



MAINE ASSOCIATION OF REALTORS®

Your Real Estate Experts

OCTOBER IS NATIONAL CYBERSECURITY AWARENESS MONTH:

The last thing you want is to think that your backups are solid only to find out during a fire, equipment malfunction, equipment theft, or ransomware attack that your backups failed — leading to lost productivity and legal concerns. Create a backup system but don't stop there. Test your backups regularly.

MREC CONSENT AGREEMENT:

By MAR Legal Counsel, Hannah McMullen

Buyer requested information from Agent A about lots for sale in a subdivision. Agent A sent Buyer disclosures and documents for the lots and Buyer informed Agent A in an email that he wanted to make an offer on "Lot 6" for \$100,000. Agent A prepared a buyer representation agreement and purchase and sale agreement in which he indicated Buyer's offer to purchase "part of" the property in the subdivision for \$100,000. Agent A did not identify "Lot 6". After Buyer signed the offer, Agent A sent the offer to the listing agent who was also one of the development partners who owned the property. The listing agent/seller made a verbal counteroffer of \$125,000 with a \$5,000 credit towards buyer's closing costs. Agent A informed the Buyer by telephone of the counteroffer, revised the purchase and sale agreement with the new terms and emailed it to Buyer for signature. Agent A emailed the signed counteroffer to the listing agent/seller who reported he printed and signed it and left it at Agent A's office. The listing agent told Agent A he made a handwritten edit to add the identification of "Lot 6" in the purchase and sale agreement and asked for Buyer's initials.

Agent A retrieved the hard copy of the purchase and sale, scanned and emailed it to Buyer without reviewing it. Buyer initialed the change as requested. Agent A later learned that the purchase and sale agreement that

Quick Links

[Maine Association of REALTORS®](#)

[National Association of REALTORS®](#)

[Maine Listings](#)

[Maine Real Estate Commission](#)

Board Portal Links

[Greater Bangor Association of REALTORS®](#)

[Greater Portland Board of REALTORS®](#)

[Kennebec Valley Board of REALTORS®](#)

[Maine Association of REALTORS®](#)

- Maine Commercial Association
- MAR Only Members
- York County Council

[Mid-Coast Board of REALTORS®](#)

- Acadia Council
- Mid-Coast Council
- Penobscot Bay Council

[Mountains to Shore Board of REALTORS®](#)

- Androscoggin Valley Council
- Lincoln County Council

the listing agent/seller had printed and signed was the original offer for \$100,000, not the \$125,000 counteroffer. Agent A had the listing agent/seller sign the corrected counteroffer and he sent to Buyer. Buyer, however, argued that the signed \$100,000 was valid. Shortly thereafter, the listing agent/seller terminated the contract because he had not received confirmation required by contract terms that Buyer was qualified for financing. Both parties signed the authorization for release of earnest money deposit and the earnest money deposit was returned to Buyer. The Buyer filed a complaint. Agent A acknowledged that “he failed to act in a reasonably prudent manner in order to avoid error when he forwarded to his buyer client a purchase and sale agreement form which did not accurately reflect the agreed upon terms, which is grounds for imposing discipline pursuant to 32 M.R.S. § 13067-A(6).” Agent A agreed to pay a fine in the amount of \$1,000.

ELECTION DAY IS NOVEMBER 2:

Please vote! Maine’s next referendum election is November 2 with three questions on the ballot 1) a Citizens Initiative question; 2) a bond issue; and a 3) Maine Constitutional amendment. To learn more, [Click Here](#) to view this Citizen’s Guide. You may also have local races or issues to take action on.

[Click Here](#) to look up your voting location.

NOT REGISTERED TO VOTE?

There is no cut-off date for registering to vote, in person, at your town office or city hall.

ABSENTEE BALLOTS:

At this time, the US Postal Service does not guarantee on-time delivery of your ballot. You should drop off your completed absentee ballot to your town/city clerk’s office. Absentee ballots must be received by your town clerk by 8:00 p.m. on November 2 to be counted in Maine.

[Click Here](#) to check the status of your absentee ballot:

COVERME.GOV OPENS NOVEMBER 1:

The Made for Maine Health Coverage Act, passed by the Maine Legislature in 2020, authorized the creation of a State-run health care insurance marketplace where individuals and families can shop for health and dental insurance. Maine’s Marketplace, called CoverME.gov will open for business on November 1, 2021. All plans sold through CoverME.gov are Qualified Health Plans

- Merrymeeting Council
- Western Maine Council

MAR Leadership

President

Aaron Bolster

President Elect

Madeleine Hill

First Vice President

Carmen McPhail

Treasurer

Sherri Dunbar

Chief Executive Officer

Suzanne Guild

Last Issue: October 21

Some content may be commercial in nature.

that provide comprehensive coverage.

Between November 1, 2021 and throughout the Open Enrollment Period that runs until January 15, 2022, [Click Here](#) to:

- Shop for and compare health insurance plans that provide quality comprehensive coverage.
- Apply for financial assistance to lower health insurance costs.
- Find a certified expert to guide you through the shopping and enrollment process and answer your questions at no cost to you.

If you currently have a plan through HealthCare.gov, an account has been created for you at CoverME.gov. Account registration will open November 1, 2021. On or after that date, go to CoverME.gov to finish setting up your account, and your enrollment information from HealthCare.gov will be matched to you. If you have multiple family members on your plan, ensure that the same individual who created your HealthCare.gov account sets up your CoverME.gov account.

To learn more, [Click Here](#).

RISE AND SHINE:

The National Association of REALTORS® Annual Convention November 12-15 in San Diego has a virtual option! General sessions, education sessions, virtual expo and access for 30-days post event. For more information and to register, [Click Here](#).

MAINE LISTINGS NEWS:

- Free upcoming Flexmls webinars
- Free upcoming Realist webinar
- Rules & Regulations Quick Refresher Series
- Floor Plans Are a Necessity; FloPlan Makes Them Accessible!
- Flexmls Tip of The Week
- Maine Listings is Hiring!

Here is the link: [Click Here](#)

HALLOWEEN!

Halloween is the second largest holiday in the U.S. ranking second only to Christmas. Consumers spent nearly \$9 billion on Halloween in 2019 according to the National Retail Federation. Spending was down in 2020 due to the pandemic, but Americans still spent over \$8 billion overall, an average of \$92 per person. That's a lot

of decorations, costumes and treats! Enjoy!



Maine Association of REALTORS®

19 Community Dr | Augusta, ME 04330

Tel: (207) 622-7501 | Fax: (207) 623-3590

Email: info@mainerealtors.com

