To: Members of the Senate Interim Committee on Commerce and General Government

Dear Senators,

I am writing to respectfully oppose SB 1513. Although the bill delays enforcement of the team name restrictions created by HB 3137, it does not address the underlying policy concern. Instead, it leaves in place a regulation that is unnecessary, economically harmful, and problematic for Oregon real estate professionals.
SB 1513 merely postpones the effects of HB 3137. When the temporary delay expires in 2027, the same challenges will return. This approach prolongs uncertainty and prevents affected businesses from making informed long term decisions regarding branding, marketing, and investment.

Existing consumer protections are sufficient

Oregon law already provides strong consumer protections through statutes and administrative rules enforced by the Oregon Real Estate Agency. These rules require marketing materials to clearly identify the supervising brokerage and registered business name, prohibit misleading or deceptive practices, and authorize the agency to investigate and discipline violations. When consistently enforced, these regulations address the consumer protection concerns that were cited in support of HB 3137. There is no evidence of a regulatory gap that would justify restricting accurate and commonly used professional language.

Concerns regarding commercial speech

The terms “realty” and “real estate” are generic and truthful descriptions of licensed services. Prohibiting affiliated teams from using these terms while permitting brokerages to do so imposes a content based restriction on commercial speech. While I am not asserting a legal conclusion, restrictions of this type raise legitimate constitutional concerns, particularly when less restrictive alternatives exist. Requiring clear brokerage identification or disclosure of team affiliation would protect consumers without eliminating accurate language.

Uncertainty and financial impact

The temporary delay provided by SB 1513 acknowledges the significant disruption this policy would cause. However, delaying enforcement does not resolve the problem. It extends uncertainty and shifts unavoidable costs into the future. Real estate teams across Oregon have invested substantial resources into branding that is transparent and clearly connected to their supervising brokerages. Forced rebranding would require extensive changes to signage, marketing materials, websites, contracts, and disclosures. These costs are substantial and fall most heavily on small and minority owned businesses.

Lack of demonstrated consumer benefit

There is no evidence that the use of the terms “realty” or “real estate” causes consumer confusion when brokerage identification is clearly displayed. These terms simply describe the services

being provided. Consumers understand that teams operate under brokerages, and existing disclosure requirements already provide meaningful clarity.

Conclusion

SB 1513 does not correct the policy issue created by HB 3137. It only delays its consequences. Oregon already has effective tools in place to protect consumers, and those tools should be enforced consistently rather than supplemented with restrictions on truthful professional language.

I respectfully urge the legislature to repeal or permanently amend the team name restriction rather than delaying its enforcement.

Sincerely,

Don Offet
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