

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

2

**HOUSE BILL 558
Committee Substitute Favorable 4/3/01**

Short Title: Real Estate/Travel Agent Fees Regulated.

(Public)

Sponsors:

Referred to:

March 12, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE REAL ESTATE COMMISSION TO ADOPT
3 RULES TO PERMIT REAL ESTATE BROKERS TO PAY TRAVEL AGENTS
4 FOR PROCURING POTENTIAL TENANTS IN VACATION RENTALS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 93A-3 is amended by adding a new subsection to read:

7 "(c1) The provisions of G.S. 93A-1 and G.S. 93A-2 notwithstanding, the
8 Commission may adopt rules to permit a real estate broker to pay a fee or other valuable
9 consideration to a travel agent for the introduction or procurement of tenants or
10 potential tenants in vacation rentals as defined in G.S. 42A-4. Rules adopted pursuant to
11 this subsection may include a definition of the term 'travel agent', may regulate the
12 conduct of permitted transactions, and may limit the amount of the fee or the value of
13 the consideration that may be paid to the travel agent. However, the Commission may
14 not authorize a person or entity not licensed as a broker or salesperson to negotiate any
15 real estate transaction on behalf of another."

16 **SECTION 2.** G.S. 93A-3(c) reads as rewritten:

17 "(c) The Commission shall have power to make reasonable bylaws, rules and
18 regulations that are not inconsistent with the provisions of this Chapter and the General
19 Statutes; provided, however, the Commission shall not make rules or regulations
20 regulating commissions, salaries, or fees to be charged by licensees under this Chapter.

21 (c2) The Commission shall adopt a seal for its use, which shall bear thereon the
22 words "North Carolina Real Estate Commission." Copies of all records and papers in
23 the office of the Commission duly certified and authenticated by the seal of the
24 Commission shall be received in evidence in all courts and with like effect as the
25 originals."

26 **SECTION 3.** This act becomes effective January 1, 2002.