

October 19, 2005

DOJ and FTC
By email

Dear Sirs:

I would like to take this opportunity to provide some comment regarding your upcoming workshop on the competitiveness of the Real Estate industry. As an active participant in Real Estate sales for 30 years I can unequivocally state that the Real Estate sales industry is extremely competitive, especially right now.

The consumer has ample choice regarding the agency that will represent them including type of marketing and the fee to be paid. Companies and agents routinely compete to represent a client on the sale of their property and also to represent a buyer. Marketing plans vary as well as the fee charged to provide that service.

The MLS is a cooperative of agents where the product they represent can be shared amongst qualified, trained and licensed professionals. Information being shared is mostly confidential and access to the property needs to be regulated for the benefit and safety of our clients. Clients want to know who has access to their property. They want to know how, who and what is being said about their property in advertisements. The MLS membership governs our association and checks the credentials of members.

If clients wish to have their property advertised in third party publications or online services they can direct their representative to facilitate this plan.

I cannot think of another industry that would be required to provide its marketing information, pictures and product detail to a third party to represent for sale. The client and agent may decide to follow this path however to compel such an action seems strained at best.

To be forced to provide a third party the information regarding the product I represent for sale so they can have a database to then advertise for contacts that they will then sell the information back to the agent is not providing any service in the Real Estate Transaction process. Ultimately it could increase the cost of doing business and raise the charges to the consumer.

Please review the information carefully and I am sure you will come to the conclusion that the current system of marketing Real Estate is very competitive and efficient. It is the epitome of a free market system.

Thank you for your time.

Sincerely,

Robert Yoder
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