

From: cary@chubin.com [mailto:cary@chubin.com]  
Sent: Saturday, October 29, 2005 9:56 PM  
To: ATR-Real Estate Workshop  
Subject: Comment on the competitive nature of the real estate industry.

Dear DOJ,

My experience in the Chicago market as a Realtor is that the market is not competitive. While competition clearly exists, it mostly exists only within the framework of traditional brokerage. When new models of providing services to the public are employed there is clear resistance and obvious attempts to not cooperate. In the most extreme cases Realtors have broken the existing laws by saying things like, "no one will show your property if you are listed with a discounter."

There is no evidence that "minimum levels of service" are better for the consumer and yield lower purchase prices for buyers and higher selling prices for sellers, yet the MLS of Northern Illinois adopted such a requirement. Indeed, if 20% of homes are sold my owner, without the services of a Realtor, why does the NAR assume consumers are incapable of negotiating on their own? All listings should be available to any Realtor, regardless of business model. Indeed if a member firm wishes to restrict their listings, they should be required to restrict their listings to everyone, not be selective. The official NAR policy is a subterfuge, to restrict lower cost models, which can benefit consumers, from having equal access to our lifeblood, listings (properties).

Sincerely,

Barbara Chubin  
Barbara Chubin Real Estate Broker