Submitter:	Heather Brymer
On Behalf Of:	
Committee:	Senate Committee On Commerce and General Government
Measure, Appointment or Topic:	SB1513

I submit this letter in opposition to SB 1513—not because it offers temporary relief, but because it leaves in place a rule that is unnecessary, economically harmful, and potentially unconstitutional for Oregon real estate professionals.

SB 1513 merely delays enforcement of the team-name restriction created by HB 3137. It does not resolve the underlying legal, regulatory, or economic issues. When the temporary allowance expires in 2027, the same harm will occur—only postponed by two years.

Existing Oregon law already protects consumers

Oregon statutes and the Oregon Real Estate Agency's administrative rules already provide strong consumer protections against misleading or deceptive advertising, including:

Requirements that advertising clearly identify the supervising brokerage and registered business name (RBN);

Prohibitions against false, misleading, or confusing representations; and

Authority for OREA to investigate and discipline licensees for advertising violations.

If these rules were consistently enforced—rather than primarily triggered by consumer complaints—the public concerns cited in support of HB 3137 would already be fully addressed. There is no demonstrated regulatory gap that justifies banning commonly used professional terminology.

The restriction is potentially unconstitutional

The terms "realty" and "real estate" are generic, truthful descriptors of licensed professional activity. Prohibiting their use by affiliated teams—while continuing to allow brokerages to use them—creates a content-based restriction on commercial speech.

While I am not offering a legal opinion, this type of blanket prohibition is potentially unconstitutional, particularly when less restrictive alternatives already exist, such as:

Requiring prominent display of the brokerage’s registered business name, or

Requiring a brief disclosure that a team operates under a supervising brokerage.

A delay does not fix a flawed policy

SB 1513 implicitly acknowledges the disruption this rule would cause by postponing enforcement. However, delay does not cure a flawed policy—it merely defers the same harm while extending uncertainty for Oregon real estate teams.

Many of these teams are recognized as small businesses by the Oregon Department of Revenue. They operate as independent business enterprises, incur ordinary business expenses, pay state and local taxes, and invest significant capital in branding and marketing. By postponing enforcement rather than correcting the underlying issue, SB 1513 leaves these businesses unable to plan, budget, or invest with confidence, while facing the inevitable cost and disruption of forced rebranding in the future.

Significant financial and business harm

Real estate teams across Oregon have invested substantial time, money, and goodwill into brands that are:

Not misleading;

Not deceptive; and

Clearly affiliated with a registered brokerage.

Forced rebranding would require:

New signage;

New marketing materials;

Website and domain changes;

Reprinting contracts, disclosures, and advertising; and

Loss of brand recognition and consumer trust.

These are not minor expenses. They represent thousands of dollars per business and disproportionately harm small and minority-owned teams.

The restriction does not improve consumer clarity

When marketing materials clearly identify the supervising brokerage and registered business name, the use of “realty” or “real estate” does not create consumer confusion. These terms simply describe the service being provided. The public already understands that real estate teams operate under brokerages.

Conclusion

SB 1513 does not resolve the problem created by HB 3137. It merely postpones enforcement of a rule that is unnecessary, burdensome, and potentially unconstitutional.

If consumer protection is the goal, Oregon already has the tools to achieve it.