

CURRICULUM VITAE

FOR

BARBARA D. NICHOLS

A REAL ESTATE BROKER AND GENERAL CONTRACTOR

SPECIALIZING IN:

Real Estate and Contracting Cases

Land Movement, Foundation, Stigma Analysis,
Water Intrusion, Mold and other
Environmental Issues

Injuries at Properties

Cases Involving Short Term Rentals

Complex Research Investigations

Joint Representation as a Real Estate and
Contracting Expert

www.BarbaraNichols.net

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Barbara D. Nichols, MBA, Real Estate Broker, General Contractor

**An active real estate broker, general contractor and consultant with
exceptional credentials and business experience**

SUMMARY

- >Thirty plus years of building, building products and real estate experience.
- >President of my own real estate, construction and consulting company
- >Licensed Real Estate Broker
- >Licensed General Contractor
- >Provide evidence review and development, consultation and support, and expert witness testimony

EXPERT TESTIMONY SPECIALIZING IN:

Real Estate Transactions:

Standards of care, agency, duties of agents/buyers/sellers, disclosure, economic analysis, contracts, broker's opinions of value, data research, habitability, sales and leases, lending

Construction:

Defects and damage, safety standards, building code violations, contract disputes, management duties, research and records, business loss, standards of care, General Contractor/subcontractor duties, financial analysis

- Joint representation as Real Estate and Contracting expert
- Residential property Opinion of Value and Stigma Analysis
- Landslide/geotechnical cases
- Insurance and foreclosure properties

BUSINESS EXPERIENCE

Owner/President Manager, Business Development	Nichols Real Estate and General Contracting (30 years) R & G Sloan (largest producer of plastic pipes, valves and fittings used in plumbing applications)
Director of Marketing/ Marketing Research	Timber and Wood Products Division, Crown Zellerbach Corporation (at the time, one of the 5 largest producers of lumber in North America)
Manager, Marketing Services/ Sales Mgr.	Automated Building Components (the largest producer of manufactured roof trusses)

CERTIFICATIONS AND LICENSES

- California Real Estate Broker, Lic. # 00986024

- California General Contractor, B License, Lic. # 593755

SPECIALIZED EXPERTISE

Real Estate:

- Representing buyers and sellers
- Rental real estate and property management
- Foreclosure properties
- Residential property broker's opinion of value
- Residential investment property

General Contracting:

- Lumber, plywood, plumbing, roofing, roof systems and framing
- Landslide and geotechnical
- General building products/materials
- Inspection and analysis

CONSULTING EXPERIENCE

- Thirty years of consulting experience as President of my own company
- Expert witness since 1994
- Represent both plaintiffs and defendants
- Insurance cases for Home Insurance, State Farm, Safeco, Farmers and Allstate
- Expert for Bank of America (real estate and general contracting)

DISTINGUISHING CONSULTING ABILITIES

- Excellent investigative researcher, who knows where to look for data to meet the needs of each case
- Have developed my own library of supporting reference documents on which to base my opinions
- Trained in communications and presentation skills to impart evidence most effectively, including PowerPoint presentations for court
- Experience in mediations and arbitrations
- Excellent industry contacts and sources in both real estate and general contracting to assist in my investigations
- Outstanding in deposition preparation and presentation

PROFESSIONAL CREDENTIALS

COLLEGE EDUCATION:

Simmons College, BA graduated with distinction, member of Honors Society

Cornell University, MBA Marketing, graduated with honors

Wharton Business School, courses in Advanced Marketing and Data Research

General Supplemental Education:

- Presentation Skills, Bartlett Communications (effective speaking and group presentations)
- Professional Selling Skills, Xerox Learning Systems (effectively selling products and ideas)
- Effective Negotiation, Chester Karrass (how to negotiate anything)
- Understanding People, Wilson Learning (working effectively with others, team dynamics)

REAL ESTATE COURSES:

- Real estate Principles, Practice, Appraisal, Economics, Agency, Ethics, Finance, Escrows, Property Management
- LA County Bar Association- Disclosure Pitfalls in Residential Sales, Proof and Status of Stigma Damages in Real Estate
- LA County Bar Association- Understanding Mold Litigation in Real Estate
- CAR Attorney instructed courses- Full Disclosure, Protection for all Parties
- Staying Out of Court: Property Defect Disclosure, Avoiding Litigation
- Analysis and Structuring of Real Estate Investments
- How to Correctly Represent Buyers
- Inspections and Home Warranties: Protecting All Parties
- Legal Aspects of California Real Estate and Foreclosure Transactions
- How to Buy and Sell Foreclosure Properties
- Legal Aspects and economics of the REO Process
- Bankruptcy and Real Property
- Competitive Market Analysis
- Landlord Law/Evictions
- Residential Tax Laws...and many more courses

PROFESSIONAL ACTIVITIES:

American Marketing Association	1972-1988
Producers Council	1971-1987
ASTM Committee, Roof Truss Systems	1974-75
ASTM Committee, Geotextile Drainage	1982
Southland Regional Association of Realtors	1987-2010
Member Grievance Committee	2000-2003
Member Professional Standards Committee	2003-2010
Beverly Hills/Los Angeles Association of Realtors-CLAW	1987-present
California Association of Realtors	1987-present
National Association of Realtors	1987-present
Cornell University Real Estate Council	1996-present
Panelist, "Risk Management" Glendale Assoc. of Realtors	2004
Panelist, "Risk Management" San Gabriel Assoc. of Realtors	2004
Speaker, National Association of Realtors convention	2005
Speaking on "How to Stay Out of Court"	
Special Guest Speaker on Agent Risk Management, the Board of Directors of the California Association of Realtors, Risk Management Committee at the CAR Annual Convention, Anaheim	2007
Speaker, National Association of Realtors convention	2007
Speaking on "How to Stay Out of Court"	
Professional Standards Committee, Outstanding Member	2007
CAR Broker Committee, General Property Inspector Certification	2017

PUBLICATIONS:

BOOKS:

Guide to Construction Marketing Research,

Edited by Arthur D. Little Consulting

Contributed 3 Chapters: Conducting a Marketing Research Study, Product Marketing Research, Distribution Research

Business Data and Market Information Source Book for the Forest Products Industry,

Published by the United States Forest Service, contributor and editor

Broker to Broker, Management Lessons from America's Most Successful Real Estate Companies,

Published by the National Association of Realtors, contributing author under "Managing Risk," Wiley Publishing, 2005

The No Lawsuit Guide to Real Estate Transactions, by Barbara Nichols, McGraw-Hill, New York, May 2007

PAMPHLETS:

1. How to Sell Your Home Fast for Top Dollar, booklet, author, 1999
2. Hottest Tips on Seller Home Security, pamphlet, author, 1999
3. Surefire Ideas for a Smooth Move, pamphlet, author 1999
4. You Must Have Inspection Protection, pamphlet, author, 1999, 2005

and are endorsed by the National Association of Realtors

AUDIO SERIES:

How to Stay Out of Court, Published 2005

4 audio CDs on risk management (each one hour long)

1- A review of the 3 hour live class "How to Stay Out of Court"

2- Inspectors and inspections

3- Dealing with repairs and credits in escrow

4- Everything an agent needs to know about Mold and Mildew

ARTICLES:

"Home Inspection Risk Reduction," Realtor Magazine, National Association of Realtors, August 2000

"Put Stigmas in Their Place," Realtor Magazine, National Association of Realtors, December 2000

"Red Flags: Find and Conquer," Realtor Magazine, National Association of Realtors, May 2001

"Ten Ways to Land in Court," Realtor Magazine, National Association of Realtors, March 2002

“Commit to The Code,” Realtor Magazine, National Association of Realtors, July 2002 (Article on the NAR Code of Ethics and the law)

“Standard of Care, Measuring Up,” Realtor Magazine, National Association of Realtors, April 2003

“When In Doubt, Disclose,” Los Angeles Times, Sunday Real Estate featured article, June 23, 2002, interviewed for the article and quoted on “How to Question Disclosures”

“Don’t Ignore Flaws,” Realtor Magazine, National Association of Realtors, April 2004 (article on how to do a visual inspection of a property and properly note flaws)

“Keep It or Weep,” Realtor Magazine, National Association of Realtors, Nov. 2004 (Article on Retaining Transaction Documentation)

“Watch out for that #*!@* Tree!” Realtor Magazine, National Association of Realtors, Feb. 2005, (article on injuries at properties that lead to lawsuits)

“Don’t Get in a Fix,” Realtor Magazine, National Association of Realtors, Sept. 2005 (Article on how to deal with repairs and credits in escrow)

“Don’t Get Sued by Uncle Joe,” Realtor Magazine, National Association of Realtors, August 2006 (Article on dealing with relatives and close friends)

“Disclosure and Lack thereof—Risky Territory for Agents, Brokers,” Real Estate Broker’s Insider, October 15, 2007 (Article dealing with disclosure, property inspections, documentation and building permits)

“How Seller Repairs Become the Focus of Lawsuits,” Real Estate Executive, Houston, October 2007, Real Estate Executive, Kansas City, November 2007

“Lessons on Lending and Lawsuits,” Real Estate Executive, Utah, April 2008

“Disclosing Distress,” (When to Reveal Seller’s Financial Woes), Realtor Magazine, National Association of Realtors, August 2008

A Rebuttal Response to “A Critical Assessment of the Traditional Residential Real Estate Broker Commission Structure” by Mark Nadel, Rebuttal by Barbara Nichols, Cornell University Real Estate Review, Vol. 6, May 2008, Cornell University Program in Real Estate, Pages 37-45.

“Avoiding Lawsuits in Rental Property Leasing,” Broker Agent Professional, Sept./Oct. 2008, Pages 36-37.

“Foreclosures, Short Pays and Lawsuits,” Foreclosure News Report. Nov. 2008, Pages 1 and 11.

“Steer Clear of HOA Risks,” Realtor Magazine, National Association of Realtors, January 2009

“Uh, Your Living Room Is on My Property,” Realtor Magazine, National Association of Realtors. July/August 2012

“Be Cautious with Flips,” Realtor Magazine, National Association of Realtors, May/June 2014

“Airbnb is crashing the Neighborhood,” Realtor Magazine on line, National Association of Realtors, Dec. 2015 (Liability issues related to short term rentals)

LECTURES/COURSES:

Chairman and moderator, on many occasions at the *Construction Marketing Seminar*, Sponsored by Producers’ Council (now, Construction Products Manufacturers Council)

- Forecasting Building Product Usage
- Outlook for Residential Construction, and others

Course Instructor, American Marketing Association
(Investigative and Marketing Research)

Course Instructor, American Management Association
(Forecasting for Marketing Planning)

“How to Stay Out of Court,” This course has been given at the following Association of Realtor Chapters in California to over 18,000 agents and brokers, **293 classes** (as of Nov. 2016) this course is a required BRE course “Risk Management”):

- Southland Regional Association of Realtors
- Burbank Association of Realtors
- Cerritos Association of Realtors
- Pasadena Foothills Association of Realtors
- Sacramento Association of Realtors
- Lodi Association of Realtors
- Fairfield Association of Realtors
- Modesto Association of Realtors
- Ventura County Coastal Association of Realtors
- Santa Maria Association of Realtors
- Palm Desert Association of Realtors
- Imperial Valley Association of Realtors
- Anaheim Association of Realtors
- Davis and Elk Grove Association of Realtors
- Placer County Association of Realtors
- Central Valley Association of Realtors
- San Luis Obispo Association of Realtors
- Monterey County Association of Realtors
- San Mateo County Association of Realtors
- Santa Clara County Association of Realtors

- Pleasanton Association of Realtors
- Newark Association of Realtors
- West San Gabriel Association of Realtors
- Long Beach Association of Realtors
- Southwest Riverside County Association of Realtors
- Conejo Valley Association of Realtors
- Victor Valley Association of Realtors
- Orange County Association of Realtors
- Oakland Association of Realtors
- San Diego Association of Realtors
- Ontario Association of Realtors
- Marin County Association of Realtors
- San Francisco Association of Realtors
- Contra Costa County Association of Realtors
- Bay East Association of Realtors
- Silicon Valley Association of Realtors
- Greater Antelope Valley Association of Realtors
- Inland Valleys Association of Realtors
- Pacific Southwest Association of Realtors
- Hemet/San Jacinto Association of Realtors
- Corona/Norco Association of Realtors
- Rancho Southeast Association of Realtors
- Tehama County Association of Realtors
- Chico Association of Realtors
- Shasta Association of Realtors
- Desert Communities Association of Realtors
- Delta Association of Realtors
- Northern Solano County Association of Realtors
- Solano Association of Realtors
- Beverly Hills/Greater Los Angeles Association of Realtors
- Arcadia Association of Realtors
- South Bay Association of Realtors
- Inland Gateway Association of Realtors
- Citrus Valley Association of Realtors
- Santa Barbara Association of Realtors
- Alameda Association of Realtors
- San Jose Association of Realtors
- Grass Valley Association of Realtors
- Imperial County Association of Realtors
- Palos Verdes Peninsula Association of Realtors
- Scottsdale Association of Realtors (Arizona)
- Southeast Valley Regional Association of Realtors (Mesa, Arizona)
- Western Maricopa County Association of Realtors (Arizona)
- Phoenix Association of Realtors (Arizona)
- Palm Springs Regional Association of Realtors
- Downey Association of Realtors
- Pacific West Association of Realtors

WHO'S WHO'S LISTINGS:

Who's Who of Professional and Executive Women
International Who's Who of Business and Professional Women
Who's Who of American Women
Who's Who of Emerging Leaders in America
International Who's Who of Professionals
Who's Who in Executives and Professionals

INTERVIEWS:

Interviewed by Channel 7, WABC, as an expert, regarding property inspections, Ric Romero was the interviewer, for a "7 On Your Side" segment, July 1999

Interviewed by the Los Angeles Times, for an article entitled "Driven Up the Wall" concerning retaining walls in large home construction in Los Angeles, Feb. 2003

Interview by ABC for 20/20 segment on "Understanding Property Stigmas," 2006

Interview by FOX News for a segment on Stigmatized Properties October 2006, to air November 2006 in sweeps week nationally

Interview by Personal Finance Reporter, Market Watch/ Dow Jones, on Property Stigmas, October 2006, for National Distribution

Interview by Bob McCormick, Money 101, CBS Radio, KNX, October 2006 on Property Stigmas

Interview by Joanne Clever, Milwaukee Journal Sentinel, June 2007 on Critical Issues in Lease with Option to Buy Agreements

Interview by E.J. Becker, KMBZ-AM Radio, Kansas City, Mo., August 2007 on the state of the real estate market and transaction pitfalls

Interview by Dan Collier, WDIS-AM (news/talk), Boston, Ma., September 2007 on legal pitfalls of buying and selling real estate

Interview by Sonny Fuoks, WPTW-AM, Dayton, Ohio, September 2007 on various real estate topics

Interview by Greg Marsten, WXCE-AM, Minneapolis, Mn., September 2007 on the real estate market and how to buy without legal problems

Interview by Jeff Ostrowski, editor of Real Estate Broker Insider, September 2007 on the state of the real estate market and problems faced by buyers and sellers

Interview by Don Lancer, KYW-AM, Philadelphia, Pa., (CBS #1 news/talk), September 2007 on real estate market conditions and avoiding lawsuits

Interview by Stephanie Ross, KRES-FM, Columbia, Mo., (news/talk), September 2007

on how to avoid real estate lawsuits for buyers and sellers

Interview by John Morell, The Robb Report, Vacation Homes, for an article called "The Dead Zone" dealing with stigmatized properties, December 2007/January 2008

Interview by Janie Hopkins, The Baltimore Sun, for an article on understanding "Lease-to-own," or "Lease with Option to Buy," March 25, 2008

Interview by Katy Leslie, The Atlanta Journal Constitution, March 2009, for article on Property Stigma (re: the Michael Vick property), referred by Sarah Weiss at NAR Public Affairs in Washington D.C.

Interview by Marilyn Lewis, reporter for MSN.com, for an article on property stigmas

Interview by Mark Schneidman, Realtor, Coldwell Banker, Santa Barbara, KZSB-AM radio 1290, Sept. 10, 2012, real estate legal issues involving boundary disputes road rights of way and encroachments.

PUBLIC SERVICE

Junior Chamber of Commerce and Special Olympics
Director, Benedict Canyon Homeowners Association (2,600 homes)
President, Benedict Canyon Homeowners Association (2003-2004)
Vice President, Benedict Canyon Homeowners Association (2005-2010)
Los Angeles City Council Committee
Bel Air-Beverly Crest Neighborhood Council
Cornell Club of Los Angeles, Cornell Real Estate Council