

<i>Table of Forms</i>	<i>iv</i>
<i>Glossary</i>	<i>313</i>

Table of Contents

Chapter 1	Brokerage activities: agent of the agent <i>Introduction to agency</i>	1
Chapter 2	Creation of office policies, rules and systems for review <i>Setting standards for recruiting agents</i>	15
Chapter 3	Review of agent activities, records, funds and reports <i>Tracking transactions handled by a broker's agents</i>	31
Chapter 4	Federal and state prohibited discriminatory practices <i>Property rights for all citizens</i>	51
Chapter 5	Marketing and advertising <i>Choose your brand</i>	59
	<i>For FREE, customizable marketing materials, go to realtypublications.com/FARM</i>	
Chapter 6	Appointment and supervision of an office manager <i>The supervisory role of an office manager</i>	69
Chapter 1	Agency: authority to represent others <i>Introduction to agency</i>	81
Chapter 2	The agency law disclosure <i>Legislated order</i>	85
Chapter 3	Agency confirmation provision <i>Mandated for purchase agreements</i>	95
Chapter 4	Dual agency and subagency <i>Agency and fee sharing concepts</i>	101
Chapter 5	A broker's use of supervisors <i>Delegated supervision, not agency</i>	107
Chapter 6	Opinions with erroneous conclusions <i>When an opinion becomes a guarantee</i>	113
Chapter 1	The Federal Fair Housing Act <i>Introduction to fair housing</i>	127
Chapter 2	The Civil Rights Acts of 1866 and 1870 <i>Property rights cannot be based on race</i>	135

Office Management and Supervision

Agency

Fair Housing

Chapter 3	Americans with Disabilities Act <i>Providing access to commercial real estate</i>	139
Chapter 4	California protected civil rights <i>The Unruh Civil Rights Act</i>	145
Chapter 5	Fair housing for disabled persons <i>California-style access for disabled tenants</i>	151
Chapter 6	California Fair Employment and Housing Act <i>Discriminatory practices, exemptions and remedies</i>	155
Chapter 7	DRE regulation of discrimination <i>Guidelines for broker conduct</i>	159
Chapter 8	Equal Credit Opportunity Act <i>Federal fair lending rules</i>	163
Chapter 9	The Housing Financial Discrimination Act of 1977 <i>California's fair lending laws</i>	169
Chapter 10	Home Mortgage Disclosure Act <i>Lenders release home mortgage data</i>	175
Chapter 11	HUD advertising guidelines for sales and rentals <i>Avoiding discrimination in advertising</i>	179
Chapter 12	Prior occupant's use, affliction and death <i>When and when not to disclose</i>	183
Chapter 1	Trust funds overview <i>Introduction to trust funds</i>	187
Chapter 2	Advance fees are trust funds <i>Deposits retain trust status until disbursed as instructed</i> .	195
Chapter 3	Advance costs are trust funds <i>Funds handed to the broker for marketing costs</i>	199
Chapter 4	Trust account management <i>The withdrawal of trust funds</i>	205
Chapter 5	Trust fund accounting <i>Trust account bookkeeping</i>	211
Chapter 6	Penalties for misuse of trust funds <i>Commingling, conversion and restitution</i>	221

Trust Funds

Chapter 1 Conflict of interest
Professional relationships compromised 227

Chapter 2 Counteroffers to promote clarity
Defacing a previously signed document 235

Chapter 3 Property related disclosures
Sold “as-is” is a prohibited disclaimer
— property is sold “as disclosed” 239

Chapter 4 The borrower and mortgage broker relationship
The accurate representation of mortgage terms 251

Chapter 5 Kickbacks, price fixing and MLS access
Duplicate charges for services 259

Chapter 1 Management of exposure to liability
The reduction of uncertainties for harm 265

Chapter 2 An agent’s impact on their broker
The agent of the agent 273

Chapter 3 Due diligence obligations of the seller’s and buyer’s broker
Due diligence by the seller’s agent 279

Chapter 4 Disclosure of known or suspected adverse facts
Selecting and hiring a home inspector 291

Chapter 5 A seller’s residence in foreclosure
The equity purchase investor scheme 297

Chapter 6 Cancellation, release and waiver
Known and unknown claims 307

Defines key terms and supplies page references for further study 313

Ethics

Risk Management

Glossary