



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®

January 21, 2025

## **Testimony in Support of HB 1401**

Chairman Jonathan Warrey  
Industry, Business and Labor Committee  
North Dakota House of Representatives  
600 East Boulevard Avenue  
Bismarck, ND 58505 S

Chairman Warrey 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.

This will be short and brief as we were made aware of this bill prior to being forward by the North Dakota League of Cities for introduction and were in support of it.

We believe that cities should have the option of using a non-exclusive or exclusive listing agreement. For clarification and understanding an exclusive listing agreement is with one agent and brokerage and they work for the seller ensuring that only that brokerage can market that listing. A non-exclusive listing agreement allows the city to open the property up for sale to all buyers and the city may pay the one agent/brokerage who brings the buyer.

It is my understanding, from several of our members, that this language change would (1) allow cities more choice when selling property; (2) enter into agreements where the listing agent would owe fiduciary duties to the cities and work to protect them; and (3), would update the language of the law to match the current practice of cities across the state. Most of our members do business with some type of exclusive agency agreement and these same members have utilized these agreements in listing property for North Dakota cities in the past years.

We recommend and ask for your full support with a **DO PASS** on House Bill 1401.

My contact info is below if you have any further questions.

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