



September/ October 2021 NEWSLETTER

SEMINARS

Wednesday, September 15, 2021 **from 9:30 a.m. to 10:30 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, 111 N. Wiget Lane in Walnut Creek, California.

For more information, please contact Jason Catalano (925) 295-9202 or Jason@ccartoday.com.

Thursday, September 30, 2021

Shannon B. Jones is speaking before the Strategic Defense Coalition of California Association of Realtors.

Tuesday, October 12, 2021

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

Shannon B. Jones will be providing a Legal Update at the California Association of Realtors Legal Affairs Forum. For more information please contact Cheryl Strong at cheryls@car.org or (213) 739-8308.

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

A NOTE FROM SHANNON –

As every agent is aware, this year has been a seller’s market. There are multiple offers on many properties and buyer’s are paying over list price. Many of the buyers’ offers are not contingent.

Unfortunately, this market is leading to a number of claims by buyers who have buyer’s remorse and feel that they have overpaid for their property.

A couple tips to address these issues:

1. If you are a listing agent, do not exaggerate the number of offers you receive when asked by a buyer’s agent. Misrepresenting the status of competitive offers can lead to liability.
2. It is also advisable to discuss the meaning of a non-contingent offer. Please utilize the California Association of Realtors’ Market Conditions Advisory. That form contains a discussion of the meaning of non-contingent offers.
3. When writing an offer that is over list price, a selling agent should consider that the property may not appraise. If does not appraise, the buyer may not be able to obtain their anticipated loan.

ANNOUNCEMENTS –

Shannon B. Jones Law Group Inc. is pleased to announce that Shannon B. Jones was named a Super Lawyer in real estate by California Lawyer Magazine for 2021. A Super Lawyer is a lawyer nominated by peers as being a specialist in that area of the law.



RECENT RESULTS

After nearly four years of litigation, we were thrilled to have all claims in a multimillion dollar non-disclosure case against our clients dismissed without leave to amend on the eve of trial. The Court sustained our demurrer to a fifth amended complaint without leave to amend, refusing to give plaintiffs another chance to amend their non-disclosure claims against our clients, the listing brokerage and agent. The case was procedurally complicated and involved claims that the homeowners' association failed to disclose the true anticipated cost of a multimillion dollar common area repair to potential purchasers of a condominium unit who were attempting to determine their anticipated assessment shares. Plaintiffs represented themselves in the sale and failed to conduct any investigation, relying entirely instead on disclosures provided by the seller and the homeowners' association. We were able to narrow the issues in the case by obtaining evidentiary sanctions against Plaintiffs and prevailing on numerous motions. Plaintiffs, who sought a six-figure settlement for their claims, were barred from recovering anything against our clients. Shannon B. Jones and Lindsey A. Morgan represented our clients in this matter in San Francisco Superior Court.

ARTICLES –

- Q&A regarding handling a conflict between the seller's disclosures and the public record
- Q&A regarding whether an agent has to disclose that the agent is a licensee when purchasing a property.
- Q & A Regarding Disclosure of Sex Offender
- Article regarding handling a conflict between a buyer and a seller regarding arbitration.

A complete discussion of these matters can be found on our website, www.calrealestatelaw.com, under Legal Updates.

HOLIDAYS –

Our offices will be closed for Veterans Day on Thursday, November 11, 2021.

Our offices will be closed for Thanksgiving on Thursday, November 25, and Friday, November 26, 2021.