

**SB0461\_MMBBA\_McKay\_FAV.pdf**

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02/07/2024

SB0461



Testimony offered on behalf of:  
MARYLAND MORTGAGE BANKERS & BROKERS ASSOCIATION, INC.

IN SUPPORT OF:  
SB0461 – State Real Estate Commission – Complaints –  
Advertising Violations

Education, Energy & Environment Committee  
Hearing – 02/08/2024 at 1:00PM

The Maryland Mortgage Bankers and Brokers Association, Inc. (“MMBBA”)  
SUPPORTS SENATE BILL 0461.

The MMBBA supports the ability for individuals to anonymously file complaints alleging advertising violations. A person should be able to report bad actors without fear of repercussions.

But a minimal burden of proof should be required to prevent abuse. Such a requirement would not only reduce the number of false reports and possible repercussions or stress for the falsely accused, but it would save the State Real Estate Commission (SREC) from wasting time chasing down something that does not exist.

Furthermore, this requirement will save the SREC time on valid complaints by pointing them in the right direction. In today’s age of social media marketing, even small lenders may have daily marketing posts on multiple platforms. Finding the violation without anything to initially go on can be like finding a needle in a haystack.

For these reasons, the MMBBA urges a FAVORABLE COMMITTEE REPORT on SB0461.

Respectfully submitted,

Brendan McKay, Co-Chair, MMBBA Legislative Committee  
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**SB 461 -MREC Advertising - FAV - REALTORS.pdf**

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## **Senate Bill 461 – State Real Estate Commission - Complaints – Advertising Violations**

### **Position: Support**

Maryland REALTORS® supports the Senate Bill 461, which allows the submission of anonymous complaints to Maryland Real Estate Commission (MREC) for violations of advertising regulations.

Real estate licensees are bound to follow advertising practices that are outlined in both statute and regulation. These include having proper contact information for their brokerage and supervising broker, providing a true and accurate picture of the property for sale, and having the authority of the property owner to advertise the property, among other provisions.

Currently, Maryland statute requires that any complaint against a real estate licensee be made under oath by the person bringing the complaint. However, it can be detrimental to a consumer or agent to attach their name to a complaint against licensee that they are currently in a transaction with, or that they may engage with in the future. This leads to many violations going unenforced.

For cases of advertising, where the violation is in print or there is other visual evidence, this bill would grant authority to MREC to bring the complaint against the licensee even when the complainant is not identified. Licensees would still have the ability to respond to the complaint and to continue through the normal disciplinary hearing process.

To enhance enforcement of current real estate advertising laws and regulations, REALTORS® asks for a favorable vote on SB 461.

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or [christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**