

Platinum Triangle Developments OK'd

Last month the Anaheim Planning Commission approved 16 acres of new development in the Platinum Triangle.

Nine acres at Lewis Street and Katella Avenue would house retail, residential, commercial and a hotel abutting the Mr. Stox restaurant property.

Property owner Jonathan Brandler said that the architecture of the site would be a good introduction to the Platinum Triangle, as visitors streamed in along Katella from the I-5 Freeway.

"This project is really the gateway to the Platinum Triangle," he said.

A plaza would be in front of a 12-story office building along Katella, which would be set back from the road with a restaurant on the ground floor. The hotel and part of the residential complex would face Katella. Retail space, and restaurants, would be throughout the property at ground level.

Another solely residential complex would include five detached buildings, built alternately in Art Deco and Mediterranean styles, abutting a fast-food restaurant on the southeast corner of Orangewood Avenue and State College Boulevard.

Commissioners said they were impressed with both proposals and approved them by voice vote with hearty "ayes."

"This is exactly the type of project we want to see in the Platinum Triangle," said Commissioner Pat Velasquez.

Source: OC Register

Buena Park Upscale Development

M & D Properties, Inc. of Lynwood envisions a luxury hotel and a massive upscale retail complex for Beach Boulevard and Orangethorpe.

Some of those ideas were shared with about 30 residents who live near the project area.

The company would like to plant a four- or five-star hotel at the center of the plot, along with up to 1,000 condominiums and 350,000 square feet of high-end retail.

"What Buena Park has now is three-star hotels," said Larry Lazar, the project manager for M & D. "These concept plans are dramatic. They're very different from what is here now. There are high-rises that could go up 200 feet."

"We don't" said Joel Rosen, director of the city's community development department, "want to see a regular shopping center—that's the City Council's direction. They want something extraordinary there."

But in order to do that full scale, the company would have to buy out more than a dozen homes along adjacent Melrose Street and Brenner Avenue.

Lazar said the development would be scaled back significantly if M & D can't acquire all the property it would like.

Owners of six of the 17 homes closest to the proposed project have sold to M & D. The remainder appear to be on the fence or set against leaving.

Ray Rodriguez is one of the Melrose Street residents who's in the middle. "If I were to get a similar house in a different part of Buena Park, my taxes will go up \$400 a month," he said. But, he added, he's not against the project: "I think something needs to be done with this corner."

The homes' owners would have to sell willingly; the project is in an area of Buena Park where eminent domain cannot be used.

City officials see the project as a major anchor on the Beach Street corridor, along with Knott's Berry Farm at the other end.

Environmental impact studies on the project are under way, Rosen said, and a draft report could be finished this summer. City staff will ask the council at its meeting on Tuesday to start work on changing zoning in the area to accommodate the mixed-use nature of the project.

If everything goes according to plan and the company can get the property it needs, the estimated \$1 billion project could be built within six to eight years after it gains City Council approval, Lazar said.

Source: OC Register

California MLS Holds First Board Meeting & Appoints Chairman

The statewide MLS approved by C.A.R. has been formed and held its first board meeting May 1.

Called the California MLS (CALMLS), the entity adopted bylaws and MLS Rules, and approved a Request for Proposal from MLS vendors for the computer system operating the statewide service.

In addition, Mike Silvas, a well respected broker-owner from the Napa area, was elected as the CALMLS chairman of the board. Silvas will be leading the implementation efforts of the CALMLS going forward, which some have called one of the most important and ambitious efforts by C.A.R. to benefit Association members.

The selection process for a vendor or multiple vendors will take place in June.

Sixty one MLSs and AORs have sent in letters of intent to be part of the new statewide MLS. There are 70 MLSs in California.

While there have previously been several laudable efforts to consolidate and share data in the state, the CALMLS is the only proposed MLS that anticipates complete statewide coverage either by local associations or MLSs using it directly as their primary system, or by them joining under the hybrid model which allows MLSs to access the benefits of a statewide system while maintaining a separate system.

Meanwhile, NAR is pursuing a national property information database for its members called the Library/Archive and formerly referred to as the Gateway and Real Estate Channel, though this effort is not envisioned as a national MLS system.

Source: CAR/Inman News

Assembly Passes Bill Requiring Paid Sick Leave

California workers would be entitled to paid sick leave under legislation approved along party lines by the Assembly.

The measure, Assembly Bill 2716, would allow the sick leave to be used for a personal illness, to care for a sick family member, or to recover from domestic violence or sexual assault.

Businesses of 10 employees or more would be required to provide up to nine days of sick leave per year. Smaller firms would provide up to five days.

The bill by Assemblywoman Fiona Ma, D-San Francisco, was approved 43-25, with no Republican support. It is now in the Senate. Ma said the measure would protect more than 5 million Californians who currently must choose between losing pay or reporting to work sick and exposing co-workers when illness strikes.

The California Labor Federation was a sponsor of the bill, which would entitle workers to earn sick leave at the rate of one hour per 30 hours worked. The benefit could be used after 90 days of employment.

Opponents said AB 2716 would impose a one-size-fits-all mandate that many small businesses simply could not afford.

"In an already troubled economy, California should be seeking ways to stimulate job growth and avoid forcing costly mandates on employers," the California Chamber of Commerce wrote in a letter of opposition.

Assemblyman Tom Berryhill, R-Modesto, said AB 2716 targets small businesses that are the "backbone of the economy." "The message it sends is that the liberal side of the aisle continues to do job-killing bills that drive jobs out of California," Berryhill said.

If AB 2716 is signed into law, the sick leave mandate would be overseen by the Department of Industrial Relations, whose costs would be about \$600,000 annually, according to the Assembly Appropriations Committee.

The measure also could be enforced through a civil lawsuit.

Source: Sacramento Bee

Own or Manage A Bldg. With A Pool? Another Government Regulation!

As of December 19, 2008, all public pools and spas, including those located in **apartment communities**, must be equipped with anti-entrapment devices as a result of a provision included in the energy bill (P.L. 110-140) enacted in December 2007.

The legislation is designed to reduce the 260 pool and spa drownings each year involving children younger than five and was the result of an intense lobbying effort by the family of the seven-year old granddaughter of former Secretary of State James Baker, who died after being entrapped by a spa drain in 2002.

The legislation does three things:

1. Mandates that drain covers manufactured or distributed in the U.S. conform to the entrapment standards of ASME/ANSI A112.19.8 one year after enactment;
2. Requires all public pools and spas to be equipped with proper anti-entrapment drain covers by 12/19/08 as well as other devices if operating a pool with a single main drain; and
3. Establishes a swimming pool safety grant program for states with laws that meet certain minimum requirements and will administered by the Consumer Product Safety Commission (CPSC).

Pools with a single main drain, other than what is called an unblockable drain, i.e. one that a human body cannot sufficiently block, must also be equipped with one or more of the following anti-entrapment device or systems:

- safety vacuum release system;
- suction limiting vent system;
- gravity drainage system;
- automatic pump shut off system;
- drain disablement or other systems determined to be as effective as the above.

The Association of Pool and Spa Professionals has published this helpful Q&A and is making it available to NMHC members to help them comply with the new law. The Consumer Product Safety Commission is also developing staff guidance to assist industry in their understanding of the new compliance obligations.

Apartment owners are advised to evaluate their pool drain systems to determine if adjustments are required by the December 19, 2008 deadline.

Full Document: [Association of Pool and Spa Professionals FAQ](#)

Source: NMHC.org

NAR, DOJ Agree on MLS Policy

NAR has reached a favorable settlement with the U.S. Department of Justice, resolving the litigation between them over the display of listings from the MLS on brokers' virtual office Web (VOW) sites. The final order, filed with the federal district court in Chicago, validates NAR's long-standing Internet data exchange (IDX) policy and strengthens the membership rules governing multiple listing services.

The order caps a three-year long battle between NAR and the Justice Department, which filed a lawsuit against the association in 2005 calling it anti-competitive for brokers to have unlimited say in where and how their clients' listings are displayed on other brokers' VOWs.

The final order expressly provides that NAR does not admit any liability or wrongdoing, and NAR will make no payments in connection with the settlement. The terms of the agreement preserve and strengthen the MLS as a means for broker-to-broker cooperation intended to serve real estate professionals who list or sell property in that MLS.

NAR will be reinstating an updated version of its VOW policy, which governs the use of MLS data for brokers who offer brokerage services online by requiring customers to register with the brokerage before they can search for homes. That policy was rescinded in 2005 when certain provisions were challenged by DOJ.

The revised policy continues to protect the rights of sellers who do not want their property or their property's address displayed on the Internet, and also protects sellers from having false information about their listings appear on the VOWs of a member of the MLS.

Among other things, the revised policy requires brokers hosting others' MLS data on their site to turn off features — such as home value estimates and blogs — surrounding a listing at the request of the seller.

The agreement requires MLSs and local associations that operate MLSs to pass and implement the amended VOW policy within 90 days of the court's approval of the final order.

The revised policy comes at a time when brokers appear to be moving away from the VOW business model. "The response to VOWs hasn't been great because consumers can find sites throughout the Internet on which to gather information without having to register their name and contact information," says Mark Lesswing, NAR's chief technology officer.

Source: Daily Real Estate News

Red Alert! C.A.R. OPPOSES Point-of-Sale Mandate!

Call Your Lawmaker Today to Ask that the Point-of-Sale Provision be Removed from AB 2678!

C.A.R. is OPPOSING AB 2678 (Núñez) which among other things, requires that ALL homes and **commercial property** in California have an energy audit at point-of-sale and that mandatory energy efficiency investments be made.

While C.A.R. appreciates the goal of AB 2678 C.A.R. strongly opposes the point-of-sale requirements in AB 2678 because they fail to achieve the bill's objectives and, such mandates will further weaken the housing market. If enacted, AB 2678 could add thousands of dollars to the cost of purchasing a home, including up to \$400 just to have a home audited. It is now in the Senate.

ACTION ITEM

Contact your Senator and urge him or her to OPPOSE AB 2678 unless the point-of-sale requirement is removed.

ISSUE BACKGROUND

AB 2678 will require a state agency to set up a process to require point-of-sale energy efficiency audits that will cost up to \$400 and ultimately will require point-of-sale energy efficiency retrofits that may cost THOUSANDS of dollars.

Don't let this happen to your transactions or your clients -- call your legislator TODAY!

While C.A.R. has no objection to increasing energy efficiency, AB 2678 will be both dangerous to the real estate market and grossly ineffective. Here's why AB 2678 is a bad idea:

-AB 2678 will hurt your business. Heaping costly requirements on all sales will slow every residential AND commercial transaction, further weakening the real estate market and the economy.

-Point-of-sale approaches take too long. Research shows that only 22% of the properties most in need of energy efficiency retrofits will actually be sold by 2020. AB 2678 will be grossly ineffective in achieving its goals.

-AB 2678 will hurt housing affordability. The mandatory audit and retrofit requirements ultimately created could add THOUSANDS of dollars to every transaction. And every \$1,000 increase in the price of a home disqualifies 26,600 families from owning.

-Politicians want to make an end-run around you! They know REALTORS? will fiercely oppose point-of-sale mandates. By passing the buck to a state agency, they hope to make this proposal more acceptable to other legislators. But be forewarned: Once the legislation is passed and the bureaucrats take charge, you will have NO SAY.

Source: CAR

Inland Empire Renters May Get A Break As Landlords Struggle With Increased Vacancies

Renters may be the biggest winners in the current housing slump, especially in places like Southern California, Florida and Las Vegas, where thousands of vacant for-sale and foreclosed homes and condos are on the market.

Apartment vacancies are edging up in many areas of the country as frustrated sellers instead try to rent out their homes and condos in once red-hot housing markets. And that is making it harder for landlords to raise rents. In the toughest markets, apartment owners are even offering lease incentives to snag renters.

Renters are getting deals in parts of Inland Southern California like Murrieta, Temecula, Moreno Valley and the Coachella Valley, where apartments are competing with large inventories of unsold homes, said Otto Ozen, an underwriter in the multifamily group of Marcus & Millichap, a real estate investment services company.

In such areas, Ozen said, apartment complexes are offering prospective renters "anything from two weeks to one month free with the signing of a lease."

Because of the large supply of rental properties, he said, rents in Riverside and San Bernardino counties are expected to edge up only 2 percent in 2008, lagging inflation and ending the year at an average \$1,068.

Also, he said apartment development is slowing in response to the softening market, so that only 800 apartment units will be added this year in the IE, which is about half the new units that have been built annually over the past decade.

The market of investor-owned homes and condos accounts for almost half of the rental stock nationally and attracts displaced homeowners more often than your typical apartment renter.

"What's different now is the degree of excess homes and condos being put on the rental market," said Hessam Nadji, managing director at Marcus & Millichap, which analyzed the data for The Associated Press.

After staying relatively flat last year, apartment vacancies bumped up in the first quarter from the end of last year, the research showed. The vacancy rate is expected to rise by a half-percent this year to 6.1 percent as the market absorbs about 3.3 million more rental home and condo units.

Nadji also predicts rent growth nationwide will slow to 3.5 percent from 4.6 percent.

The national trend, however, belies what's happening in the country's most beleaguered housing markets. Areas that experienced explosive condo development and conversions of apartments into condos for sale are finding those units unloaded onto the rental market because developers can't sell them.

Sharp increases in vacancy rates plague most Florida markets where condo development was rampant. In Jacksonville, for example, rental vacancies spiked to more than 10 percent in the first quarter, up from 5.8 percent in the prior year. Orlando and Fort Lauderdale had the next biggest gains in vacancies.

In San Diego, single-family homes entering the rental market are hurting luxury apartment communities, said Rick Snyder, president of the California Apartment Association.

Meanwhile, renters in some of the costliest cities aren't getting any relief. Rents in San Francisco surged 11.5 percent last year, while New York rents shot up 9 percent, Marcus & Millichap said.

Source: Press Enterprise

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