



Department of Justice

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The Department of Justice filed a civil antitrust suit today charging the Real Estate Board of Rochester, N.Y., Inc. -- one of the nation's largest -- with fixing fees for the sale, lease, and management of real estate.

Attorney General William B. Saxbe said the suit and a proposed consent decree, which will become final in 30 days upon approval by the Court, were filed in U.S. District Court in Rochester.

The Rochester Real Estate Board has a membership of approximately 2,000 real estate brokers and salesmen who operate in Monroe County, New York.

In 1972, more than 7,000 real estate sales totaling over \$174 million were made through the multiple listing service operated by the board.

Assistant Attorney General Thomas E. Kauper, in charge of the Antitrust Division, said the suit charged that the Rochester board and its members have conspired to establish and adhere to schedules of fixed commissions or fees.

In addition, the complaint alleged that the board had established arbitrary and unreasonably restrictive requirements for membership in the board and the multiple listing service.

The proposed decree prohibits the fixing of fees and commissions to be charged by the board's members for the sale, lease, or management of real estate in Monroe County.

The decree also prohibits the establishment of any fees or dues for membership in the board or the multiple listing service which are not reasonably related to the costs of the board.

In addition, the decree orders the board to admit to membership any person licensed to sell real estate, and to admit to membership in the multiple listing service any person licensed as a real estate broker, although the board may adopt reasonable and nondiscriminatory membership requirements not inconsistent with the decree.

This is the 12th civil case filed by the Antitrust Division challenging fee-fixing arrangements and other anticompetitive practices by local realty boards, Mr. Kauper noted. All of the cases have been settled by consent decrees.

Comments to the Justice Department and the court on the proposed decree are invited from the public during the 30-day waiting period before the judgment becomes final.

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