



From: [Marcus Huertas](#)
To: [ST, RegulatoryCounsel](#)
Cc: [Emme Reiser](#); [Sherri Martin](#)
Subject: [External] Public Comment - IRRC No. 3400 - Broker Price Opinions
Date: Thursday, June 13, 2024 2:15:07 PM
Attachments: [BPOs Proposed Regulations - Comment.pdf](#)

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Good afternoon,

I hope you're doing well. My name is Marcus Huertas and I am one of the advocacy managers for the PA Association of Realtors®. Thank you for allowing us to provide comment to the proposed rulemaking regarding broker price opinions. As such, please see our attached comments.

If you have any questions or need more information, please don't hesitate to reach out.

Stay well.
MH.

Marcus Huertas
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June 13, 2024

Dear Marc Farrell,

As an organization that represents 39,000 of the Commonwealth's real estate licensees, the Pennsylvania Association of Realtors® welcomes the opportunity to provide input on the draft proposal of the Broker Price Opinions regulation.

Our comments are premised in the fact that PAR put forth the legislation that became Act 75 of 2018 and we believe that real estate licenses should be able to conduct BPOs with certain conditions.

Current law states that broker price opinions (BPOs) cannot be done unless the licensee "has satisfied the requirements prescribed by the rules of the commission to obtain education in the preparation of broker price opinions."

Section 503(a) of the proposed regulations mirrors this statutory requirement, stating that a licensee must complete a "Commission-approved initial education course in the preparation of broker price opinions". The proposed regulations would delete the phrase "completed a Commission-approved initial education course" from 503(d) and add language to 503(e) which we believe could be read to suggest that the pre-approved broker courses are the only courses that would fulfil this requirement. By altering that language, future readers may understand it to say that the list in subsection (e) (relating to approved prelicensure courses) is exclusive and are the only courses a licensee can take for initial approval. This does not appear to be consistent with the Commission's intent, as shown by their course approval history under the preliminary regulations, in which they have approved a variety of continuing education courses of 3 hours or more to meet this initial education requirement in addition to approving blanket approval to the four 30-hour broker education courses noted in section 503(e).

We believe that the regulation should be clarified to reflect that that the Commission can and will approve courses beyond the pre-approved broker course listed in the regulation.

Thank you for the opportunity to comment of this regulatory proposal.

Sincerely,

Sherri Martin
Chief Advocacy Officer