

Written to accompany Golden Real Estate's April 1, 2010, ad in the Denver Post.

Missing: A System for Verifying the Claims of Any Real Estate Professional

Call me crazy, call me holier than thou, call me what you want, but I find it really hard to look the other way when others don't play by the rules which society says apply to all of us.

I find this is true of me when I'm driving my car, and I find it's true of me when I'm practicing my chosen profession. Maybe I should have been a cop instead of a real estate professional.

Most of my fellow real estate professionals are just that — professionals who would not misrepresent their personal level of success to deceive a seller into listing his or her home with them. But every now and then I discover an agent who is willing to lie outrageously about his or her track record and by doing so convince a seller to sign a listing agreement.

But let me tell you what I find particularly irritating. It's that there is no system in place, no "Better Business Bureau" for real estate professionals that you can call to get a factual report on the track record of the person or company that you are about to entrust with the biggest transaction of your

life — the buying or selling of your primary residence.

There are all kinds of online resources for checking out doctors, dentists, plumbers, or lawyers, but you can't check on whether a real estate professional is telling you the truth about his sales volume or almost anything else he or she tells you in order to win your business. All you can do online is find out if his license is active and which real estate company employs him.

And if a Realtor does get disciplined by his association for an infraction of the Realtor Code of Ethics, both the Realtor himself and all his colleagues are barred from revealing even that he was disciplined and certainly from revealing what he/she was disciplined for. (And non-Realtor agents aren't bound by the Code of Ethics and can't be disciplined at all, except by the Real Estate Commission for violation of real estate laws, not ethics.)

Metrolist, Denver's MLS, can also discipline its participants for violation of their rules, but even members of the Rules and

Regulations Committee, on which I sit, are not told the name of the agents who petition for a reconsideration of administrative fines levied against them for various infractions.

The sad truth is that real estate is a profession which, more than most professions, doesn't want you to know that there are bad apples in their barrel and certainly not who those bad apples are. Where, you might reasonably ask, is the commitment to protecting consumers from dishonest agents.

The Realtor Code of Ethics bars members from misrepresenting their track record to prospective clients, but it also bars members from speaking ill of each other, even if what they say is true. The idea is that to demean any member of the profession is to demean the profession itself. It's good for us Realtors, but is it good for those we serve? For me, that is an open question.

So, don't expect any entrepreneur to create any kind of rating agency for real estate professionals. It's not allowed. It's unethical.

But there is one loophole in this system of self-protection. You can, one on one, ask a real estate professional to verify what another real estate professional has told you.

For example, a good question to ask any listing agent is how many homes they have sold in the last 12 months and how many were taken off the market because they didn't sell. What's the average days on market? What's that agent's average ratio of list price to sold price? How many of his own listings did he sell and how many buyers did he serve in the purchase of other listings?

These are good questions, but you can't verify the answers you get — and the agent knows it. But you can ask another agent with MLS access — like me — to do so.

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