

Realtors: Pay for routine work

Premium content from Pacific Business News - by Janis L. Magin , Pacific Business News

Date: Friday, January 28, 2011, 1:00am HST

Hawaii Realtors want the state Legislature to help them get paid for work they do routinely.

Permitting broker price opinions is at the top of the [Hawaii Association of Realtors](#)' list of issues for the 2011 session.

The Realtors also are supporting clarifications to the law that governs environmental impact statements and are taking a proactive approach to oppose any attempts by lawmakers to raise the state's general excise tax in order to close a \$844 million budget gap.

Foreclosure reform also is on the table, with several bills coming out of the foreclosure task force that was created during last year's legislative session.

Foreclosures are at the root of the No. 1 issue for Realtors.

Lenders often ask for broker price opinions when a property is being marketed as a short sale, or if a lender takes back a property through foreclosure.

But, such a price analysis could be deemed an appraisal, and because most Realtors are not licensed appraisers they could not charge for their services under existing Hawaii state law, said **Berton Hamamoto**, president of the Hawaii Association of Realtors.

"Our members are doing it for free," he said, noting that lenders pay Realtors in other parts of the country \$50 to \$100 for a broker price opinion. There were thousands of broker price opinions done last year alone, he said. "It's not a small number."

House Bill 320, sponsored by Rep. **Robert Herkes**, D-North Kona-Puna, would allow a broker price opinion to be prepared when an appraisal is not required. A companion bill, Senate Bill 154, was sponsored by Sen. **Rosalyn Baker**, D-Kapalua-Makena.

The environmental impact statement clarifications also are on the list for the Land Use Research Foundation, according to Executive Director **David Arakawa**.

The effort to clarify the law was sparked in part by the Hawaii Supreme Court opinion last year that required the owners of the [Turtle Bay Resort](#) to prepare a supplemental EIS before proceeding with a development plan under an EIS approved in 1985.

The opinion could affect other developers who already have done their environmental reports, but don't yet have other entitlements in place, by requiring the additional work. That could add as much as a year and hundreds of thousands of dollars to a project.