



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF LICENSING & REGISTRATION  
REAL ESTATE COMMISSION  
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AUGUSTA, MAINE  
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December 19, 2008

Matthew J. Bester, Trial Attorney  
Department of Justice - AntiTrust Division  
450 5<sup>th</sup> Street NW  
Suite 4000  
Washington, D.C. 20001

Dear Mr. Bester:

This letter responds to your request for a response from the Maine Real Estate Commission to the following question: May a real estate seller or buyer elect to not have a real estate licensee, who is providing brokerage services as a transaction broker as set forth under 32 M.R.S.A. §13283, receive offers in a real estate transaction? The answer is “yes.”

A real estate seller, for example, who chooses to receive limited brokerage services from a transaction broker, may elect to communicate with and receive offers from prospective buyers without the involvement of the transaction broker. A transaction broker would not be subject to discipline by the Commission in this example.

I trust this response is consistent with your request.

Sincerely,

Carol J. Leighton  
Director



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