



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®

TESTIMONY IN OPPOSITION OF SB 2285

February 5, 2021

Senate Political Subdivision Committee

Chairman Burckhard and Members of the Senate Political Subdivision Committee, my name is Jill Beck and I represent the North Dakota Association of REALTORS® (NDAR).

The North Dakota Association of REALTORS® represents more than 2,100 REALTORS® and more than 250 Business Partner members.

We are in opposition of SB 2285 for several reasons.

If this bill were to pass it would slow up the closing of the home purchase due to a \$15 invoice that has not been paid by the owners of the easement which more often than not are utility company or gas/oil company. The timing of getting the invoice billed and then receipt of payment can be weeks to months in which time a home purchase is waiting to close and to no fault of the home seller or buyer who are ready and sometimes needing to get closed in a timely fashion.

Buyers and sellers negotiate who will pay fees associated with their transaction. This bill would create a fee that would be handled outside of closing without disclosure to the parties.

It is important for homebuyers to know the condition of title to property they are purchasing. It is especially important for them to know if an easement exists so that they can enjoy their property without the risk of encroaching on an easement when constructing additions or new building on their property. The bill would discourage easement holders from recording their easements to avoid unknown future fees.

We ask for a **DO NOT PASS** on SB 2285 and would be happy to answer any questions you may have. My contact info is below.

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