

# REAL ESTATE AGENT SAFETY ARTICLES

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## **Agents Too Trusting, Says Safety-Minded Association Leader**

*by Blanche Evans*

With the arrest of a suspect believed to have robbed agents and homeowners during showings in her county and other counties nearby, one association leader in Florida is making it a personal campaign to raise safety awareness among Realtors.

The problem is, she's not sure many are listening yet, but she's not going to let that slow her down.

"My job as an owner/broker is I'm using all the tools I can through [NAR](#), [FAR](#), safety expert [Robert Siciliano](#), and any other sources that help us," says Janet Helms, broker/owner of [Realty Executives Space Coast Realtors](#) in Melbourne, Florida. "And I remind them (agents) 'Don't forget your safety tips!' so they can take care of themselves."

But Helms laments that especially in a competitive market, agents are fearful of losing any edge they may have with a prospect by slowing down long enough to get information, verify the information and prequalify the prospect with a lender.

"They prefer to form a personal bond with prospects," says Helms, "so they don't lose them. We do get lax and when things don't happen, we get lazy and forget that things can happen."

Helms is the new education director (director of professional development) for her local Realtor association. She wants to drill agents to remember safety procedures so that they never get lax.

"As education director," says Helms, "I want safeguards for new agents coming in. We did have a police officer make a presentation to new agents at orientation, and some of the offices have gotten a police officer to come to their offices in person. We are using the NAR safety video and safety kit, and we are now showing that video at every orientation. For existing agents, we are getting out the word to offices that they need safety programs. I belong to the Women's Council of Realtors and they had a presentation, and in our office, we are trying to get Robert Siciliano to come to Realty Executives in March. In the meantime we have produced some of his materials."

"We are encouraging everyone to meet clients at the office," she continues, "and to have the clients fill out in their own handwriting who they are (addresses, spouses, etc.) and what their needs are and what they are looking for, and we ask for identification - a picture ID. We are asking our agents to make a copy of the picture ID and put it on that piece of paper and leave that with a list of houses that are going to be shown. We are getting great response from buyers - they don't mind. They understand it is a safety issue."

Helms stresses, "You can't discriminate - this is a policy for everyone," she says. "We work in this office heavily by referral, and I'm asking our referred clients to do it, too."

She doesn't want a repeat of what happened to two agents and a client in her area.

A suspect named Richard Pate was arrested on August 12, in Flagler County, Florida and charged with two counts of robbery, two counts of kidnapping and two counts of grand theft. His alleged "MO" was finding properties that he wanted to see, and then calling the agent or property owner and asking for a showing. He would then rob the women at gunpoint. Two of the Realtors that Pate is suspected of robbing are members of Helms's association.

"He looked at big houses and the Realtors who show big houses are more successful," she notes. "He assumed that they would have money and jewelry on them."

She explains, "From what I can gather from what happened here and other places, this guy had a knack for making the agents feel comfortable. He was friendly and down to earth. Mary (not the agent's real name) is very respected and schooled in real estate, and he took his family - other people, wife and kids - on the first day of showings. And then he came back and wanted to go back and meet her at one of the houses, and that is when he pulled a trick. She laid the keys to the house down on the counter, and when she went to lock up the key to the house was missing. She called the listing agent and he went outside and when he came back in, he had a gun. Another agent came in to show the house with a buyer and he grabbed her and the customer, and robbed all of them. He forced one of the agents to give him her MLS access code (to get into the MLS lockboxes) and the lockbox key, which created a safety issue with everybody. The MLS was able to stop access to the lockboxes from being used. He didn't go to any other houses after obtaining the code. He wouldn't have known how long it was going to be active."

Pate is a suspect for similar crimes in other counties in Florida and in Georgia.

If any of the Realtors had bothered to include Pate's car in their information-gathering, points out Helms, they would have noted his Georgia license plate numbers, and "some of these robberies could have been prevented because the police would have been able to find him sooner, she says.

The license number could have also been useful to circulate among associations. A drawing of the suspect was circulated and may have prevented others from being robbed.

"We had one sketch of him when he first came here and then we got another sketch where his weight went from 250 to 350 pounds. One sketch had combed hair and the other disheveled hair. We don't know if this is true, but it was reported locally that last week he was seen in two local real state offices. Now lots of guys started looking like the drawings. In one case he wanted to look at homes immediately, and the agent refused to leave the office. In the other case, he walked in the door and he left abruptly, and they really realized that the sketch was in the lobby. We had it on our desk. I made up a flier for executives to give to for-sale-by-owners."

Another issue Helms would like to tackle is what she calls poor communication between the associations that might have prevented the kidnapping and robberies of agents in her area.

"We belong to two boards, and there are two local associations in Brevard County," explains Helms. The Space Coast is a long county. Our association had trouble getting information from surrounding counties. If a perpetrator is in a surrounding area, we want to know. By the time we get the information, it is the next day or two days later. We need to alert nearby associations, and let the associations alert the brokers and then they can contact their agents."

Helms also recommends an alert code. If an agent is in trouble and is able to call into the office, she can ask for a "red" folder and give the address where she is located to alert staff that she needs immediate help.

"We are a whole lot more careful now," says Helms, "we are very leery and we are reminding everybody. I have agents who work out of their homes, and I can't control what they do, but I can encourage them to send a copy of what they are planning to show to the office.

"It used to be that Realtors took on prequalification, and now there are lenders everywhere. We try to get them pre-qualified before they come to the office, so at least you know that they've had a conversation with a lender, but the average Realtor would take them out anyway. It is fast-moving business and consumers have so many options, that many Realtors want to develop a relationship to get them hooked to you, but you have to have conversations to determine if they are real. I like to

bring them to the office, and have them fill out the form in their own handwriting and have them talk to a lender before getting in the car, but it doesn't always work that way."

*Editor's note: [Mobile Callback](#), a member of the Realtor VIP program, provides a monitoring service that allows Realtors to call in showing information, their location, information about the prospect including license plate number, and when the Realtor would like to be called by the service to assure the Realtor's safety while in the field. The system allows up to three numbers (office, spouse, partner, etc.) the Realtor would like the service to call in case s/he is unable to respond to monitoring calls.*

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## CASE 2

FOR SALE BY OWNER ATTACKED

### **Homebuyer/Robber Faces Charges, Could Crimes Have Been Stopped? Also, Realtor gets attacked showing a nice home.**

*by Blanche Evans*

Prosecuting attorney John Tanner, State Attorney for the Seventh Judicial Circuit of the State of Florida has filed first and third degree felony charges against Richard Alan Pate including kidnapping, burglary with battery, robbery with a deadly weapon, and grand theft in two separate instances against women who opened homes to Tanner under the impression that he was a legitimate buyer.

Both victims identified Pate from a photo lineup shortly after the crimes occurred. Pate had served time for armed robbery in 1993.

According to felony case number 03-616-CFFA, Pate allegedly kidnapped a woman for the purpose of "facilitating the commission of a felony, to-wit, robbery and/or grand theft on August 1st, 2003." According to reports, he robbed the woman, a homeowner who was selling her own home, by pretending to be a homebuyer interested in the home. He suggested to her that he drive her to see his attorney so that they could consummate a deal. Once in the car, he drew a knife on her, and forced her to write him a check and to give him her ATM Bankcard and PIN number to access the account for a total value of about \$300.00.

For these actions, Pate is charged with the following counts: kidnapping, a First Degree Felony; robbery with a deadly weapon, a First Degree Felony, two counts; and grand theft, a Third Degree Felony.

***The second case involved a prominent Realtor who agreed to show Pate homes*** believing that he was an interested homebuyer. At a new home owned by builder Stoughton Homes, Inc. on August 5th, Pate allegedly captured the Realtor upstairs, according to police reports, and "committed a battery upon" her. He then took her debit card, three rings including a wedding ring, some petty cash, and locked her in a closet. The total property taken was valued at about \$15,856.

For these actions, Pate is charged with burglary with battery, a First Degree Felony; robbery, a Second Degree Felony; and grand theft, a Third Degree Felony.

The Flagler County Sheriff Department arrest warrant indicates that "intelligence was received of similar type robberies in Brevard County, FL; Volusia County, FL; Lowndes County, GA; and Glynn County, GA." The agencies involved exchanged information. During investigation, an anonymous caller indicated that the defendant was "a person of interest." A photo line-up was compiled. The report states that the Realtor "immediately positively identified the defendant as the person who committed said robbery and false imprisonment."

## Could the kidnappings and robberies have been prevented?

While it is hard to prevent a determined predator, some Realtors made it easy for Pate to commit the alleged robberies by failing to qualify him as a legitimate buyer. Pate allegedly robbed Realtors in several counties from Georgia to Florida. Not once did any agent take down his license plate, or ask to see or copy his driver's license. In all cases, the agents agreed to show Pate homes based on nothing more than his expressed desire to see homes, according to news and association accounts.

According to Janet Helms, broker/owner of [Realty Executives Space Coast Realtors](#) in Melbourne, Florida, Pate had Georgia license plates. "If one of those agents had said this is a late model with Georgia license plates, they would have gotten him long ago," she says.

Helms, in charge of education (safety) for her local association, also complains that neighboring real estate associations across two counties didn't warn each other about the danger posed by Pate, who allegedly charmed his way into getting agents to show him expensive homes. He also seemed to have a way of knowing which houses were vacant, and those were the ones he wanted to see. The Georgia and Florida agents were kidnapped and robbed at vacant houses, according to news and police reports.

One association did put out a warning to its members, who pasted fliers and drawings of Pate in their offices. One office reported that a man fitting Pate's description entered the office asking to look at homes, and upon seeing the sketch of a perpetrator like himself, turned and left the premises quickly without getting an agent to accompany him.

It was after this point that he began to target FSBOs and agents in other counties, says Helms. "Now that he started with the public," says Helms, "maybe people will start listening."

As part of the *Realtor Safety Week* September 14th-20th sponsored by the National Association of Realtors, association leaders and brokers will be encouraged to provide showing and safety policies that better protect homeowners and real estate agents.

"We know that NAR is endorsing the big answer, but we need to do our jobs up front for our own safety and the offices need to back us up," says Helms.

A few precautions could have prevented a predator like Pate from successfully conning and robbing Realtors. Here's what you can do to protect yourself and others:

- Put your personal safety first.
- Put the safety of your agents first. All offices must establish a safety policy which includes procedures to protect sellers' homes from predators as well as the personal safety of agents and their clients. Predators like Pate could have been prevented entry to seller's homes by some simple qualifying steps. Instead of asking a few questions of Pate, agents took him to view homes based solely on his expressed desire to see homes. Neither did they take the minimal safety precautions of even asking to copy his driver's license and license plate numbers. Busy markets are no excuse for allowing predators access to either agents or to sellers' homes.
- Be very cautious with any buyer who attempts to rush you into a showing or seems in too much of a hurry to give you the information you need to do a good job. One Realtor who was allegedly attacked by Pate agreed to see him only two hours after he called the office about a listing.
- Don't disregard safety procedures because a buyer indicates he wants to view expensive homes. According to reports, that was Pate's method of operation. He knew that agents would jump at the chance to show an expensive home and in so doing, fail to qualify him or take any identification from him. None of the agents who were allegedly robbed and kidnapped by Pate even asked to see his driver's license beforehand.

- To insure that you are not being rushed by a predator, tell every buyer who calls that you have company policy safety procedures to follow before you can accompany a stranger into a seller's home. Your company policy must be consistent to comply with the Fair Housing Act. You can make it as strict as requiring all buyers to be pre-qualified by a lender before showing them homes, or as relaxed as simply requiring agents to make copies of a buyer's driver's license before showings. At the minimum, you should have a copy of a driver's license and license plate number.
- Another way to test if a predator is rushing you is to tell the buyer that many sellers require 24-hour notice before showing their homes. Try to set an appointment for the next day instead of immediately. In the meanwhile, collect as much information about the buyer as you can, including home search needs, place of employment, and a prequalification letter from a lender.
- Meet with buyers at the office before showing them homes.
- Ask them to fill out in their own handwriting what their home search needs are. Handwriting samples and fingerprints can later be used as evidence should the buyer turn out to be a predator.
- Pre-qualify buyers with a lender. Ask buyers who are not already pre-qualified to bring qualifying materials such as W-2s for the past two years, bank statements, and employment records so that you can get them pre-qualified with your in-house lender.
- Don't be fooled by looks, a nice car, or an important-sounding title on a business card.
- Take the time to verify the information that the buyer gives you before showing homes.
- Have an office code so that when you are feeling uncomfortable with a client, you can call the office and ask for the address of the listing where you are, and ask the "red folder." The right cue should dispatch a manager or police depending on your office's codes.
- As compensation and listings are shared with competitors through the MLS, so should safety procedures. Listing agents and sellers could require that only qualified buyers be allowed to view listings, and when you stop to think about it, there really is no good excuse why unqualified buyers are getting into seller's homes escorted by agents anyway.

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