



REALTOR OFFICE CONTACT LEGISLATIVE BRIEFING

August 2005

Oppose the Clermont County Transfer Tax Increase – Call To Action: This week the Clermont County Board of Commissioners is proposing to increase the Real Estate Transfer Tax 33% (from 3 to 4 mills) – the highest in Southwestern Ohio and an increase Realtors need to oppose to deter surrounding counties from doing the same. This increase will place a huge burden on sellers, despite the county’s recent prosperous Economic Outlook. *For 10 Reasons to oppose and to voice your opposition, visit www.cabr.org*

Ohio Budget Passed June 30, 2005 – Update: Realtors’ lobbying efforts and response to Calls to Action were successful in defeating a state-wide transfer tax, preventing the double-taxing of real estate commissions with the new Commercial Activities Tax (CAT), and increasing the CAT threshold for paying an annual minimum \$100 fee from \$40,000 to \$150,000. Efforts to prevent the immediate elimination of the 10% commercial rollback were unsuccessful. Overall, Realtors’ efforts were successful continuing the fight to protect the American Dream.

Banks in Real Estate – Update: On June 30, 2005, Congress passed another appropriations bill for 2006 that once again prohibits funding for the Department of Treasury to finalize a proposal that will allow banking conglomerates to own real estate companies; which will result in less choices for consumers, higher fees and rates, fewer competitive loans, and provide banks with an unfair advantage over Realtors as a result of their federal charter and access to cheap federal funds and deposit insurance. The Senate is expected to vote on its version in August. To check the status of this proposal visit <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.0358>

Eminent Domain – Update: The U.S. Supreme Court in the case of *Kelo v. The City of New London* ruled that municipalities have a right to use the power of eminent domain to take unblighted property that will be used for private economic development and that such satisfied the “public use” requirement of the 5th Amendment, so long as the local municipalities determine that the development benefits the entire community. The Court emphasize that its opinion “did not preclude any State from placing further restrictions on its exercise of the takings power.” This ruling has now made eminent domain a states rights issue. For NAR’s policy, position, and detailed information about the *Kelo* case visit www.realtor.org/realtororg.nsf/pages/EminentDomain

Small Business Health Fairness Act (H.R. 525) – Update: On July 27, 2005, the U.S. House of Representatives have passed this NAR top legislative priority. More than 140,000 Realtors responded to a Call to Action. This bill will allow trade associations like NAR to offer a uniform health care plan and use our collective bargaining power to lower the cost of health insurance for Realtors. With more than a quarter of Realtors operating as small businesses or independent contractors, Realtors will be able to band together and negotiate lower health insurance plans like those available under federally regulated large corporate and union plans.

Do-Not-Fax – Update: On July 7, 2005, President Bush signed the Junk Fax Protection Act. The Act does not legalize unsolicited fax advertisements or solicitations, but does allow for an established business exception supported by NAR. NAR’s petition to delay the effective date of enforcement to January 9, 2006 was granted.

Please remember, your RPAC dollars are working hard on each of the issues above so do your part by supporting RPAC and join the Realtors’ Grassroots Political Network by visiting <http://www2.cabr.org/files/Grassroots.pdf>.

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