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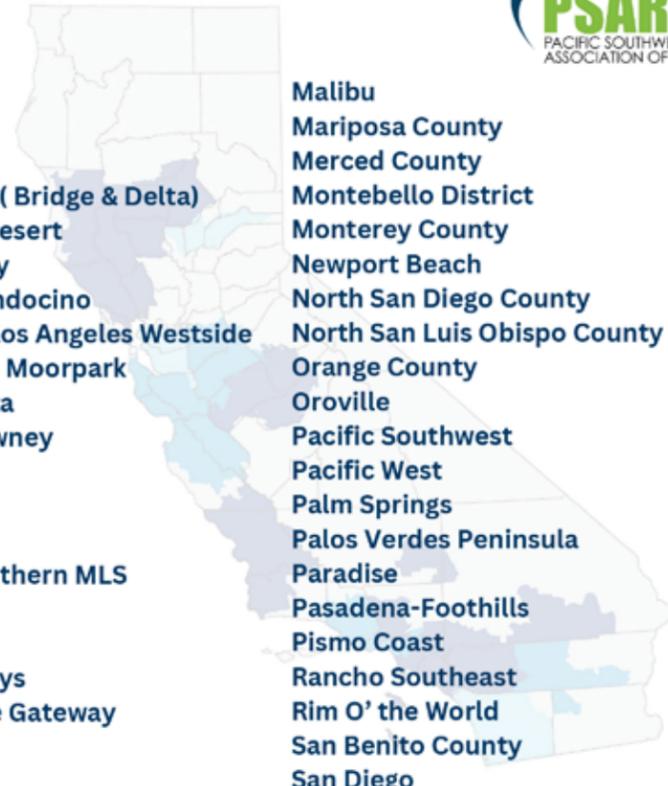


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TABLE OF CONTENTS



10
Publishers Note



12
Agent to Watch: Sean Piazza



16
Partner Spotlight: Freedom Boat Club



20
Legal Pointers: Shanna Welsh-Levin



24
Top Agent: Jonathan Fisher



28
Around Town

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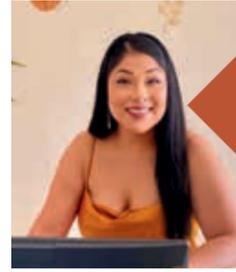
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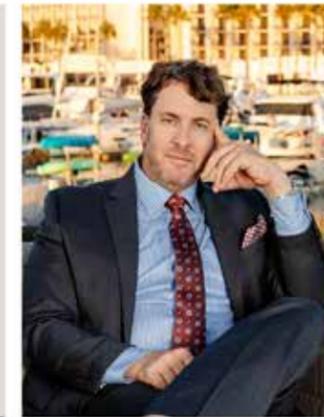


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▶ publisher's note

start of summer

HAPPY FATHER'S DAY!

Greetings!

As we step into the vibrant month of June, we get ready to embrace the warmth of summer and the spirit of appreciation. June not only heralds the arrival of sunny days and outdoor adventures but also pays homage to the guiding figures in our lives through Father's Day celebrations. Just as fathers provide stability and support, the real estate industry forms the foundation of communities, offering spaces where memories are made, and futures are built.

In this issue, we will meet our cover agent, the REAL Brokerage's Jonathan Fisher of Fearless Realty. A father of two young boys, Jonathan balances family time with working hard for his client's best interest, while also building wealth through real estate for his own family's future.

Another feature this month, our Agent to Watch, is agent Sean Piazza. Sean is also a father of two young children and is utilizing his skills in real estate to provide guidance for his clients, while balancing time between his family and advocacy for

the Challenged Athletes Foundation, a charity he feels passionate about. Our partner spotlight this month is Jennifer and Dan Hasbrouck, also parents of two, and owners of Freedom Boat Club with multiple locations here in San Diego. Freedom Boat Club gives you the pleasure of boating without having to deal with the headaches of boat ownership!

Also, this month, a compelling article on elder abuse in the context of real estate. It's a scary prospect, and as usual, our resident attorney, Shanna Welsh-Levin of SoCal Realty

law, explains what to look for and how to deal with this unfortunate problem.

Join us as we navigate through the enriching tapestry of June, celebrating the cherished bonds of fathers and family and the enduring allure of real estate and the benefits it brings to all our lives.

Cheers!

CATHY GINDER

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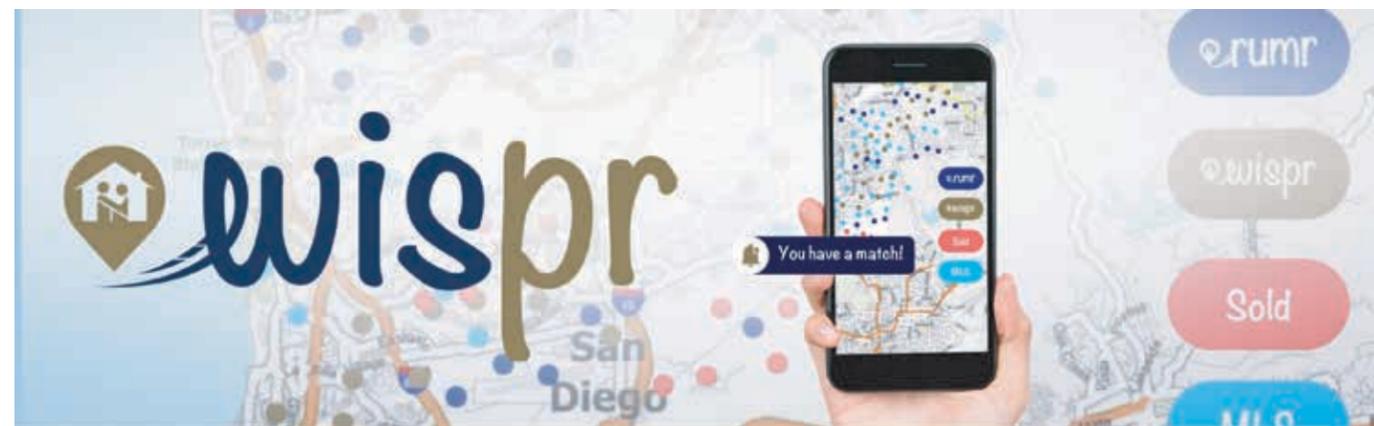


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▶▶ agent to watch

SEAN PIAZZA

BALANCING
SUCCESS
AND FAMILY



Sean Piazza, a distinguished figure in the real estate world, has carved his path to success through dedication, innovation, and a profound commitment to client satisfaction. With a career spanning over two decades, Sean's journey from the fitness industry to the realm of real estate has been marked by significant achievements, unwavering passion, and a relentless drive for excellence.

A CAREER DEFINED BY EXCELLENCE

Sean embarked on his real estate journey in 2005, transitioning from a thriving career in the fitness industry where he focused on launching high-end health clubs. Since then, he has amassed an impressive career volume of over 250 real estate sales, solidifying his reputation as a seasoned professional in the field.

Last year alone, Sean's total volume reached an impressive 23 sales, a testament to his unwavering commitment to delivering outstanding results for his clients. His dedication and expertise have earned him prestigious accolades, including Gold and Platinum Realtor Status, affirming his standing as a top performer in the industry.

PASSION DRIVING SUCCESS

At the core of Sean's business philosophy lies a deep passion for enhancing client experiences and optimizing operations within the real estate realm. He remains at the forefront of industry trends, continuously exploring innovative strategies to streamline property marketing, enhance client communication, and identify lucrative opportunities in the market.

The most rewarding aspect of Sean's business is witnessing the joy and satisfaction of his clients as they achieve their real estate goals. Building lasting relationships and serving as a trusted advisor throughout their journey is what fuels his passion for excellence.

Overcoming Challenges, Embracing Opportunities
Navigating the dynamic landscape of the real estate market presents its fair share of challenges. For Sean, staying ahead of the curve and standing out amidst fierce competition requires a blend of hustle, creativity, and perseverance. Whether it's keeping up with market trends or identifying investment opportunities, Sean approaches each challenge with a determined spirit and a strategic mindset.



A VISION FOR THE FUTURE

Real estate investing serves as a cornerstone of Sean's dreams and goals, offering a pathway to financial security and long-term success. Through smart property investments, he has built wealth, created passive income streams, and achieved the freedom to pursue his passions while securing his family's future.

FAMILY, CHARITY, AND PERSONAL PURSUITS

Beyond his professional endeavors, Sean finds fulfillment in his roles as a devoted husband and father. His wife, Lauren, and their two children, Alessandra and Leo, bring immense joy and laughter into his life. Together, they enjoy quality time, whether it's exploring the outdoors, planning adventures, or simply cherishing moments of togetherness.

Sean is also deeply committed to giving back to the community and supporting causes close to his heart. He is a proud advocate for the Challenged Athletes Foundation (CAF), a charitable organization that empowers individuals with physical challenges to pursue their athletic dreams. Through his involvement with CAF, Sean strives to make a meaningful impact and promote inclusivity and resilience.

In his leisure time, Sean indulges in hobbies such as staying active at the gym, hitting the golf course, and relishing moments with family and friends. His balanced approach to life reflects his belief in finding harmony between work, personal pursuits, and cherished relationships.

DEFINING SUCCESS

For Sean, success transcends mere professional achievements. It encompasses finding balance, pursuing passions, and cherishing moments of joy with loved ones. It's about having the freedom to live life on one's own terms while making a positive impact on the lives of others.

In essence, Sean Piazza exemplifies the epitome of success—a dedicated professional, a loving family man, and a passionate advocate for making a difference in the world. As he continues to shape his legacy in the real estate industry and beyond, his unwavering commitment to excellence and his compassionate spirit serve as guiding beacons for aspiring professionals and community leaders alike.



IN ESSENCE, SEAN PIAZZA EXEMPLIFIES THE EPITOME OF SUCCESS— **A DEDICATED PROFESSIONAL, A LOVING FAMILY MAN,** AND **A PASSIONATE ADVOCATE** FOR MAKING A DIFFERENCE IN THE WORLD.



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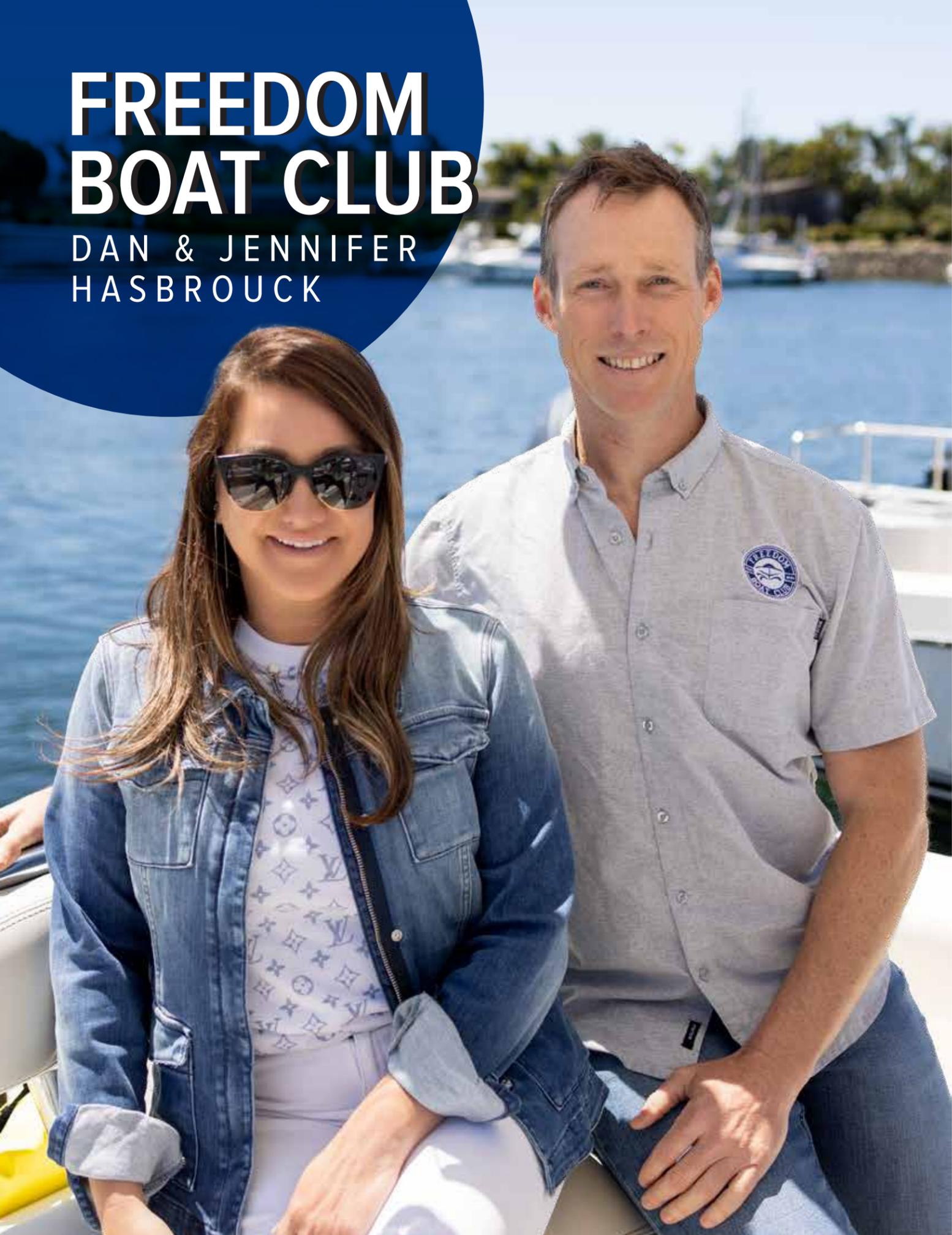


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FREEDOM BOAT CLUB

DAN & JENNIFER HASBROUCK



By David Cornwell | Photos by Brandon Pease- Linked Preview, LLC

For Dan and Jennifer Hasbrouck, life doesn't get better than loving what you do and who you do it with.

Owners of seven Freedom Boat Club franchises in San Diego and Ventura Counties, the husband-wife team's romance dates back to 2000, when Dan asked Jennifer to Homecoming at Cardinal Mooney High School in Sarasota, FL. Eleven years later, they married.

"It's true that opposites attract," Dan says. She is the yin to my yang-she fills the void for all the things I miss in life, that I'm not paying attention to or forget." And both agree they're equal partners in their family, business and its success.

They will be celebrating a decade of that success this August with the 10th Anniversary of their first and largest franchise of the seven, Dana Landing at Mission Bay. With 90,000 members at 400 locations worldwide, Freedom Boat Club offers use of boats

for a one-time initiation and monthly membership fee.

"So, instead of owning the boat and dealing with any problems there may be, you get all the fun and we deal with any problems for you," Dan says. Several styles of 24-foot boats are available to members, with larger boats available to the club's new platinum membership level.

Members also enjoy the deli, tackle shop and other amenities available at Mission Bay Marina. Freedom Boat Club currently operates in San Diego out of Oceanside Harbor, Safe Harbor Cabrillo Isle on Harbor Island, Marina Cortez on Harbor Island, and their newest location, Safe Harbor South Bay in Chula Vista in addition to the Mission Bay location.

"We like to say that we remove the barrier to boating for many," Dan says. "You can budget for a boat membership, and it doesn't have to affect anything else."

Before buying their first franchise and moving to San Diego, Jennifer had been a chiropractor and Dan a commercial helicopter pilot. Living in Florida and looking to change careers, the couple might be making crepes instead were it not for a Facebook article that Jennifer read.

"We both come from entrepreneurial families, and we knew we wanted to do something for ourselves," she says. "So, we looked at a number of different business opportunities, including a laundromat, a surf shop and a crepe restaurant."

"Obviously we were open to anything," she says. "The biggest criterion was that we wanted to do something that would be both profitable and fun."

"Then one day while reading a Facebook article about Freedom Boat Club, she showed it to Dan and said, 'I think this is it.'"



WE'RE VERY SUPPORTIVE OF ONE ANOTHER.



“Being from Florida, we love the water and both owned boats. Boating was in our blood already,” Jennifer says. And since there were no Freedom Boat Club franchises west of Texas, that meant Southern California was fresh territory.

Also appealing to the couple was moving to San Diego, a place they fell in love with when first investigating franchises.

“It’s sunny like Florida, but doesn’t have the humidity or the gators,” Dan says. “The weather is fantastic, and the beach is too. The people are great and it’s both a small town and a big city which is really cool.”

It’s also turned out to be the perfect place to raise their two sons, Maverick 4, and Rocco, 7 who have definitely inherited their parents boating genes. Camping and time at the beach are among favorite family activities, while

skiing reigns supreme in winter, with Rocco in his fifth year on the slopes.

Jennifer says Freedom Boat Club has been a great place for the boys to build childhood memories, and that helping other families create memories is one of her favorite parts of the job. “It’s nice to get people out on the water without the hassles.”

While both are proud of what they’ve accomplished, they are even more proud of taking the risk it took to get where they are. “We definitely took a lot of risks,” says Dan. “We were

pretty young with very few resources, took out a small business loan and had to leverage our house. There were some scary things we had to deal with, but we thought it would pay off, so we took the risk and it did.” They’re also proud of the operation itself, with 61,000 trips at their seven locations- every trip for every year at every location- completed without incident.

The biggest factor in their success, however, is one another. “We’re a complete unit because we see things differently,” Dan Says. “I think if one of us was running the business and one of us was raising the kids, something would be missed and we wouldn’t be effective.”

“We’re very supportive of one another,” Jennifer says. “If I’m having a bad day, he’s always there to do anything he can to change that by the end of the day. All he really wants id for me- and me for him- is to be happy.”



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DEALING WITH ELDER ABUSE AND REAL ESTATE

Sometimes a legal professional, or a real estate professional, gets a call for help that cannot be denied. Sometimes that call is from an elderly person, referred by a family member or a friend because they know and trust you. In one such case, I received a call from an eighty year old who discovered that the title to her property was no longer in her name or her family trust. The circumstances were suspicious and the elder was unaware that the title transfer occurred. She was surprised because she did not remember signing anything that transferred title. She was a victim of financial elder abuse.

In California, the Welfare & Institutions Code governs elder abuse. It provides an elderly person with legal remedies, such as attorney's fees and treble (a.k.a. triple) damages. That means, if the elderly person can prove that they had to pay money out of their own pocket, or lost money as a result of the wrongful transfer of title, a court may award punitive damages, attorneys fees, and three times their actual damages.

Some kinds of harm that are caused to an elderly person when they lose title to

their property include reassessment of their property value by the County, and an increased property tax bill. If they've owned the property for a long time, they might see a significant increase and, if on a fixed income, their property taxes may become unaffordable. This can lead to the loss of the home.

If there is a mortgage on the property, even if they continue to be current on the payments, the mortgage company might raise some concerns. Typically, when we borrow a mortgage, the lender requires the borrower to remain on title at all times. Especially in the case of reverse mortgages, when a borrower is removed from title, this can trigger a fast foreclosure.

Foreclosures on reverse mortgages have a shorter timeline than the typical foreclosure timeline that we are used to, and it can catch an elderly person off guard. Foreclosure can also cause a lot of fees and penalties to be added to the mortgage, making it more difficult for the mortgage to be taken out of default. In order to stop foreclosures, some folks file bankruptcy. This can cause credit

damages and make it even more difficult for the elder person to save their home. When does the elder usually find out that title has been transferred? They stop receiving their property tax invoice, or they get a copy of the bill and it has someone else's name on it. They receive notices from the San Diego County Tax Assessor's office that the property is being reassessed. They receive notices from the bank that there is a title issue.

What typically happens when the person who took the title out of Grandma's name is notified? They might claim that they put money into the property, paid expenses and mortgage, helped to take care of the elderly person, or compensated the elder person in some other way. But the amounts that they claim to have spent, or the value to the elder rarely equals the value of the property or the equity. When a property is transferred for less than its fair market value, the law recognizes that there might be undue influence, and the person who took title might receive unjust enrichment. These claims can help to undue the title transfer.

Here's a real life example. A client of mine, an elderly woman, suffered a massive stroke and spent two months in an assisted living facility. Her house-mate, who found her after the stroke, called the first person he found on her phone, a person who he thought was a friend. The friend came to take care of the elder. No one notified the elderly woman's next of kin. Just days after the stroke, the supposed "friend" brought a notary to the assisted living facility, along with a Power of Attorney form and a Last Will and Testament, giving powers to the friend and making her the beneficiary. Using the Power of Attorney, the friend was treated like family and had unfettered access to the elder, her medical records, nurses and doctors. A month after the stroke, the friend brought a quitclaim deed to the assisted living facility, and another notary. The quitclaim deed transferred title to the friend.

Once the quitclaim deed was recorded, the property taxes were reassessed by the County. When the elderly woman went to the County to pay her property taxes, and to find out why she did not get her property tax bill that year, she discovered that the title was no longer in her name.

The elder went to the District Attorney, who investigated. Upon finding that the friend had a Power of Attorney and a last will and testament in her favor, signed and notarized by the elderly person, they dropped the case and did not investigate any further. In fact, the DA who was assigned to the case advised the elderly woman to be careful because the friend might evict her from her home. This caused fear, anxiety, and extreme emotional distress.

The property was initially purchased by the elderly woman during the 1990's and her annual property taxes were only about \$1200 per year prior to the quitclaim deed. After the quitclaim deed, the property was reassessed, and

the property taxes skyrocketed to \$10,000 per year. She used her retirement savings to keep up with the property taxes.

As the attorney assisting the elder person, my team and I needed to immediately safeguard the property and make sure any action taken by the friend could be prevented. We first made sure to file a civil lawsuit and place a *Lis Pendens* against the property. The *Lis Pendens* is a notice of pending litigation that is recorded with the County and shows the public that there is a legal dispute relating to the property title. This type of notice prevents any legitimate lender or buyer from taking an interest in the property, as it clouds the title, making the title unmarketable and uninsurable.

It is hard to believe, but that "friend" filed a cross complaint against the elder, claiming that the title transfer was intended to make sure she was paid back by the elderly woman for her travel expenses to visit and care for the elder, the money she had paid to fix up the property, and to pay off the mortgage. On the day she recorded her quitclaim deed, the friend paid off the small remaining balance of the 30-year mortgage that the elderly woman had been paying for 25 years, thus saving the elderly person \$150 per month "in exchange" for title to the property. This did not seem like a fair trade!

Ultimately, the case went to court and nearly went to a jury trial before the "friend" agreed to settle the matter. Although title was returned to the elderly woman by signing a rescission deed early in the case, the friend refused to pay any compensation for the property taxes, legal expenses, emotional distress, recording fees, new estate plan to undo the last will and testament the friend had caused the elderly person to sign, and a variety of other small expenses resulting from the friend's actions.

The last issue to resolve was to get the County to undo the property tax reassessment, retroactively to the date that the quitclaim deed was recorded. This required a court order. Since the case was

settled prior to trial, the parties signed a stipulation for the requisite court order to retroactively reinstate the title. In a while, when the County gets around to it, the overpayment of property taxes will be refunded to the elderly woman who dutifully paid them throughout this ordeal.

California provides attorneys and elderly people with the tools to undo financial elder abuse. But it's no picnic to get a wrongdoer to admit they've committed elder abuse, nor to agree to compensate the elder for the abuse. Some of the laws that assist us with resolving these matters are the Welfare & Institutions Code §15600, *et seq.*, mentioned above, the Probate Code §21350(a)(6), which affects whether caregivers can receive gifts from the elder whom they care for, and other laws governing fraud, fiduciary duty, undue influence, and unjust enrichment. Notaries may be held liable for notarizing documents if they failed to follow the regulations and standards in the industry that are intended to prevent forgery and abuse. Attorneys may use handwriting experts and forensic document examiners to prove documents were forged or altered. Attorneys also use medical records and medical experts to prove whether the elderly person had the capacity to understand documents and sign them, or to make the decisions that led to the title transfer.

As you can see from this story, government law enforcement is not the only, or last resort when it comes to undoing the damage from elder abuse. A civil lawsuit can be effective. It is important to hire an attorney to take the litigant through these procedures to get the best outcome, and to safeguard the property and the client while the litigation is pending.

If you found this article helpful, and you think someone close to you might be the victim of financial elder abuse, please reach out by phone or email to So. Cal. Realty Law, APC, at (619)232-7325, or scrl@socalrealtylaw.com. We are here to help!



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TRULY FEARLESS

By David Cornwell | Photos by Calder Pearce - Golden Lens Media

HE MAY COME FROM HUMBLE BEGINNINGS, BUT FEARLESS REALTY OWNER JONATHAN FISHER HAS A SECRET WEAPON—A FIRM AND UNWAVERING BELIEF IN HIMSELF. “I’VE ALWAYS HAD THIS INNER BELIEF IN MYSELF,” HE SAYS.

“I always knew that once I was ready to settle down in whatever career I chose, I was going to be successful.”

Founding Fearless Realty in 2018, Jonathan now leads a team of 13 agents, all of whom have that same unwavering belief in themselves. He’s set his sights on growing to be one of the top brokerages in San Diego County.

The name Fearless Realty itself stems from Jonathan’s belief in himself and his will to succeed. Early on, a colleague noticed how Jonathan always went the extra mile and would try anything needed to succeed.

“‘Man, you’re fearless,’ the colleague said, and I just ran with it,” Jonathan says. He traces the roots of own interest in real estate to growing up in Chula Vista and two uncles who were REALTORS®.“

I saw them driving nice cars and wearing nice clothes,” he says. “Not growing up with much

money, it looked pretty good.” Making good money working as a bartender, Jonathan went on to earn a finance degree before becoming a successful Realtor.

Now an active investor with his wife, Barbara, the couple is working to ensure a solid future for their two sons—Luca, almost three and three-month-old Santiago. And even with bouts of sleep deprivation, Jonathan says he cherishes the routines of parenthood—putting his sons to bed, bathing, feeding and reading to them.

“Right now our social life is pretty much work and kids,” he says, but on a rare date night, you might find the two out satisfying their foodie inclinations—different foods and cuisines, a good bottle of wine, good tequila or a good whiskey.

“I give her tremendous credit for my success,” he says of his wife. “Allowing me to work 80 hours a week almost our entire relationship has meant a lot of sacrifice on her part.”

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“It’s a really understanding person who’s going to be a Realtor’s® wife or husband, because that phone can ring any moment and you’ve got to go.”

“The reality is that Realtors are a dime a dozen,” he says. “There are just so many out there.”

He says that’s why agents and broker-ages need to differentiate themselves in best meeting client needs.

“One way we differentiate ourselves is that we take client education very seriously,” he says.

“There just isn’t enough out there and one of our main goals is to teach clients financial literacy and help them achieve financial freedom.”

“Our agents excel in customer service and attention to detail, anything and everything that makes our clients feel secure, protected and cherished.”

Fearless Realty also differentiates itself by offering clients annual reviews that examine their equity, financial goals and how they might achieve them, including recommendations to CPAs, attorneys and financial planners as needed.

In supporting his own profession, he says he hopes his journey is inspiring to other REALTORS®. “To succeed you have to want to and be willing to work on yourself, to take care of yourself and become the best version of yourself you can be,” he says.

“That’s why it’s so important to work on knowing your value as a person and the value of your business that sets you apart from everyone else.”



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