

## *Merry Christmas!*

### CIRE CELEBRATES THE SEASON

Note on your calendars December 20, 2006 as the date of CIRE's annual Christmas celebration. The location is Hale Koa Hotel, Waikiki Ballroom, from 11:30 AM to 1:30 PM. Sharing will be by David Colwell, Executive Director of Christian Charters, and Fika Esau who turned from being a gang leader to a minister. In addition, hear Kimberly Carson share her singing talent. Check in is at

11:15 AM.

Cost of the function is \$27 per person, an increase over previous functions due to a price increase at the hotel. Join us and hear how God has touched the lives of those who will be sharing. If you have not already received a flyer, contact us at [cirehawaii@hawaii.rr.com](mailto:cirehawaii@hawaii.rr.com) or visit the web site at [www.christiansinrealestate.org](http://www.christiansinrealestate.org).

*Welcome to the Fall edition of CIRE's newsletter. In this edition, local attorney Trevor Brown offers advice on real estate disclosure and Rev. Darryl Matthews reminds us who is the focus of the season.*



"...for unto us a child is born ..."

### BEING LESS DISTRACTED THIS HOLIDAY SEASON

By Rev. Darryl Matthews

*As we prepare for another holiday season, the marketing machines around the country are kicking into gear to try to convince us to load up the credit cards that we just finished paying off from last year's holidays. The Lifetime TV network that mostly has women's programming has started marketing a lot of Fisher Price and toddler toys in an effort to increase their sales for the holidays. When we examine our church bulletins we can see Advent activities are revving up. Soon, if not already, Santa and Mrs. Claus will be sitting in front of the Honolulu Hale greeting people in their cars as they drive by.*

*But in the hustle and bustle of the holidays, let us focus on a simpler holiday celebration. In Luke 10, Jesus and the disciples stop by the home of their friends Mary, Martha and Lazarus to visit. Listen to Luke in vv 39-40 (NIV), "She (Martha) had a sister called Mary, who sat the Lord's feet listening to what he said. But Martha was distracted by all the preparations that had to be made. She came to him and asked, "Lord, don't you care that my sister has left me to do the work by myself? Tell her to help me!". Each of these sisters had a opportunity to share with the master and yet two experiences happened.*

*Martha was "distracted by all the preparations that had to be made" and she was not able to fully enjoy the unique event which was Jesus in her home. Here she had an opportunity to deepen her relationship WITH Jesus but she was distracted in doing things FOR Jesus. As the holidays are upon us, there are a ton of things that need to be done not the least of which is securing a Christmas tree, putting up decorations and lights as well as making a list and checking it twice. There will be the malls that need to be tackled, Christmas cards to be addressed and mailed and online orders that need to be placed.*

*But Mary had a much different experience from Martha. Rather than be "distracted" around an event about Jesus, how about this holiday season taking the time as Mary did and sit "...at the Lord's feet listening to what he..." has to say to us today? Certainly Jesus has a mission for each of our lives but what we do for the Lord spring forth from our relationship with the Lord.*

*We have made the holiday season a time that can be very stressful and unnerving. May we heed the advice the Master gave to the distracted Martha, "...you are worried and upset about many things, but only one thing is needed. Mary has chosen what is better (i.e., time at the Master's feet), and it will not be taken away from her." Let's make this holiday season one in which we grow closer to the Lord and come to appreciate even more the incredible gift that was "wrapped...in cloths and placed...in a manger" (Luke 2:7, NIV) May we approach that manger spiritually with a sacrifice of praise, "O come let us adore Him, O come let us adore Him, O come let us adore Him, Christ the Lord."*

# REAL ESTATE DISCLOSURE IN A SLOWING MARKET

by Trevor Brown, Esq.

As “a rising tide floats all boats”, so a rising real estate market cause buyers to overlook a property’s problems. When the value of a property has doubled, a \$10,000 repair bill seems less significant. But as the explosive appreciation of the last few years slows, and buyers have second thoughts about property purchases, problems which have been overlooked assume new importance.

In this market, full and complete disclosure by sellers and their agents is critical, because of the extraordinary legal remedies available to home buyers. A disclosure form is part of almost every home sale, because it is required by Hawaii law. Hawaii Revised Stat-

utes 5081. But just delivering a completed disclosure form is not enough.

## **Legal Protections for Home Buyers**

Hawaii law provides strong additional protections to home buyers. If a real estate agent knows something about a property what would cause a reasonable home buyer to make a different decision (e.g. pay less or decide not to buy) and does not disclose it, the agent may be liable to the buyer, not just for the harm caused, *but for three times the buyer’s actual damages plus all of the buyer’s attorney fees.* H.R.S Chapter 480. It is unlikely that Hawaii courts would allow these protections to be waived by having a buyer agree to

take a home “as-is” or agree not to rely on the agent, or agree that the buyer is doing all of his or her own investigations.

## **An Analogy to Old Testament Law**

At first glance, a law providing for an award of three times a buyer’s actual damages may seem like an example of a modern state legislature that has gone overboard. But Moses, under Divine guidance, set up damage multipliers for Israel over 3500 years ago. “If a man steals an ox or a sheep, and sells it, he shall restore five oxen for an ox, and four sheep for a sheep.” Exodus 22:1

So the Hawaii legislature was in good company when it enacted these buyer protections.

## **The Lesson**

For Sellers and Agents: Disclosure is more important than ever in the slowing marketplace.

For Buyers: If you find that important facts known to the seller (if the seller is in the business of selling real estate) or the seller’s agent were not disclosed to you, the law gives you powerful legal remedies.

(Note: This article is not meant to be legal advice, and a number of legal principles apply to any purchase and sale which are not discussed here. For additional information, contact Trevor Brown, Esq. at 537-6100 or visit his website at [www.starnslaw.com](http://www.starnslaw.com)

“...behold, there came wise men from the east to Jerusalem, saying, Where is he that is born King of the Jews? For we have seen his star in the east, and are come to worship him...”

Matthew 2:1-2



## **Support Your Ministry**

If you are seeking support for your ministry, you are invited to display your pamphlets, cards, brochures, and other information at CIRE’s Christmas luncheon on December 20, 2006. You can order a table to display your material by contacting CIRE at [cirehawaii@hawaii.rr.com](mailto:cirehawaii@hawaii.rr.com).

We’re on the Web!

**[christiansinrealestate.org](http://christiansinrealestate.org)**