

Notes from the MAR Legal Hotline

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In light of the tragic death of Arkansas REALTOR® Beverly Carter, the Massachusetts Association of REALTORS® urges its members to take a moment to review some basic safety precautions. As a real estate practitioner, you're faced with potentially risky situations every day. Meeting new clients, showing homes, and even walking to your car at night can be dangerous. Remember: when it comes to your safety in showings and open houses, trust your instincts. If something doesn't feel right take the steps necessary to ensure your safety and that of your customer or client. Although not every situation can be avoided, here are some steps to help you stay safe:

Trust your gut. As a business professional, you are not required to work with every customer who contacts you. If you do not feel comfortable representing an individual, or feel that your personal safety is at risk, trust your instincts. Under federal and state law, you are prohibited from discriminating against an individual because they are in a protected class. If you are concerned for your safety, however, speak with your broker for advice.

Make a house safe for the buyers and the agent. Listing agents should ask the Seller to identify any physical dangers in a Property and suggest eliminating those dangers, if possible. During the initial safety check of a listing, practitioners should ensure all rooms have adequate lighting as well. Prior to showings, make sure to turn on the lights, whether it's daytime or evening. Of course, potential dangerous items in the home, such as guns, should be removed from the home before showings. Be sure to also remove not-so-obvious weapons, such as a block of knives on a kitchen countertop.

Keep the house locked and consider extra monitoring. Doors need to be kept locked at all times. A home is being presented to the public and it may attract intruders. In some properties, especially vacant ones, it might be a good idea to talk to your seller about installing a wireless security system. Some companies allow you to access the home security system through your smart phone.

Always show properties before dark. If you are going to be working after hours, advise your associate or first-line supervisor of your schedule. If you must show a property after dark, turn on all lights as you go through, and don't lower any shades or draw curtains or blinds.

Seller should secure or hide valuables and prescription drugs. It is recommended that the Seller and all other occupants of the Property lock up valuables and prescription drugs in a safe place away from the Property until sold. Occupants may wish rent a safe deposit box. Some banks offer safe deposit boxes free of charge. Agents need to do their part, too. When capturing virtual tours or photographs of the home for marketing purposes, make sure such valuables are not photographed.

Take extra precautions in distressed, vacant homes. When showing a vacant home, first make sure it is safe to go in. Before entering, you should do a perimeter search around the

property. Be aware of signs of squatters, such as broken windows or a kicked-in door. If you see signs that a squatter may be present, do not go inside. Also, homes that have been vacant may have maintenance issues. To prevent accidental injuries, beware of loose floorboards, rotted decks, and unsecure railings.

Keep a record of agents' whereabouts. Always let someone know where you are going and when you will be back; leave the name and phone number of the client you are meeting and schedule a time for your office to call you to check in.

Be careful at open houses. If possible, always try to have at least one other person working with you at the open house. Also be sure to require all visitors to sign in, and ask for their full name, address, phone number and e-mail. When the Open House is over, don't assume that everyone has left the premises at the end of an open house. Check all of the rooms and the backyard prior to locking the doors.

Lead from behind. When showing a home, always have your prospect walk in front of you. Don't lead them, but rather, direct them from a position slightly behind them. You can gesture for them to go ahead of you and say, for example, "The master suite is in the back of the house."

You take the wheel. Whenever possible, take your own car to a showing. When you leave your car, lock it. When you arrive at your destination, park your car in front of the property rather than in the driveway. You will avoid having your car blocked in, you'll have an easier time escaping in your vehicle, and attract attention, if necessary.

Be sure to have cell service. Have emergency numbers programmed on speed dial, and keep your phone with you at all times. When you're showing commercial property, thick walls and/or remote locations may interfere with mobile phone reception. Check in advance to be sure your phone is serviceable in the area in which you are showing the property.

Agree on an office distress code. Create a voice distress code, a secret word or phrase that is not commonly used but can be worked into any conversation for cases where you feel that you are in danger. Use this if the person you are with can overhear the conversation, but you don't want to alarm them. Example: "Hi, this is Jennifer. I'm with Mr. Henderson at the Elm Street listing. Could you e-mail me the RED FILE?"

You are not alone. If you encounter an individual while working late or alone in your office, indicate to that person that you are not alone. Say something like, "Let me check with my supervisor to see whether she's able to see you now."

Of course, there is always a risk of danger, but the above list is just a few of many precautions REALTORS® can take to help protect themselves. There are many other very important safety ideas available from the National Association of REALTORS® Safety Program available free online at www.realtor.org/about_nar/safety. MAR urges every broker to review this important material and share it with their agents at their next office meeting.

The Arkansas REALTORS® Association is collecting donations in Beverly Carter's name through their Hearts & Homes program. For more information, visit arkansasrealtors.com.