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Berkshire Hathaway Homesale Realty Services

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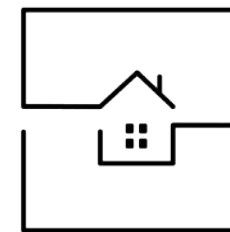
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## MEET THE SOUTH CENTRAL PA REAL PRODUCERS TEAM



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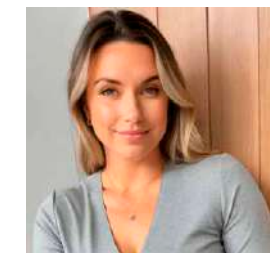
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# Special Op-Ed on NAR Settlement

By Brett M. Woodburn, Esquire

**Chicken Little Confirms... The Sky Is NOT Falling!**

If you are a real estate agent who also made the intentional (and well-informed) choice to become a REALTOR®, you most likely have heard, read, and been exposed to a wide array of commentary about the industry-wide settlement negotiated by the National Association of REALTORS®.

Some of this commentary is both accurate and informative; some is sensationalized misinformation; some is little more than fearmongering. It is your responsibility to sift through the noise and decide to educate yourself with facts.

**First and foremost, don't panic!**

Understand that this is a *proposed* settlement; as is true with all class action lawsuits, the court must approve all settlements before they are finalized. This is no different.

Additionally, the anticipated timeline for implementing some of these changes is July 2024, so we have time to understand these proposed changes and learn if and how they may affect current practices. Importantly, much of what the proposed settlement offers to implement is already encompassed in Pennsylvania law and REALTOR® best practices in Pennsylvania.

**Second, take time to understand what the proposed settlement actually proposes.**

There are many details, more than can accurately be discussed in this limited space. This is just a very high-level overview of what is proposed. The proposed settlement includes a release of liability for over one million NAR members for the claims brought by home sellers related to broker commission.

NAR has agreed to pay \$418 million over approximately four years, which is significantly less than the over five-billion-dollar verdict that it was facing should the verdict in the *Sitzer* case survive. While these accomplishments are significant, they do not affect REALTORS® at a fundamental level. Let's touch on some of the potential changes in practice that are stirring conversation.

It is critically important to appreciate that through this proposed settlement, NAR has secured your right to continue being compensated by, and to continue negotiating compensation being paid by listing brokers and/or sellers.

It is true that NAR has agreed to implement a rule that prohibits offers of compensation being made *on the MLS*. It is also true that REALTORS® will continue to be able to represent buyers and negotiate that some or all of their fees be paid by listing brokers and/or sellers. By removing offers of compensation from the MLS,

listing agents will not be able to publish in advance if and what they are willing to pay buyers' agents in one convenient location.

The proposed agreement also prohibits "create[ing], facilitate[ing], or support[ing] any non-MLS mechanisms for listing brokers or sellers to make offers of compensation to buyer brokers or other buyer representatives..." In other words, neither NAR nor the MLS will help create workarounds.

No question that this is a substantial change in how agents confirm their compensation. Understand that listing brokers are still permitted to offer compensation to buyers' brokers; sellers are still permitted to offer compensation to buyers' brokers; buyers' agents are still permitted to negotiate with listing brokers to pay some or all of their fee; buyers are still permitted to negotiate with sellers to pay some or all of their broker's fee; buyers' agents are still permitted to negotiate with buyers to pay some or all of their fee. Substantively, the methodology for compensating buyers' agents remains in place.

The proposed settlement will require REALTORS® who are working with buyers to enter into a written agreement with the buyer before "tour[ing] any home." This written agreement must disclose the amount or rate of compensation that the buyer's agent will be paid and how it will be calculated. The amount of compensation must be objectively ascertainable and not open-ended.

The written agreement must identify the maximum amount of compensation the buyers' agents can receive. *This proposed change is consistent with what Pennsylvania law has contemplated since at least 1999.* Pennsylvania law currently states, "A licensee may not perform a service for a consumer or real estate services for a fee, commission or other valuable consideration paid by or on behalf of the consumer unless the nature of the service and the fee to be charged are set forth in a written agreement with the broker and the consumer that is signed by the consumer." [1] The language continues by providing that, "the licensee is not entitled to recover a fee, commission or other valuable consideration in the absence of such a signed agreement."

While practice may have evolved so that buyer representation agreements or buyer agency contracts are signed later in the process, the requirements of Pennsylvania law are consistent with the proposed rule change.

There are certainly other components to this proposed settlement, and there are many details that are yet to be finalized, but these few aspects seem to be the most discussed aspects of the proposed settlement.

**Third, continue to educate yourselves using reliable sources of information.**

When you made the decision to become a REALTOR®, you also made the decision to hold yourself accountable to a higher degree of professionalism than other real estate licensees who opted not to become REALTORS®. Hold yourselves to a higher standard and make sure that you are getting your information from reliable resources. NAR, PAR, and your local Associations of REALTORS® are all working diligently to provide you with current and accurate information about the pending lawsuits and the proposed settlement.

There are other industry-related resources that provide information about how this proposed settlement may affect financing residential mortgages. There are industry leaders that are providing useful sources of information about how these proposed changes may affect the practice of real estate.

Sadly, the mainstream media has opted for sensationalism rather than fact-based reporting. Even the White House has made inaccurate and incorrect pronouncements about the results of this proposed settlement. Social (and anti-social) media are fraught with unreliable commentary.

When you learn, choose wisely the sources and resources from which you choose to learn. Continue to grow your understanding of your profession, your value, and yourself. Continue to learn how to articulate your value to consumers and develop more clients than customers.

**Finally, change isn't coming, it's here.**

According to Bob Dylan, *The Times They Are A-Changin'*, "Don't speak too soon for the wheel's still in spin."

Be REALTORS®; be better than the rest.



**Brett M. Woodburn, Esquire,** is the principal of Woodburn Law. He has been practicing law and representing REALTORS® since 1999. Although his practice encompasses much of Pennsylvania, you can find his office in Harrisburg, Pennsylvania.



# Kickoff Event

at Bent Creek Country Club in Lititz

Our February kickoff event was our best one yet! So many top agents took the time to be recognized and to mastermind at Bent Creek Country Club in Lititz, PA.

Sean Lafferty of Premier Settlements was our host sponsor. Sean did a great job presenting this event's awards.

Wendell Hoover, Gina Baum, and Anne Lusk were all recognized for their inspiring cover features.

Heather Koperna and Yvonne Smith accepted a Rising Star award on behalf of Heather's sister Hope Koperna. They stole the show by sharing a heartfelt tribute to Hope and what they all endured to achieve the success they all have found in real estate.

Mackenzie Hilsinger and Colby Jacobs were also recognized as Rising Star features.

Wendy Landis, CMG Home Loans  
Dan Luckenbaugh, Advanced Air Quality Services  
Marc Domingos, Movers for Me

all received Partner Spotlight awards. Their stories and contributions to Real Producers are vital to the success of us all.

A special thank you to Bent Creek Country Club for providing the perfect venue space for this memorable event.





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## Michelle Terry Takes Control of Her Real Estate Business

Michelle Terry, a seasoned real estate professional, thought she had it all – a thriving business, financial prosperity, and satisfied clients. But beneath the surface, her perceived success concealed a life overwhelmed by chaos, taking a toll on her well-being.

“I could sell a whole lot of houses, but there’d be times when I could count 120 days in a row that I didn’t have a day off,” recalled Michelle. “I felt like the Tasmanian Devil – rushing here and there and constantly putting out fires all over the place! My heart was racing 100 miles an hour.”

Michelle dreamed of having the freedom to work less, but she was petrified of what could happen to her business if she weren’t involved every day in every aspect.

### Making a Dream Come True

Michelle’s perspective shifted after she heard Verl Workman, Founder of Workman Success Systems, speak at a conference.

“I could tell right away that he cared a lot about helping people succeed,” said Michelle. “I loved the systems and processes he presented. I met Verl in 2017, and I wish I had met him back in 1997.”

Eager to transform her dreams into reality, Michelle scheduled an appointment with Workman Success Systems, marking the beginning of her journey from chaos to control. Of course, change wasn’t easy. “When I started with Workman, I was just an agent running a brokerage, without enough time to help everybody to build their business and foundation – an awful lot of that had to change,” said Michelle. “That first year, I learned a lot of hard lessons.”

Before collaborating with Workman, Michelle's brokerage generated just under \$350,000 in commissions annually. She achieved this financial success despite not having any structure or processes in her business.

Michelle's collaboration with Workman marked a pivotal shift in her mindset and business approach. With newfound systems and procedures, her brokerage's annual commissions grew to \$521,000 in the first year after her WSS collaboration and an astounding \$1.2 million within three years.

By embracing change, Michelle achieved remarkable financial success and reclaimed the time and freedom she yearned for, all without compromising the growth of her business.

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# JOHANNA ROSA

Coldwell Banker Realty

## ▶▶ rising star

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**Can you tell us about your journey from the Dominican Republic to becoming a Realtor in the United States?**

I was born and raised in the Dominican Republic, and English is my second language. I came to the United States in 2008 with my mom, not knowing any English. It was a completely new experience for me. When I arrived, I was almost 18 years old, and within my second week here, I started working in a family-owned pharmacy. Despite not knowing English well, I was determined to pursue a college education. Many people told me it wouldn't be possible because I hadn't attended high school in the U.S., but I did my own research and found a way. I enrolled in ESL classes at Bronx Community College and pursued a career in health administration. I worked in the pharmacy field for over a decade before transitioning to real estate in 2022.

**What made you decide to transition from the pharmacy field to real estate?**

Real estate was always something I wanted to pursue. I did my own research and found a school in Harrisburg in 2021. After completing the required courses and passing the exam in January 2022, I officially became a licensed Realtor®. It was a challenging journey, especially with English being my second language, but I persevered and achieved my goal.



**How was your first year in real estate, and what contributed to your success?**

In 2022, I started my real estate journey at Brownstone, later moving to Coldwell Banker in August. Surrounding myself with supportive colleagues and mentors played a significant role in my success. I believe that success in real estate requires determination, discipline, and dedication. I'm committed to providing excellent service to my clients and maintaining consistency in my work.

**Could you tell us about your family and their role in supporting your career?**

My family is my biggest motivation. I have a loving husband and two wonderful children who support me every step of the way. My husband, in particular, has been my number one supporter since we met in 2008 in New York City and married in 2013. He is my best friend, encouraging me to pursue my goals. Currently, he is a truck driver, but he has started studying real estate himself to be more involved in the business. My children, Jianna, 14, and Raphael, 8, bring me joy and inspire me to work hard every day.

**What prompted your move to Central PA, and what do you enjoy most about the area?**

In 2019, we decided to leave New York City due to various issues and concerns

about raising our children there. After visiting Hershey in 2016 and falling in love with the area, we made the decision to relocate to Pennsylvania. The community and slower pace of life in Central PA appealed to us, especially compared to the hustle and bustle of New York City.



I prioritize building strong relationships with my clients by staying in touch regularly and providing exceptional service.

**How do you attract clients and maintain relationships with them?**

I'm grateful that most of my business comes from referrals from satisfied clients. I prioritize building strong relationships with my clients by staying in touch regularly and providing exceptional service. Whether it's grabbing coffee or simply checking in to see how they're doing, I make an effort to show my clients that I genuinely care about them beyond just real estate transactions.

**Where do you see the real estate industry heading, particularly concerning the Hispanic community?**

More and more Hispanic families are looking to become homeowners and investors, which is fantastic. But compared to other demographics, not many Hispanics own homes yet. So, there's a real opportunity here. By helping and educating them about the home-buying process, we can make a big difference in their lives. That's why I'm thrilled whenever I meet other Hispanic agents. We share the same goal of helping people achieve their dream of homeownership. Just a couple of weeks ago, I hosted a small seminar specifically for first-time Hispanic homebuyers, and the response was incredible. People showed up eager to learn and get started on their journey to owning a home. It's moments like these that show me the demand for guidance and support within the Hispanic community. And I'm honored to be a part of that journey.

**Is there anything else you'd like to share about your background or experiences?**

I'd like to highlight the role my single mother played in shaping my journey. Education was always a priority for her, and she made tremendous sacrifices to ensure my siblings and I had opportunities. Despite facing challenges, her perseverance and dedication inspired me to pursue my dreams. Additionally, while my family may be miles away in New York, I've found a supportive community here in Central PA, which has become like family to me. The connections I've made and the support I've received have been instrumental in my personal and professional growth.





▶▶ top agent

Photos by Next Door Photos | Miriam Smith

# Brad Zimmerman

Berkshire Hathaway Homesale Realty Services

Brad Zimmerman's life is defined by his commitment to family and a determination to work toward goals – no matter the obstacles encountered on the journey.

“We all face challenges in life,” Brad says. “We all need to prepare as best we can, but ultimately, we need to persevere and grow in the process.”

Raised in Lititz, Pennsylvania, Brad's journey is marked by a deep-rooted trust in his ability to move forward when faced with change.

“I first try to put a situation into perspective. What can I control? What do I need to accept and not expend energy trying to change? When you put things into perspective, it can help make your situation lighter.”

## Family Life

With five children ranging in age from teenagers to seven years old, Brad and Kate Zimmerman head up a busy household.

“My wife Kate and I both grew up in Lititz and we are both Warwick High School alumni,” Brad says. “We began dating while in high school and married in 2006. Lititz is still our home.”

The couple's oldest child, Adalyn, 16, is now a junior at Warwick High School. Fifteen-year-old, Tayden is next oldest, then Brock, 12, Tenley, 11, and Jose, 7.

“The older children are all in sports, and Jose is looking forward to starting basketball and soccer. Our oldest daughter plays field hockey. The two boys and Tenley are in basketball, and Tenley enjoys horseback riding lessons, field hockey, and dance classes. They keep us busy,” laughs Brad.

## Adoption Journey

Kate and Brad's youngest child, Jose, was born in Bogota, Colombia, and the Zimmermans welcomed him into their family in 2020.

“Kate always had the passion for adoption, and I was always of the mindset that we could support others financially and in other ways,” Brad says. “And then, while spending time in Guatemala and seeing the orphanages there, I called Kate and said, ‘There are 153 million orphans in the world, and we can't save them all, but we can change and impact the life of one.’ We had four biological children at the time, and we coached our kids through, making sure they



understood how the adoption would impact our world.”

During a family Christmas gift exchange, their children's resolve became clear. “Our youngest daughter only had one thing on her wish list – to put any money that would have been spent on a gift towards the adoption. I was like, wow, her heart is there, and our children are backing us in this. At that moment, I knew that our kids were on board.”

However, the adoption journey was fraught with challenges and heartache. Following the loss to illness of the first child the family had hoped to adopt, Brad



and his wife Kate remained steadfast in their resolve.

“We were devastated,” Brad says. “We had formed a connection with the child, and losing him tested our faith. We had to come together as a family and persevere. We started the adoption process over again.”

Their journey ultimately led them to welcome Jose into their family, a moment of profound joy and gratitude. “It's amazing. Jose fits right. We've been blessed to have him.”

## From Part-Time to Full-Time REALTOR®

Brad's career path reflects his entrepreneurial spirit, tireless work ethic, and commitment to balancing work life and family.

“I attended Thaddeus Stevens College of Technology, a local tech school, for graphic communications,” he says. “Upon graduation, I worked for a company, doing advertising, marketing, and some sales. The position required a lot of travel. Eventually, we

realized we didn't want that lifestyle for our family.”

In 2006, Brad joined Berkshire Hathaway Homesale Realty corporate office as Internet Marketing Coordinator, working in

advertising and marketing for the Harrisburg and Lancaster regions. He eventually transitioned to a training role for the company's 23 offices, teaching agents how to use various tools and programs.

“I became a resource for our agents' questions on training and marketing. Some of the owners said, ‘You're training our entire company. Why don't you get your license and start selling?’ This was back in 2008, just as the market was crashing. But I got my license and I started to sell part-time and work in corporate part-time.”

With the Zimmerman family expanding, Kate and Brad made the decision for Kate to be at home with the kids. Not yet ready to commit to real estate sales full-time, Brad transitioned to working with a vehicle wrap company and a partnership opportunity.

“I did that for a few years, and unfortunately the partnership didn't work out, so I was soon back to asking myself, ‘What do I really want to do?’” Brad says. “I reconnected with the owners of Berkshire Hathaway. They said, ‘Brad, you just gotta go full-time into real estate.’ They set a goal for me to sell 27 homes in 14 months.”



And I'm like, man, that's, that's a lot, you know? But they encouraged me to go all in, and I ended up selling 42 homes my first year."

The following year, Brad sold 67 homes – another example, he says, of success following perseverance.

"I realized this is where God wants me to be."

#### Building a Team, Becoming an Entrepreneur

In his second year with Berkshire Hathaway Homesale Realty, Brad hired Alyssa Strayer as an assistant. She is still with him today.

"We now have a team of ten, including two former student interns from Warwick High School," Brad says.

Recently, Brad's brother Ryan joined the team and is transitioning from the insurance industry into full-time real estate. Ryan lives in Mechanicsburg, an area of Central Pennsylvania that Brad is targeting for growth.

"I tell the team we're a customer service organization that happens to sell real estate," Brad says. "And growing a confident and knowledgeable team has allowed me to pursue additional entrepreneurial goals."

Currently, Brad owns Lititz Golf, a golf simulator company, and 32 Below, an ice cream shop just north of Lititz. He also flips homes, owns rental properties, and has an Air BNB near Raystown.

"I honestly love helping people buy and sell homes. When I wake up, I don't dread going to work. It's a blessing."



The connections you foster with other people allow your business to grow naturally. And gratitude is remembering where you came from and giving back to your community.

Photo by Gress Photography

#### The Cor 4

At the center of Brad's success lies his philosophy of perseverance, focus, connection, and gratitude. These values – the Cor 4 – serve as guiding principles in both his personal and professional life, shaping his interactions with clients and colleagues alike.

"Perseverance, focus, connection, and gratitude," Brad says. "Again, perseverance is about putting challenges in perspective and working toward goals. Focus changes according to need – work or family, processes or outcomes – but a consistent focus to the exclusion of distractions is needed to achieve a goal. The connections you foster with other people allow your business to grow naturally. And gratitude is remembering where

you came from and giving back to your community."

Through his leadership, Brad has fostered a culture of excellence and integrity within his team, where every member is valued and supported.

"For me, I'm extremely grateful for my team," Brad says. "If it wasn't for the support of my team, I wouldn't be able to do what I do. And obviously, I am so grateful for Kate and all the support she gives me."

"You know, if you're in this business, you understand that. You know that the support of your spouse and family is huge. I'm blessed in so many ways."



Photo by Lindsay Rossman Photography

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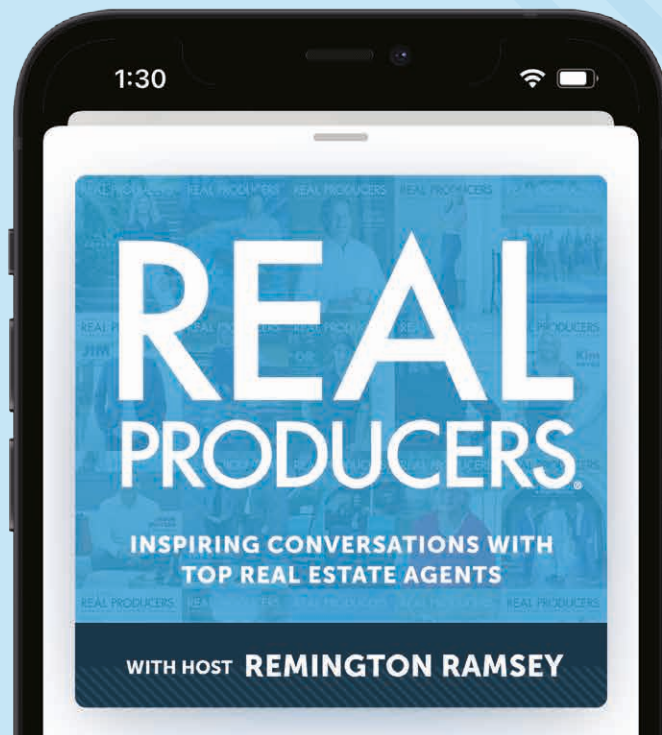




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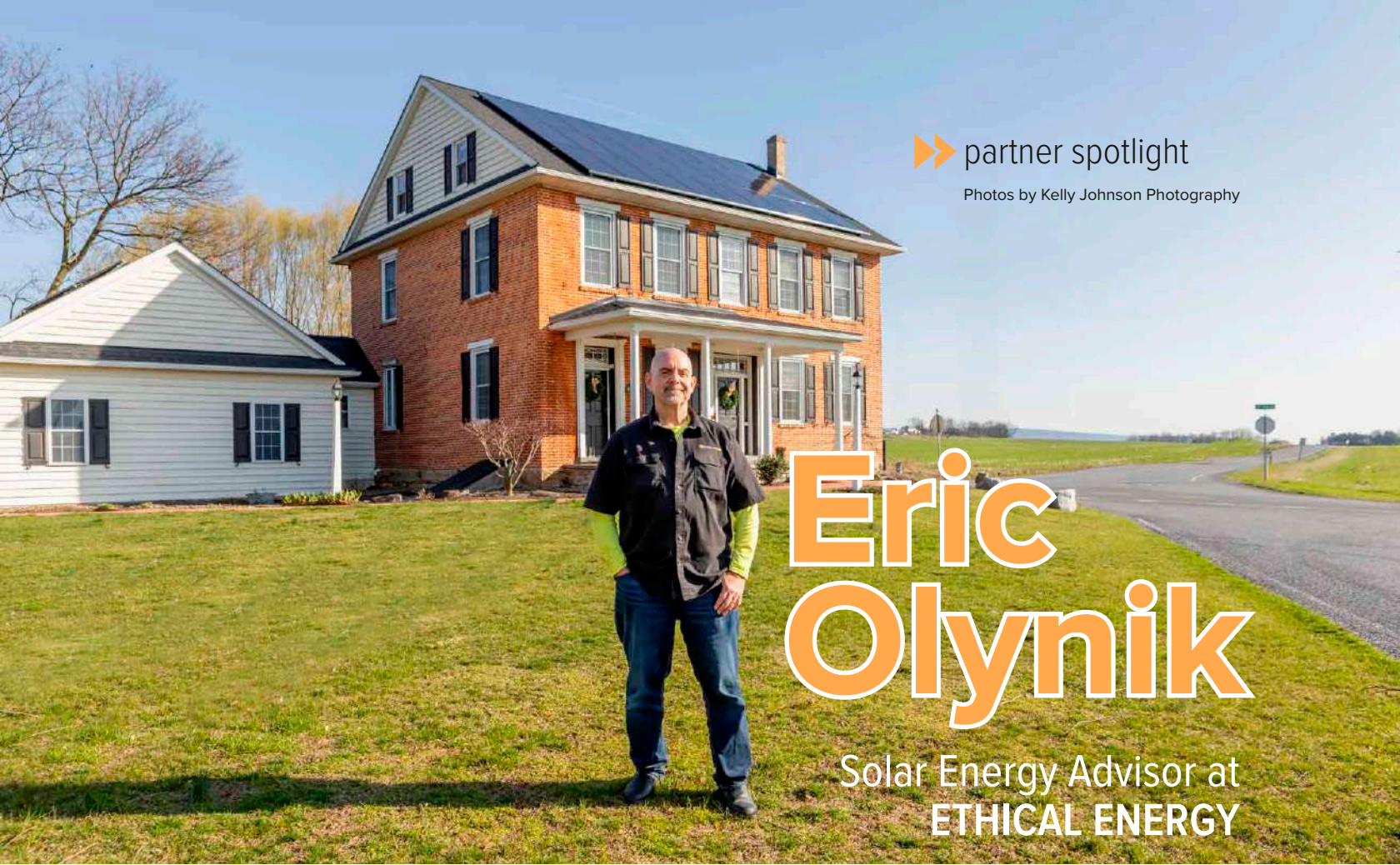


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▶ partner spotlight

Photos by Kelly Johnson Photography

# Eric Olynik

Solar Energy Advisor at ETHICAL ENERGY

Eric Olynik is charged up about solar energy.

“Solar is the future. This radically different and cost-effective way to produce electricity is happening right now in our lifetime. It is unstoppable.”

As a Solar Energy Advisor with Ethical Energy Solar, Eric’s passion for solar energy is equal part “save the planet” and “save your wallet.” He shares a quote by Warren Buffett – “Energy deregulation will be the largest transfer of wealth in history” – and follows with his own wisdom, based on 40 years in the industry:

“What better way to deregulate energy than to produce it yourself, right on top of your own roof?”

### Road to a Bright Future

Eric started in the energy industry in New York City, beginning with the New York State Registered Apprenticeship Training Program. As a NYC Licensed Electrical Contractor, his firm

performed heavy highway and infrastructure public works projects, achieving milestones with the NYC Transit Authority unmatched by other firms.

“We were involved in managing energy efficiency decades ago, way before solar was a household discussion,” Eric says.

When Eric and his family moved to Lancaster, he made the decision to transition to solar power in his own home.

“Every month, my wife would open our electric bill, dejected with the rising cost,” he says. “I saw a tremendous need for solar in my own life and for those in my community.”

### Powering the Future

Working with Ethical Energy, Eric promotes the many benefits to homeowners, including decreased energy expenses, an increase in property value, the opportunity to avail solar rebates, and the benefit of tax credits.

“Our panels are made in America, right in Austin, Texas,” Eric says. “This immediately sets us apart from most other solar companies.”

So, who is a good candidate for solar?

“Well, if you live in a cave or in the woods, it may be a bit tricky,” Eric says with a smile. “But anyone fed up with unpredictable increases in their electric bill. Anyone who wants a complete solar system installed with no money down. Anyone who wants to take advantage of an unbelievable 30% federal tax credit, state incentives and achieve peace of mind – solar is for you. Solar equals independence!”

At Ethical Energy, Eric says clients first meet with a site inspector who will determine their eligibility for Government or Utility Credits to transition to solar energy without any upfront costs and calculate the potential savings.

“It starts with a no-obligation ‘look’ at your roof from the sky – specifically, with our hi-tech military-grade LIDAR satellite. We can see each plane of your roof, how much sun it gets, at what intensity, at what angle based on where we live on the globe and for how many hours for the entire year. All homes are not created equal, but when you get good sun on your roof, it’s hello solar, bye-bye electric company!”

Another important installation component is ensuring a solid roof support for panels. “If a new roof is needed before installation, we bundle the roof with the solar power system, and you get the roof for free! Too good to be true?”

Well, it is really, really good, and most certainly true.”

Because Ethical Energy is a CertainTeed Shingle Master Certified Installer, they can offer a 50-year non-prorated warranty.

As part of their services, Ethical Energy Solar provides Pearl Certification, a national third-party certification of high-performing homes. “With Pearl Certification, homeowners who partner with Ethical Energy Solar get the guidance and tools needed to increase their home’s value and maximize its price when it’s time to refinance or sell,” Eric says.

At Ethical Energy, the vision is to power the world by empowering people.

Eric Olynik sees solar energy as more than just a trend; it’s a game-changer for our future. Bringing cost savings and clean tech to as many people as possible is work Eric believes in.

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### Meet Eric Olynik

My wife and I have four children –Nicholas (29), Christopher (27), Gabby (14), and Danielle (12) – and we live in Manheim, PA, along with our puppy Gussy.

I grew up in Brooklyn, New York. My mother’s family was from Italy, and my father is from Ukraine. My father and his family were in concentration camps during WWII, and escaped at the end of WWII, narrowly making it to the US to start a life in this Land of Opportunity.

Through education, my father has made possible a story I love to tell. He became a distinguished Engineer and was working at Gruman AeroSpace. His team worked on those big round disk “feet” of the LEM Module that landed on the moon. As a child, I got to go inside that module that landed on the moon and we all touched those disk feet and left our fingerprints on them. Did you know that after we

landed on the moon, those disk feet stayed on the moon? So, did you ever meet someone who has their fingerprints on the moon? You did now!

In 2007, we moved to Lancaster, PA. We wanted to settle down in a more wholesome environment and away from the hustle and bustle of the city. We love the friendly people, the “old” America feel of it, yet lacking nothing you couldn’t get anywhere else (except some NYC pizza and bagels).

Moving to Lancaster marks a significant time because both my wife and I were atheists our entire lives. After moving here, we found ourselves being drawn to God. After about two years, and quietly slipping into the back pew at Westminster Presbyterian Church on Oregon Pike, we finally submitted our lives to Christ. When someone asks what brought you from NY to Lancaster, which always comes up in conversation, we can easily say it was God!

In my work, I love helping folks break free from the bondage of electric utility companies. I’ve always been excited about solar, and that continues to grow as our business practices at Ethical Energy allow us to serve this local community and the 27 states that we now work in. A man who loves his job doesn’t work a day in his life!





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