PROPERTY ADDENDUM

Buyer: \_\_\_\_\_  
Seller: \_\_\_\_\_  
Property: \_\_\_\_\_

This INVESTMENT PROPERTY ADDENDUM (hereinafter "Addendum"), between the undersigned Buyer and Seller is entered into and is effective as of the Binding Agreement Date provided in the Purchase and Sale Agreement for the purpose of changing, deleting, supplementing or adding terms to said Purchase and Sale Agreement ("Agreement"). In consideration of the mutual covenants herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows: **(the items not checked are not a part of this Agreement)**.

- ☐ Buyer has not yet personally viewed the Property. This Agreement is contingent upon Buyer viewing and approving the Property. If Property is unacceptable to Buyer, Buyer shall notify Seller on or before \_\_\_\_\_.
- ☐ This agreement is contingent upon Buyer's receipt, review, inspection, and satisfactory approval of accounting statements for Property for the past \_\_\_\_\_ months and all existing leases, with personal tenant information redacted. Seller shall have \_\_\_\_\_ days from the Binding Agreement Date to provide information. Following receipt, Buyer will have \_\_\_\_\_ days to review all submitted information.

If the above checked contingencies are not acceptable to Buyer, Buyer shall terminate this Agreement via the Notification Form or other equivalent written notice within the agreed upon timeframe and all Earnest Money/ Trust Money shall be refunded to Buyer.

- ☐ In the event access to the Property is delayed or withheld during the agreed upon Inspection Period timeframe by Seller, Seller's authorized representative, or Seller's tenants, and after notifying Seller of such delay, Seller does not provide access within forty-eight (48) hours, the Inspection Period shall be extended by one (1) day for each day Buyer is denied access to the Property.
- ☐ All prepaid rents on said Property shall be prorated at the closing of the sale. The Seller represents that the monthly rentals on said Property of \$\_\_\_\_\_ will be current at the time of the closing, and that there will be no expenses chargeable to the Seller except the taxes on said Property. Seller holds \$\_\_\_\_\_ in security deposits and damage deposits collected from tenants, which Seller shall make payable to \_\_\_\_\_ (Buyer or Buyer's Property Manager) at closing. Buyer shall enter into an agreement to hold the Seller harmless against such transfer of security or damage deposits. At the closing of the sale, the Seller shall execute an affidavit which will verify the number of leases and tenancies then outstanding on the Property, the prepaid rent as to each, and the amount of security deposits as to each.
- ☐ Buyer agrees to purchase the Property "as-is" after the Inspection Period with the exception of any necessary wood destroying insect infestation treatment, which Seller agrees to treat at Seller's expense.

The party(ies) below have signed and acknowledge receipt of a copy.

BUYER

BUYER

\_\_\_\_\_ at \_\_\_\_\_ o'clock ☐ am/ ☐ pm \_\_\_\_\_ at \_\_\_\_\_ o'clock ☐ am/ ☐ pm  
Date Date

The party(ies) below have signed and acknowledge receipt of a copy.

SELLER

SELLER

\_\_\_\_\_ at \_\_\_\_\_ o'clock ☐ am/ ☐ pm \_\_\_\_\_ at \_\_\_\_\_ o'clock ☐ am/ ☐ pm  
Date Date

*NOTE: This form is provided by Tennessee REALTORS® to its members for their use in real estate transactions and is to be used as is. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the Tennessee REALTORS® logo in conjunction with any form other than standardized forms created by Tennessee REALTORS® is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.*

**Tennessee REALTORS®**  
**2020 Forms Committee – Motions to move forward presented**  
**at the 2020 Virtual Fall Convention**

**RESIDENTIAL FORMS**

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**Motion 1 - To approve the following additions to RF161 Agreement to Show Property**

*Line 33*

**6. Audio/Video Recording. Seller is responsible for compliance with state or federal law regarding usage of video or audio recording devices while marketing or showing the property. Seller should seek legal advice regarding their rights or limitations related to their actions.**

**Motion 2 - To approve the following additions to RF301 Working With A Real Estate Professional**

*Line 41*

**Responsibilities of Sellers and Buyers regarding presence of Recording Devices:**

Seller is responsible for compliance with state or federal law regarding usage of video or audio recording devices while marketing or showing the property. Seller should seek legal advice regarding their rights or limitations related to their actions.

Buyer is advised of the possibility that some properties may utilize security devices that record physical movements or audio conversations. Therefore, Buyers should limit making comments concerning the value, features, or condition while viewing any property.

**Motion 3 - To approve the following additions to Section 8 RF304 Disclaimer Notice**

*Line 47-51*

- 8. BOUNDARY LINES, EASEMENTS, ENCROACHMENTS, ROAD MAINTENANCE, AND ACREAGE.**  
A survey can provide helpful information, including whether the road to the home is a public or private road. It is strongly advised that you secure the services of a licensed surveyor for a full-stake boundary survey with all boundary lines, easements, encroachments, flood zones, road information, total acreage, etc., clearly identified.

**Motion 4 - To approve the following additions to RF304 Disclaimer Notice**

*Line 100-104*

- 17. RELIANCE.** You understand that it is your responsibility to determine whether the size, location and condition of the property are acceptable prior to signing a contract. Broker makes no representations as to suitability of a property to your needs. You acknowledge that any images or other marketing materials provided by the seller or brokers involved in the transaction electronically or in print may not display the property's features, flaws, odor(s), or size and that you will not rely on such images when purchasing a property.

*Line 105-108*

- 18. MARKETING MATERIALS.** You acknowledge that photographs, marketing materials, and digital media used in the marketing of the property may continue to remain in publication after Closing. You agree that Broker shall not be liable for any uses of photographs, marketing materials or digital media which the Broker is not in control of.

*Line 109-110*

**The Buyer/Seller acknowledges that they have not relied upon the advice, casual comments, media representations or verbal representations of any real estate licensee relative to any of the matters itemized above or similar matters.**

**Motion 5 - To approve the following changes to RF401 Purchase and Sale Agreement**

Line 12-22

A. **INCLUDED** as part of the Property (if present): all attached light fixtures and bulbs including ceiling fans; permanently attached plate glass mirrors; heating, cooling, and plumbing fixtures and equipment; all doors, storm doors and windows; all window treatments (e.g., shutters, blinds, shades, curtains, draperies) and hardware; all wall-to-wall carpet; range; all built-in kitchen appliances; all bathroom fixtures and bathroom mirrors; all gas logs, fireplace doors and attached screens; all security system components and controls; garage door opener(s) and all (at least \_\_\_\_\_) remote controls; ~~an entry key and/or master code for digital locks~~; swimming pool and its equipment; awnings; permanently installed outdoor cooking grills; all landscaping and all outdoor lighting; mailbox(es); attached basketball goals and backboards; TV mounting brackets (inclusive of wall mount and TV brackets) but excluding flat screen TVs); antennae and satellite dishes (excluding components); ~~and~~ central vacuum systems and attachments; and all available keys, key fobs, access codes, master codes or other methods necessary for access to the Property, including mailboxes and/or amenities.

Line 307-314

value in a professional and workmanlike manner via the Repair/Replacement Proposal or equivalent written notice. Seller shall have the right to request any supporting documentation that substantiates any item listed.

- a. Resolution Period. Seller and Buyer shall then have a period of \_\_\_\_\_ days following receipt of the above stated written list ("Resolution Period") to reach a mutual agreement as to the items to be repaired or replaced with like quality or value by Seller, which shall be evidenced by the Repair / Replacement Amendment or written equivalent(s). The receipt by Seller of the above stated written list or Repair/Replacement Proposal marks the end of the Inspection Period and beginning of the Resolution Period.

Line 370-373

Buyer and Seller acknowledge that photographs, marketing materials, and digital media used in the marketing of the property may continue to remain in publication after Closing. Buyer and Seller agree that Brokers shall not be liable for any uses of photographs, marketing materials or digital media which the Broker is not in control of.

**Motion 6 - To approve the following changes and additions to RF623 Buyer's First Right of Refusal Addendum**

Line 15-23

in that market) within \_\_\_\_\_ day(s) ~~five (5) days~~ of the Binding Agreement Date of the Purchase and Sale Agreement. Within the agreed upon timeframe, Buyer shall submit proof of listing to Seller via the Notification form or equivalent written notice. Should Buyer fail to timely comply and provide written notice, Seller may make written demand for compliance via the notification form or equivalent written notice. If Buyer does not furnish Seller the requested documentation within one (1) day after such demand for compliance, Buyer shall be considered in default and Seller shall have the right to terminate this Agreement by delivering to Buyer or Buyer's representative written notice via the Notification form or equivalent written notice. In the event Buyer delivers proof of listing to Seller before Seller elects to terminate, Seller shall be deemed to have waived his right to terminate, and the Agreement shall remain in full force and effect.

**Motion 7 - To approve the following additions to RF656 Notification**

Line 21

#5. Appraised value did not equal or exceed the Purchase Price. Buyer **WAIVES the appraisal contingency in the Purchase and Sale Agreement.**

Line 111

□ 31. For new construction only, Seller hereby notifies Buyer of a delay caused by \_\_\_\_\_ as provided for in the Delays Section of the New Construction Purchase and Sale Agreement.

## 2021 Budget Worksheet Summary

TENNESSEE REALTORS®

Proposed 2021 Operating Budget

2021 Dues based on 27,000 R & RA mbrs. @\$105.00

Actual Membership (R & RA) at July 31, 2020 - 30,080

	Proposed 2021 Budget	Final 2020 Budget	Variance Inc/(Dec)
<b>INCOME</b>			
State Dues (net of Credit card fees of \$61,650, \$52,060)	2,803,380	2,739,190	64,190
Interest Income- General Funds	13,500	52,560	(39,060)
Other(Affinity Programs, Labels, Pins, etc.)	35,200	13,300	21,900
AREA Leadership Tuition	12,586	13,485	(899)
Conference Fees & Sponsorships	136,250	172,500	(36,250)
<b>TOTAL INCOME</b>	<b>3,000,916</b>	<b>2,991,035</b>	<b>9,881</b>
<b>EXPENSES</b>			
<b>General Business</b>			
Building Utilities & Maintenance	52,420	81,862	(29,442)
Taxes and Insurance	68,900	56,500	12,400
Professional Fees	47,460	47,814	(354)
Human Resources	1,332,080	1,302,054	30,026
<b>Subtotal</b>	<b>1,500,860</b>	<b>1,488,230</b>	<b>12,630</b>
<b>Administrative</b>			
General Office Expenses	11,400	10,240	1,160
Dues & Subscriptions	2,275	2,175	100
Committees and Task Forces	4,660	4,660	-
Executive Committee Meetings	43,300	43,300	-
Officers' Travel (Pres, Pres-elect, Secy/Treas)	112,700	112,700	-
DVPs & Immed. Past Pres Travel	12,500	12,500	-
National Directors Travel	51,000	51,000	-
Hospitality (Region 4 Reception etc)	15,000	15,000	-
NAR Region 4 Ldrp Retreat	5,000	5,000	-
NAR Realtor Relief Foundation	15,000	5,000	10,000
Leadership Initiatives	98,220	61,000	37,220
Leadership Roadshow	30,000	30,000	-
TN Leadership Conference	26,000	26,000	-
Booth at MiPIM Conf	30,000	30,000	-
Mbrp Fee- TN Chamber of Commerce	3,000	3,000	-
Awards and Memorials	12,360	12,360	-
Legal & Ethics Hot Line	64,000	64,000	-
Staff Travel & Professional Development	77,100	83,070	(5,970)
<b>Subtotal</b>	<b>613,515</b>	<b>571,005</b>	<b>42,510</b>

## 2021 Budget Worksheet Summary

TENNESSEE REALTORS®

Proposed 2021 Operating Budget

2021 Dues based on 27,000 R & RA mbrs. @\$105.00

Actual Membership (R & RA) at July 31, 2020 - 30,080

	Proposed 2021 Budget	Final 2020 Budget	Variance Inc/(Dec)
<b>Communications</b>			
Dues & Subscriptions	850	850	-
Communications	60,101	59,460	641
Marketing & PR	75,400	75,400	-
Staff Travel & Professional Development	11,540	11,540	-
<b>Subtotal</b>	<b>147,891</b>	<b>147,250</b>	<b>641</b>
<b>Education and Professional Development</b>			
Education Programs/Spring Conference	101,700	96,100	5,600
Spring Conference Business Sessions	29,200	26,350	2,850
Tennessee REALTORS® AREA Program	10,300	25,950	(15,650)
Staff Travel & Professional Development	8,475	8,475	-
<b>Subtotal</b>	<b>149,675</b>	<b>156,875</b>	<b>(7,200)</b>
<b>Governmental Affairs</b>			
Dues & Subscriptions	6,450	6,250	200
Governmental Affairs Programs & Expenses	6,000	6,000	-
REALTOR® Advocacy Training	25,000	25,000	-
Tennessee REALTORS® Day on the Hill	17,500	17,500	-
Lobbying Fees and Expenses	116,975	116,975	-
Annual Platinum RPAC Investment	10,000	10,000	-
Travel Expenses (Govt'l Chair & FPCs DC Mtg.)	1,500	1,500	-
Staff Travel & Professional Development	13,150	19,250	(6,100)
<b>Subtotal</b>	<b>196,575</b>	<b>202,475</b>	<b>(5,900)</b>
<b>Member Engagement</b>			
Residential Forms	2,400	2,500	(100)
Commercial Forms	500	500	-
AE Education Program	10,000	10,000	-
Staff Travel & Professional Development	8,100	-	8,100
<b>Subtotal</b>	<b>21,000</b>	<b>13,000</b>	<b>8,000</b>

## 2021 Budget Worksheet Summary

### TENNESSEE REALTORS®

#### Proposed 2021 Operating Budget

2021 Dues based on 27,000 R & RA mbrs. @\$105.00

Actual Membership (R & RA) at July 31, 2020 - 30,080

	Proposed 2021 Budget	Final 2020 Budget	Variance Inc/(Dec)
<b>Technology</b>			
Online Forms & Support	281,000	261,000	20,000
Equipment	12,000	12,000	-
Internet Site & Services	6,800	16,200	(9,400)
Document Archiving	11,000	11,000	-
Technology Resources	51,500	51,500	-
Webinars, Webcast Streaming	1,850	500	1,350
Staff Travel & Professional Development	7,250	10,000	(2,750)
<b>Subtotal</b>	<b>371,400</b>	<b>362,200</b>	<b>9,200</b>
<b>Total Expenses</b>	<b>3,000,916</b>	<b>2,941,035</b>	<b>59,881</b>
<b>Difference Operating Income &amp; Expenses</b>	<b>-</b>	<b>50,000</b>	<b>(50,000)</b>
<b>Other Expenses</b>			
Fall Convention	-	50,000	
<b>Difference income &amp; Expenses</b>	<b>-</b>	<b>-</b>	
<b>RESTRICTED INCOME</b>			
Issues Mobilization Assessment	408,000	397,500	10,500
Interest Income- Issues Mobilization	5,280	19,200	(13,920)
<b>Total Restricted Income</b>	<b>413,280</b>	<b>416,700</b>	<b>(3,420)</b>