

April 2, 2018

Senator Anna MacKinnon  
Senate Finance Committee  
State Capitol Room 516  
Juneau, Alaska

Dear Senator MacKinnon:

Thank you for accepting my written testimony. I am writing in favor of letting the Real Estate Commission expire on June 30, 2018. The Real Estate Commission as structured does not offer the transparency, and consumer protection the public deserves. I do not believe HB 279 can be built upon with amendments. A sunset would allow for the legislature to research what other states are doing in the interim e.g., Texas, Florida, Georgia, and etc. There is no harm in letting the Real Estate Commission expire.

I am a former paralegal who has worked for the US Department of Justice during my tenure with CACI where I worked as a Senior Paralegal. Prior to CACI I worked for a law firm where one of the law partner's family member was an Alaska Supreme Court Justice. I have profound respect for process. I am also a former state employee where I worked for Governor Hickel, and Dr. Ted Mala in the Commissioner's office of Health and Social Service. I have an expectation regarding how Alaskans should be treated by her state. I have been failed across the board in regards to process.

#### Licensee issues since my complaint

I filed a complaint regarding a licensee who is a real estate broker licensee on February 15, 2017. My complaint to the Real Estate Commission was regarding the licensee's understanding of real property ownership. My complaint was not investigated, and was dismissed by the Real Estate Commission within 18 hours of receiving it. The DCCED advised me to seek legal counsel, and to file a complaint with the Department of Law, which I did.

Since my complaint I have documented the following conduct by the licensee through my due diligence.

- An Alaskan filed a lawsuit back in April of 2017 against the licensee's company. The lawsuit alleges being harmed by the licensee. The licensee changed the locks on the plaintiff's apartment, and threw out his personal belongings away without notice. The harm occurred in 2015. The only difference between my story and the plaintiff's story is that I own my home. The plaintiff was representing himself in the lawsuit

because he could not afford a lawyer, and did not understand the process. The last time I spoke with the Plaintiff he was homeless, working, and trying to get back on his feet.

- On July 11, 2017, the licensee submitted a semi-annual report to DC Ced stating that a deceased Alaskan was the 'agent' of a condo association he managed. The Alaskan 'agent' is deceased. He died in October 2016. This is not the first time the licensee has used a deceased Alaskan's name in his business. DC Ced is aware of this, and I am going to assume that the following is meaningless when it comes to the DC Ced, and their licensees "I certify under penalty of perjury under the Uniform Electronic Transaction Act and the laws of the State of Alaska that the information provided in this application is true and correct, and further certify that by submitting this electronic filing I am contractually authorized by the Official(s) listed above to act on behalf of this entity,"
- There is another real estate broker who is using the deceased property manager's name. DC Ced is aware of this. This licensee has several Better Business Bureau complaints lodge against his company. I have a friend going through the process of filing complaints regarding the licensee with the Department of Law. I have encouraged him to seek legal counsel like I have and continue through the process.

These are just a few of the numerous incidences that have occurred since my complaint to the Real Estate Commission.

As I have previously stated in my written testimony to House Finance I attended the Real Estate Commission meeting back in March of 2017.

- My attendance was to be present during the 'investigation' portion of the meeting. The investigation agenda was moved to later in the afternoon where I would be required to take the rest of the day off. The investigation agenda item was then moved up, and I was able to be present. There was no mention of my complaint. What I needed to hear was that there was a complaint taken, and the licensee's name e.g., nursing board. This practice is not transparent and does not offer consumer protection. The State of Texas is very transparent about complaint.
- The Real Estate Commission's website is not current, and the last meeting minutes uploaded were from July 2017, which is unacceptable. The meeting minutes from the March 2017 meeting I attended are not uploaded.

I attended the Real Estate Commission's meeting last month. I wanted to be present for the HS 279 11:30 am discussion regarding the legislation. I arrived

at 11:30 am to learn that the agenda item was moved up to 9:30 am. What I needed to hear was the Real Estate Commission was going to address my concerns regarding the issues I brought forward in my letter to House Finance.

### Surveying of Licensees

I do have one question? Why were licensees not anonymously surveyed? The Legislature does not know if licensees are being well served by the Real Estate Commission. Many of the licensees I know are not members of the Association of Realtors, and the Association of Realtors does not represent their interests. I participated in a Texas Real Estate Commission town hall where I learned that they anonymously survey their licenses. I am very impressed with the Texas Real Estate Commission, and their culture of consumer protection, and serving their licensees.

### Association of Realtors & Board of Realtors

On February 2, 2017, I found the licensee's name on the Anchorage Association of Realtor's website. I stopped by their offices to inquire about filing a complaint against the licensee. I was greeted with "he is not a member," and I was quickly helped out to the door with a referral to the Board of Realtors. The Board of Realtors visited with me, and a friend who had teleconferenced in, where it was determined that the licensee had overstepped his bounds. The licensee was not a member of the Board of Realtors, and I was directed to the Attorney General's Office, and the Real Estate Commission. I filed my complaint with the Real Estate Commission on February 15, 2017 where it was declined. I then filed my complaint with the Attorney General's office on February 17, 2017.

I hold no ill will. I come to you in the spirit of consumer protection. States like Texas, Florida and Georgia have Real Estate Commissions that Alaska should mirror. These states have a culture of consumer protection that are transparent, they have lawyers as part of their processes, and consumers are heard.

### The process of healing

My son Venanzio, and I were homeless and displaced for months. Venanzio couched surfed for seven months before he was able to find his own apartment. My son worked full-time, and finished his senior year of high school on time while homeless. I was recently diagnosed with Post Traumatic Stress Disorder (PTSD) due to the stress of the licensee's conduct towards me, and my homelessness.

It meant a lot to me that Rep. Paul Seaton's office reached out to me to let me know that he appreciated my circumstances, and thanked me for bringing my issues regarding the Real Estate Commission to his attention. I have 'been

heard,' which has started the healing process after this 16-month ordeal. There is nothing that the Legislature can do to take away my PTSD, or give me time back with my son, which has been reduced to giving him rides to and from work.

My son and I will heal in time. I just ask that the legislature work to put processes into place to prevent another Alaskan having to suffer like my son and I have.

I urge the committee to allow the Real Estate Commission to expire, or improve the legislation though comprehensive real estate reform.

Thank you.

Regards,

A handwritten signature in black ink, appearing to read "Deborah Brollini".

Deborah Brollini  
Alaskan