



Chair Manning, Vice-Chair Thatcher, and members of the Senate Committee on Veterans, Emergency Management, Federal and World Affairs,

Thank you for the opportunity to provide testimony today in opposition to SB 641. For background, Oregon REALTORS® is an industry association comprised of roughly 18,000 members who work as real estate brokers, real estate principal brokers, real estate property managers, and affiliated industry professionals.

Real estate licensees are required under federal, state and local fair housing laws to not make any distinctions among purchasers based upon national origin. This is also required under the REALTOR® Code of Ethics. Not only are these legal and ethical requirements, but our members take pride in treating all buyers and sellers equally, and significant effort is placed on training and best practices to ensure that these laws are strictly followed.

We recognize that SB 641 does not make the real estate licensee the enforcer of the proposed law, but real estate licensees do not want to be involved in a transaction that violates fair housing laws, and thus SB 641 could force licensees to either violate fair housing laws or contribute to an unlawful real estate transaction under this foreign prohibition.

Additionally, we are very concerned about potential liability coming back on the real estate licensee should a transaction be completed and then later be voided. What if the buyer paid real estate and title and attorney fees for a transaction that is later voided? Could the buyer then come after the professionals to recover those fees, or for damages, because the real estate licensee or other professional did not warn them the transaction would ultimately be voided and they would lose both the property and all of their money?

Further, the bill does not describe what happens regarding the ownership of the property in the case that a transaction is voided under SB 641. Leaving this question unanswered creates a mess to untangle the property rights when a transaction is simply “void” as a matter of law, and may have even passed hands multiple times since the void transfer.

Oregon REALTORS® opposes SB 641 and we urge the committee to vote NO on this measure.

Thank you for your time and consideration of our testimony.