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# South Carolina REALTORS® BROKER BULLETIN

6th Edition • Spring, 2018

## A Message from South Carolina REALTORS® President



SCR hosted its first women in real estate conference, REAL Women Thursday, March 8, 2018 on International Women's Day. I'm proud to say that this sold out event was an overwhelming success!

The speaker line-up included the National Association of REALTORS® 2018 President, Elizabeth Mendenhall; President of Coldwell Banker Residential Brokerage, Pauline Bennett; Fox and Friends CoHost, Ainsley Earhardt; Nephron Pharmaceuticals CEO, Lou Kennedy; and Humorist and Author, Jane Herlong; among others.

The attendee survey reviews have been stellar and I'm so thankful to have been involved in such an inspiring event. I'd like to also give a special thank you to our sponsors: Great Southern Homes, Clark's Termite & Pest Control, South State Bank, MGC Real Estate, and the Women's Conference Planning Committee -- without them this conference would not have been possible. The committee members include Brie Bender, Cynthia Creamer, Mandy Chapman-Crain, Sallie Chester, Rosie Elliot, JoAnn English, Jennifer Feliciano, Kim Matthews, Adair Smith Senn, Donna Smith, Reah Smith, and Maria Woodul. If you couldn't attend the REAL Women conference, check out the SCR facebook page ([facebook.com/screaltors](https://facebook.com/screaltors)) for all of the pictures from the event.



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Now that our REAL Women Conference is over, SCR is gearing up for its next big event -- **NAR's Legislative Meetings & Trade Expo, May 14-19, 2018 in Washington, DC**. This important meeting gives members a chance to take active roles in advancing the real estate industry, public policy and the association through special issues forums, committee meetings, and legislative activities.

A few of the things I'm excited about this year are the Capitol Hill visits, where we'll meet one-on-one with our SC delgation to talk about the issues affecting our real estate businesses; the Federal Legislative and Political Forum; the Broker Involvement Council; The Leadership Sessions; and the State Leadership Idea Exchange where we'll share and come away with new ideas to help our association grow!

There is so much to learn at this important conference, and I hope to see you there! Registration is still open at [www.nar.realtor/midyear.nsf/](http://www.nar.realtor/midyear.nsf/).

Laura Derrick,

*Laura Derrick*

2018 South Carolina  
REALTORS® President

### IMPORTANT DATES:

**March 21**

Habitat for Humanity  
Veteran's Build  
Sumter

Every Mon/Wed until complete  
[habitatsumter.org](http://habitatsumter.org)

**April**

Fair Housing Month

**April 26**

SCR Award Nominations Open  
Deadline 6/21/18

**May 14-19**

NAR Legislative Meetings  
[www.nar.realtor/midyear.nsf/](http://www.nar.realtor/midyear.nsf/)

**Sept 20-22**

SCR Annual Conference  
Own the Future  
[www.ownthefuture.org](http://www.ownthefuture.org)



# OWN THE FUTURE

SOUTH CAROLINA REALTORS ANNUAL CONFERENCE AND EXPO

## JOIN US!

SEPTEMBER 20-22, 2018

Myrtle Beach Marriott  
Resort & Spa at Grande Dunes

Register now at [www.ownthefuture.org](http://www.ownthefuture.org)

Featuring speakers Jared James, Doug Devitre, Deb Sofield and more!



## Mid-Session Update

SCR Director of Government Affairs, Lindsay Jackson



We are nearing the halfway point in the 2018 legislative session, and thus far the session has been consumed with debate regarding the state's energy future as it relates to the V.C. Summer Nuclear Project failure. The House passed legislation that would provide immediate relief for customers via rate reductions. The Senate's only action relating to the nuclear failure has been passing a resolution granting the Public Service Commission an extension to evaluate an acquisition bid by Dominion Energy to purchase SCANA. The Senate has yet to debate and adopt any House-passed legislation. Despite the gridlock, the SCR Government Affairs Team has made a responsive effort to ensure SCR's priorities are not lost in the energy turmoil. SCR, with the help of key supporters in both the House and Senate, has ensured that priority issues such as prohibition of eminent domain for petroleum pipeline companies and the beachfront management reform act are at the forefront of lawmakers' agendas.

Please see below for an update on movement of SCR's 2018 Legislative Priorities.

### Prohibition of Eminent Domain for Petroleum Pipeline Companies

In 2016, SCR championed legislation that would prohibit private, unregulated, petroleum pipeline companies from exercising eminent domain powers. The legislation clarified a gray area in existing South Carolina law and provided for a three-year moratorium, halting petroleum pipelines from using eminent domain to take the land and homes of South Carolina citizens. In the 2018 session, Senators

Young, Massey, and Hutto and Representative Hixon introduced legislation in the Senate (S.1101) and House (H.5109) to extend the current moratorium from June 30, 2019 to November 30, 2020. The continuing legislation would keep the ban intact, allowing lawmakers an additional 2-year session to work on a more comprehensive approach to a permanent ban. The Senate bill is currently in the committee process and the House companion bill will likely be recalled from committee to the House floor for consideration in the coming weeks.

**Beachfront Management Reform Act** DHEC released proposed changes to the beachfront lines of jurisdiction (the baseline and the setback line) in October 2017. The changes proposed would dramatically and in many cases, negatively impact coastal properties. The lack of adequate data, compressed timeline, and permanent position of the baseline set at a future date put South Carolina's coastal property owners at a huge disadvantage. Senator Chip Campsen and Representative Lee Hewitt filed companion legislation (S.927/H.4683) in their respective bodies at the beginning of the session. Both bills set forth a transparent process in the establishment of new jurisdictional lines and establish parameters for the review and appeals process for property owners who may be adversely affected by changes. Additionally, the legislation requires adequate notice to the public on and prior to beginning new establishment cycles and provides parameters on when data can be collected for accuracy. The House bill (H.4683) moved through the committee process quickly and unanimously passed on the House. The bill was sent immediately to the Senate Environmental Subcommittee, where it received a favorable as amended report. The bill now awaits a hearing from the full Senate Agriculture and Natural Resources Committee before it moves to the full Senate for consideration. **For more information regarding movement on SCR's legislative priorities, please stay-tuned to SCR's weekly REALTOR® Voice Legislative Update.**

## Legal Update

SCR General Counsel, Byron King



Coming soon listings are a hot topic across the state this year. The commonly used term describes listings that do not appear as fully active MLS listings. Some sellers want to use coming soon properties to delay MLS exposure during renovations or for other reasons, while some buyers see it as an undiscovered deal. However, using "coming soon" can cause a lot of confusion -- when the buyers ask their buyer rep about the property and there is nothing to be found, clients become upset with the lack of service and may become upset at the listing brokerage thus leading to complaints being filed.

In this low-inventory market it might be tempting to use a coming soon listing. Being able to use the term is in such high demand, that MLS' are considering creating a "coming soon" section. However, because SC license law does not allow you to advertise real estate without a listing agreement, REALTORS® should be very careful using this term.

A few ways to protect yourself are:

- Always have a detailed active written listing agreement to advertise as "coming soon."
- Read SC Code 40-57-135 sections E(1) through F(1) of license law to fully understand the rules surrounding coming soon listings.
- And, always educate your clients so that they can make an informed decision.

Speaking of coming soon - SCR is excited to announce that it will be providing mediation training in South Carolina during the late summer or early fall of 2018. Mediation is described as the parties self-settling their disputes with a mediator helping the settlement process proceed to settlement. More details on the program are coming soon. For more information on mediation, check out <https://www.screaltors.org/mediation/>. NAR also offers mediation training at the NAR Chicago headquarters on September 5, 6, and 7, 2018. This is outstanding mediator training provided by NAR with NAR paying a portion of the training costs. The program is so highly regarded, that only the first 50 registrants that are received will be accepted. Registration is open as of March 1st. Registration costs \$500, and will meet the six hour core standards educational requirement for Chief Staff. For more information on NAR's mediation program, please visit: <https://www.nar.realtor/events/mediator-mediation-training>

And if you didn't already know, April marks the 50th anniversary of Fair Housing Month! April has also recently been officially declared as Fair Housing month by the South Carolina Legislature.



## SC Legislature Declares April as Fair Housing Month

A Concurrent Resolution to Decalre April 2018 as "Fair Housing Month" in South Carolina and to Recognize and Support "Fair Housing Month" in our State.

Whereas, April 11, 2018, marks the 50th anniversary of the passage of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, sex, familial status, handicap and national origin, and encourages fair housing opportunities for all; and

Whereas, Chapter 21 was added to Title 31 of the South Carolina Code of Laws in 1989 to enact the South Carolina Fair Housing Law, providing enforcement and protection at the state level; and

Whereas, the South Carolina Association of REALTORS® is committed to highlight the Fair Housing Act by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure everyone of their right to fair housing; and

Whereas, The National Association of REALTORS® Code of Ethics commits all REALTOR® members to providing equal professional services without discrimination based on race, color, religion, sex, familial status, handicap, sexual orientation, gender identity, and national origin,

Whereas, fairness is the foundation of our way of life and reflects the best of our traditional American values; and

Whereas, invidious discriminatory housing practices undermine the strength and vitality of South Carolina and its citizens; and

Whereas, all South Carolinians must continue to work to assure there are no victims of discriminatory housing practices and to make the ideal of fair housing a reality; and

Whereas, the most basic physical needs of all members in any society include the need for shelter, and those citizens both within and outside of the real estate profession who ensure the rights of everyone to obtain residential housing, either by renting or by purchasing, facilitate and perpetuate the American dream of family housing. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, declare April 2018 as "Fair Housing Month" in South Carolina and recognize and support "Fair Housing Month" in our State.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Association of REALTORS®.

## Make a Difference

**Volunteer your time to help SCR build a home for a South Carolina Veteran!**

Did you know that approximately 60,693\* South Carolina veterans live in homes with one or more major problems of quality, crowding, or cost? Housing affordability is the greatest housing problem among veterans. To help, South Carolina REALTORS® has partnered with Sumter Habitat for Humanity to help build a home for one US veteran and his son. Let's show that REALTORS® Make a Difference by signing up to help build a quality home for this deserving Veteran!

Sign up to volunteer now at [www.habitatsumter.org](http://www.habitatsumter.org)



Questions? Please contact Geneva Phillips, Development Coordinator for the Sumter Habitat for Humanity, at [geneva@habitatsumter.org](mailto:geneva@habitatsumter.org)