

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB25

Chairperson: Senator Rich Pahls

Committee: Banking, Commerce and Insurance

Date of Hearing: January 25, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 25 would define asset management companies and create certain exemptions from the Nebraska Real Estate License Act for them. Asset management companies handle the sale of properties for large institutional property and mortgage holders including banks, FANNIE MAE, HUD, etc. under power of attorney or other contractual arrangement. These companies will generally list such properties with a real estate licensee, but they do not use a listing and transaction model (particularly when it comes to presenting offers) that conforms with license law. The proposed legislation would craft a narrow exemption for licensees when dealing with these companies so that licensees can continue to work with them without violating the license law. These exemptions relate to listing agreement requirements and the requirement regarding presenting offers. These requirements in the Real Estate License Act are designed to protect the typical individual homebuyer and assist them in the real estate transaction process and are not needed for a large institutional client.

Principal Introducer: _____

Senator Chris Langemeier