



North Dakota Association of REALTORS®

To advocate for the success of our members in partnership with our local Associations and the National Association of REALTORS®

March 16, 2021

Chairman Lefor and Members of the House Industry, Business and Labor Committee, for the record my name is Jill Beck and I am the CEO representing the North Dakota Association of REALTORS® (NDAR).

The North Dakota Association of REALTORS® membership is made up of more than 2,200 REALTORS® and more than 250 Business Partner members.

I am writing to ask for support of Senate Bill 2247 to amend and reenact section 47-10-02.1 of the North Dakota Century Code relating to seller property disclosure requirements. Our Government Affairs Committee, as well as our Board of Directors, discussed bringing this proposed recommendation at just about every meeting over the last 18 months. For consumer protection we feel that this needs to be updated. So, this brings us to where we are today.

There has been much confusion by our REALTOR® members so I am also of the opinion that those licensees that don't belong to our association and don't have us for guidance may also be confused or even not know what they don't know. Buyers and sellers are also confused and often times misled by an "interpretation" of the current law. Section 6 is being added to clarify those transactions that would not have to have property condition disclosure in order to transfer title.

Those practicing real estate that are testifying after me will be able to give examples.

I have checked with my counterparts around the nation and majority of the states do have mandatory property condition and not one of them is just for licensees. The enforcement piece has also been discussed and again those states that have laws that are similar they are enforced through the court of law. In talking with the legal council of our National Association of REALTORS® that is just about the only way to enforce this and she did a poll for me on one of our bi-weekly calls we have with the state CEOs and that is what those that responded stated.

There are REALTORS® in the business that will be testifying on what they see in the marketplace and why this should be changed to protect all consumers not just those that use REALTORS® or real estate licensees.

We ask for your support for SB 2247 and would be happy to answer any questions you may have now or my contact info is below as well.

**Jill Beck, CEO**

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