

PROTECT YOURSELF:  
AN HOLISTIC OVERVIEW OF SELF-PRESERVATION FOR REALTORS®

Jane A. Rheinheimer  
Rheinheimer + Smigliani, APC

Self-preservation. Merriam-Webster defines it as “preservation of oneself from destruction or harm” and “a natural or instinctive tendency to act so as to preserve one’s own existence.” The use of the term in the context of your daily work may seem overly theatrical, but it isn’t. REALTORS® are engaged in an unexpectedly dangerous profession and ongoing dialogue about safety and self-preservation is never out of place. In this article, we’ll review some of the obvious steps you can take to protect your person from harm, and we’ll also examine some emerging potential threats to your business and livelihood.

**Personal Safety Considerations:**

Personal safety comes first, always. The nature of your business requires you to engage regularly in potentially risky activities. There is no way to sugar-coat this reality.

Within the last year, an experienced real estate licensee in Arkansas was callously murdered during the course of a routine property showing. She followed the rules, too, or at least a number of them. She let her husband know exactly where she was going. She locked her purse in the car to avoid having it stolen. She kept her cell phone on her person. Despite all this, something went terribly wrong. The alleged murderer later said that he targeted the victim because “she was a woman that worked alone – a rich broker.”

On July 22 of this year, a female real estate agent in Georgia was attacked by a prospective “client” who turned out to be a man dressed as a woman. The agent met the client at a listed property and realized quickly that he was a man wearing a dress and a woman’s wig.

Sensing something was amiss, the agent let the prospect go inside to view the house alone while she waited for him outside. When the prospect came out of the house, he grabbed the agent and started assaulting her on the porch. Thankfully, she was able to escape her attacker and run into the street to flag down help.

In San Antonio, a licensee was hit with a tire thumper<sup>1</sup> which her 71-year-old client (a man to whom she had shown several properties over the course of several months, by the way) pulled out of his boot. The assailant attacked the agent from behind, hitting her in the back of the head. Miraculously, the agent did not lose consciousness although she was knocked to the floor. Bleeding profusely, the agent started yelling at the client and asking him why he had hit her. He told the agent he needed four thousand dollars. The agent was able to keep the man engaged in conversation for about 45 minutes until she was ultimately able to run out of the house and wave down a car full of teenage boys who apprehended the bad guy.

Sadly, the news is full of stories of REALTORS® who are robbed, assaulted, held hostage for money, or worse, and the frequency with which these incidents occurs seems to be on the uprise. Think about it – your job often requires you to meet strangers, alone, in empty properties, sometimes in unfamiliar neighborhoods. Your business requires you to market extensively, and your photograph and other personal information is likely included in your advertising materials. People know who you are, how successful you are, and what you look like. So even though you’ve probably seen this list before, or one similar to it, take a minute to read through it again. This is not a comprehensive list, we’re just trying to hit the highlights

---

<sup>1</sup>Not knowing what a “tire thumper” was, I had to look it up. A tire thumper looks like a miniature wooden baseball bat about a foot and a half long. I’m still not exactly sure what the legitimate purpose of a tire thumper is, but it seems to have something to do with checking for tire air pressure.

here. Remember that you have families, friends, and colleagues who depend on you. You need to make sure you make it home at the end of the day.

1. **Quo vadis?** - Know where you're going. Always preview properties before you show them. This not only makes good business sense from a sales perspective, but it could also save your life. Familiarize yourself with the location of all external doorways and other exits. Make sure you know how to get out of the house quickly if necessary. Make sure you know how to get out of the back yard or the side yards if necessary. Determine if neighboring homes are occupied. If it's your listing and you expect the property to be on the market for a long time, introduce yourself to the neighbors. Also, check to make sure you have cell service at the location. You don't want to wait until there's an emergency to find out you're in a black hole for cell coverage.

2. **What's the 411?** - Make it a requirement that before you start showing properties to a new client, you meet them at your office or at some other public location (i.e. not at your home office) and have them fill out a prospective client information sheet, including name, address, driver's license information, etc. Also obtain information about their vehicle(s), i.e. make, model, year and plate number. Keep this information in a centralized area that is accessible to office personnel, making sure you treat it with the same safeguards as you treat all other private client information. Note that this does not guarantee your safety - per the story of the agent in San Antonio, above, whose client was already a known quantity. Let your prospect know that this is required office policy. If a prospective client balks at the idea of providing you with this information, do you really want to go out alone and show this person properties? No you don't.

3. **Don't go out in the dark** - If you can possibly avoid it, don't show properties at night. If for some reason you absolutely must show a property after dark, make sure you leave the

window shades up, the curtains open, and try to leave some windows open in case you need to yell for help. Turn on as many interior and exterior lights as possible. Put a good-quality portable light on your keychain.

4. **Stay in the driver's seat** - Take your own car to property showings. If possible, have your client meet you there. Lock your car. Park on the street near the property if possible - in any event don't let your car get blocked in a driveway. If you have to block your client's car in the driveway, that's ok, but it's easier to get away quickly if you are parked on the street.

5. **Back away from the bling** - Don't wear expensive jewelry to showings. Dress professionally, but simply. Lock your handbag in the trunk of your car to avoid getting robbed. Keep your cell phone and your car keys with you at all times. More about that shortly.

6. **Keep your phone charged and your tank full** - this sounds rudimentary, but you do not want to be running on fumes or running out of battery should an emergency arise. Keep a car charger in your vehicle. There are also a number of wristlet wallets available that will keep your phone charged and ready to go. Keep enough gas in your car to get out of Dodge if you have to.

7. **Leave the Jimmy Choos at home** - When showing property, wear simple clothing and shoes that will not restrict your ability to move. Or run.

8. **Your casa is not their casa** - Is your home address listed on your state's real estate licensee information website? Take a minute to check it, you'd be amazed how many agents have this very private information hanging out there for all the world to see. If your home address appears on the website, change it to an office address or a P.O. Box address. Now.

9. **Be a follower, not a leader** - Don't let anyone follow behind you when you are showing a property. To keep control of the situation, you need to adopt the habit of walking

behind your prospect at all times. If you're not already accustomed to doing this, practice with a friend until it doesn't feel awkward. Or watch the hosts on your favorite HGTV show, they've generally got it down.

10. **Share the love** - Before you leave on a showing appointment, make sure that someone in your office knows where you are going (all properties you will be showing), who you are with, and when you expect to return. The client information sheet discussed above in #2 will already have been filled out and left at the office, right? If you are not returning to the office after your showing appointment has ended, at least check in to let them know you are safe and that the appointment is over.

11. **Savvy self-defense** - Take a simple Krav Maga or similar self-defense class. Get a pepper spray keychain and learn how to use it. (Note that some state laws limit the allowable size of pepper spray containers. For example, California permits no more than 2.5 ounces of active product per container.) Consider downloading a "panic button" app to your phone - there are a number of products available. Some will alert people in your emergency phone contacts list that you are in trouble. Others will connect automatically with 911. Some will summon help as well as post your location to Facebook and Twitter.

12. **That's a wrap** - For your primary work vehicle, consider a personalized license plate, magnetic car door signs, and/or a custom wrap job with your logo on it. The idea is that your vehicle should be easy to spot in the event you need help.

13. **Don't over-share** - It is not necessary for your prospect to know what your plans are for the rest of the day, when you are going on vacation, or how much your daughter's upcoming wedding is costing you. Keep conversation directed away from the private details of your

personal life.

14. **No vacancy** - Never advertise a property as being vacant. Never advise a prospect in advance that the property you will be taking them to is vacant.

15. **Take a buddy to your open house** - Open houses are particularly problematic for a number of reasons. If there is any possible way that you can have another agent assist you with your open house (meaning that there are two agents in the house at all times), that is the best protocol to follow.

16. **It's not open til you say it's open** - Keep the exterior doors locked while you are setting up a showing or open house - don't let anyone follow you into the property before the showing or open house starts.

17. **Out of sight, out of mind** - When holding a house open, make sure that the homeowner/tenant has locked up all valuables, medications, personal information (credit card statements, etc.), firearms, laptops and so forth.

18. **Nobody loves a crowd** - Beware a sudden crowd of people appearing at your open house, particularly at the end of the day. Sometimes bad guys will use this tactic - a couple of them engage you in conversation or otherwise distract you while the rest of the crew goes through the house looking for stuff to steal.

19. **No leftovers, please** - When your open house is over, make sure everyone is out. Go through each room and make sure no one has stayed behind to surprise you.

20. **Lock first, clean second** - After you are absolutely certain there is no one left in the property, lock the exterior doors before you start cleaning up after your open house, turning off lights and so forth. You do not want to be surprised by someone entering the property while you

are in a back room shutting things down.

### **Protect Your Electronic Self:**

Like we said, personal safety is always the most important thing. But while we're on the topic of self-preservation, don't forget that there are a lot of bad people out there in cyberspace. Protect your online presence - your social media and your email accounts are all susceptible to tampering. You know the basics, but just for kicks we'll review again:

- Protect your identity at all times. This is a tough one because much of your marketing requires you to be active online. Just make sure you are not inadvertently giving out too much personal or financial information about yourself.

- Keep your malware and anti-virus software up to date. And don't click on those "virus warning"/"malware warning"/"technical support" alerts that pop up on your screen sometimes. Guess what those are?

- Use awesome passwords and don't use the same password on all your accounts. Change your passwords at least every six months. Never use a password that doesn't register "strong" when you create it.

- Check your privacy settings on your social media, people. You'd be amazed. Just amazed.

- Consider using encryption software for sensitive email communications.

- Make sure you only use secure wireless networks, no matter where you are and no matter how badly you want/need to get online. If the network isn't secure, i.e. password protected, don't use it. Your task can wait until you're in a secure place. And by the way, "password protected" does not mean the password of the day at your favorite coffee spot where

hundreds of other customers will be given the same password to access the Internet.

- Don't click on any unfamiliar or suspicious emails. Trust your instincts. Warren Buffet isn't really trying to send you \$1.5 million.

- Have a brilliant IT person in your contacts list. Don't cut corners, don't try to save a buck. If you have a problem or think you may have a problem, get someone who knows what they're doing in to look at it before your entire system is compromised.

### **Protect Your Investment in E&O Insurance:**

While we're talking about safety and protection, let's talk about your E&O insurance. You spend a lot of money on it, right? Don't jeopardize your investment by failing to timely report possible claims. Don't wait until someone files a lawsuit against you. If you have a situation where someone threatens, either verbally or in any kind of writing, email, text, voicemail, whatever, to take legal action against you or report you to your state licensing agency, anything like that, report it immediately to your E&O carrier. It doesn't have to be a demand for money in order to qualify as a potential "claim" within the meaning of your insurance policy.

Errors and omissions policies are typically written on a claims-made and reported basis. This requires that the claim be made and reported during the same policy period. For example, if your E&O policy year runs from January 1, 2015 to January 1, 2016, you would need to report all potential claims from that policy year to your carrier by December 31, 2015. If you wait until February 1, 2016 to advise your carrier of a potential claim that you had notice of back on December 1, 2015, coverage may well be denied. This is true even if you thought the claim was bogus or would never amount to anything.

It is best practice to be over-inclusive in reporting possible claims within the defined



reporting period. Keep a log of potential claims throughout the year and make sure they are all reported to the carrier in writing prior to the renewal date. Reporting a potential claim that never materializes should not adversely affect your loss run or your ability to renew coverage. The carrier will likely appreciate the fact that you can be relied upon to report all potential claims. Failure to timely report a claim which results in a denial of coverage, on the other hand, can be catastrophic to your business. Don't jeopardize your investment by trying to "handle" the problem yourself without notifying your carrier.

It's a wild world out there. Be safe.

Jane A. Rheinheimer  
Rheinheimer + Smigliani, APC  
1230 Columbia Street, Suite 920  
San Diego, CA 92101  
619.503.1441  
jar@rsdapc.com