



March 2018

NEWSLETTER

**UPCOMING SEMINARS**

Wednesday, March 14, 2018

from 9:00 a.m. to 10:00 a.m.:

Shannon B. Jones will be providing a New Member Orientation for the Contra Costa Association of Realtors at the Shadelands Civic Arts Center located at 111 N. Wiget Lane in Walnut Creek, California. For more information, please contact Jason Catalano at [Jason@ccartoday.com](mailto:Jason@ccartoday.com).

*A quick note to keep you current regarding events in our office, law and issues...*

**A NOTE FROM SHANNON –**

A recent phenomenon in some of the more active markets, such as San Francisco and the Silicon Valley, involves buyers making offers on properties site unseen. Statistically, two out of every five offers are made by buyers who have never seen the property. The buyers intend to tie the property up and cancel the transactions during the inspections if they do not want to move forward. Unfortunately, buyers are attempting to cancel those transactions and sellers are alleging bad faith and seeking to keep the buyers' deposits. This is creating an increase in deposit disputes. This situation is worsened, if a buyer is writing a non-contingent offer. Agents are cautioned to avoid writing offers for buyers who have never seen property. As a reminder, if a deposit dispute arises between a buyer and a seller, it is recommended that the agent refer their clients to attorneys and remain uninvolved in the dispute.

On February 7, 2018 Shannon B. Jones and Steve Spile provided a webinar through the California Real Estate Legal Alliance (“CRELA”) regarding the top ten issues affecting real estate professionals. That webinar is now available on the CRELA website for clients of Shannon B. Jones Law Group, Inc. and Spile, Leff and Gore.

CRELA has posted an article regarding the risks of serving alcohol at open houses. It is on the CRELA website and open to and available to clients of the firm.



### About Shannon...

Shannon B. Jones is the owner and managing partner of Shannon B. Jones Law Group. She has been representing real estate agents and brokers for 25 years.

She has an undergraduate and law degrees from the University of Southern California. She is a member of CAR's Strategic Defense Panel.

She has published a number of articles and the best-selling real estate book, "A Real Estate Agents Practical Guide to Avoiding Litigation." She is a shareholder in California Real Estate Legal Alliance ("CRELA"), a company established to represent real estate professionals throughout the State of California that offers real estate advice, coaching, claims prevention, effective and efficient management of claims, risk management, cutting edge industry information, insurance management assistance, as well as other beneficial services.

**LEGAL UPDATES** - Our website was recently updated to include the following articles:

- An article wherein the court allows assignee of deed of trust to sue the title company for improperly releasing a deed of trust.
- A risk management tip from California Bureau of Real Estate regarding unlicensed assistants.

*A complete discussion of these matters can be found on our website, [www.calrealestatelaw.com](http://www.calrealestatelaw.com), under Legal Updates.*

**BLOG UPDATES** - Our website was recently updated to include the following blogs:

- Blog regarding whether mirrors stay at a property after the close of escrow.
- Blog whether a death at a property occurring more than 3 years ago needs to be disclosed.

*Please visit our blog at <http://www.calrealestatelaw.com/BLOG-1>*

### **RECENT RESULTS** –

Recently, a real estate brokerage asserted a claim to a commission against one of our clients. There were discrepancies in the brokerage's listing contracts. For example, there were two (2) listing agreements, one had the box marked to submit a list of buyers with whom the agent had worked as an exemption to any new listing agreements. A second agreement had the box marked, but no termination date. Both agreements were terminated by the seller. The agent submitted a list with the second agreement, but postdated the listing agreement. The property was subsequently sold to a buyer on the list. The brokerage demanded more than \$45,000 in a commission from our clients. We successfully represented our client in the arbitration and the arbitration panel awarded the other brokerage nothing. Shannon B. Jones and Matthew R. Urdan worked on the matter.

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