**The Sitzer/Burnett Trial: A Pivotal Moment in Real Estate**

**Marki Lemons Ryhal** ([00:00](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

The National Association of Realtors has gone to trial to defend against a class action lawsuit known as Sitzer Burnett.

**Katie Johnson** ([00:07](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

This trial is serious and important, but there are things that realtors can do right now to prepare for any outcome in the trial.

**Marki Lemons Ryhal** ([00:16](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

The future of buyer representation and the sanctity of the MLS system, which enables consumers and their agents to negotiate compensation is at stake. In this case.

**Katie Johnson** ([00:27](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

The class action attorneys in these cases, they do not understand how realtors and local MLS marketplaces work, period.

**Marki Lemons Ryhal** ([00:37](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

The outcome, no matter which way it goes, could have major consequences for the real estate industry and profession for years to come. This is a special episode of Drive with NAR, the REALTOR to REALTOR series powered by REALTOR Magazine. The American MLS model is facing its biggest test ever right now. Listen in for details you need to know about this important moment for the real estate industry. This is Marki Lemons Ryhal. If you're trying to understand the Sitzer Burnett case and how it affects you, let's hear straight from the source. Here to explain the trial and its potential ramifications for real estate agents is NAR's Chief Legal Officer Katie Johnson. Katie, you are a very busy woman right now and I appreciate you taking the time to be here.

**Katie Johnson** ([01:33](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Thank you, Marki. Thank you for having me.

**Marki Lemons Ryhal** 1 ([01:36](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Can you give us a brief overview of the case, a timeline for the trial and what potentially happens next after a ruling is made?

**Katie Johnson** ([01:45](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

The plaintiffs are home sellers in Missouri represented by class action attorneys. These home sellers used an agent who listed their home on one of four MLSs in Missouri. And the class action attorneys representing the plaintiffs are alleging that the commissions paid by the sellers are too high as a result of the listing brokers offering compensation to buyer brokers. So what's really at stake here is the way that compensation is made from listing broker to buyer broker. We all know actually that how commissions are paid works in the best interest of both sellers and buyers because it allows the buyers to have professional representation and use their funds to actually purchase the home. And the class action attorneys and these sellers who are plaintiffs in this case, are challenging that model.

**Marki Lemons Ryhal** ([02:47](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

So, the potential clients actually paid what the contract stated, but now they're suing that it was too much?

**Katie Johnson** ([02:57](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

That's exactly right. They're saying we had a listing agreement with the defendant brokerages. So our two co-defendants in the trial happening now are Berkshire Hathaway Home Services and Keller Williams. So the plaintiffs are alleging that they had listing agreements with brokers in those networks and that they agreed to compensate the listing broker in a certain amount. And they agreed that the listing broker could compensate buyer brokers in a certain amount, but now they're claiming that they want to undo that contract. And while they were well served, they do say, and they will say here at trial, and that they were also once buyers in the transaction in different transactions, they say they don't like the deal and they want to undo it.

**Marki Lemons Ryhal** ([03:44](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Okay, so I find that quite interesting that we contracted for a certain price and you state that I performed and performed well, but now you don't agree with the amount of compensation that we had in a written contract when this lawsuit was filed. Many in the real estate industry thought it wouldn't get this far yet. Here we are. How did we get here?

**Katie Johnson** ([04:08](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

So, let's talk about where are we for the next three weeks. We will be presenting our case to the jury. We'll expect a jury verdict the week of November 6th, and eventually, we will talk about potential outcomes of the trial. Of course, we are hoping to prevail, but even if we prevail, whichever side doesn't prevail, you can expect that the outcome would be appealed. So, there is a long haul ahead of us, again, it's very crucial. We've, done a lot of preparing to hopefully prevail at the end of this trial stage. But how did we get here? Why are we here? That is a very good question. I do believe the class action attorneys in these cases, they do not understand how realtors and local MLS marketplaces work, period. And they also don't understand or appreciate how they serve the best interests of buyers and sellers alike.

**Katie Johnson** ([05:04](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

These class action attorneys are mischaracterizing our rules and do not understand how the rules work themselves. And then the practice of cooperation between real estate professionals has contributed to this efficient pro-consumer model that we have and have had for a hundred years for transacting real estate in America. And so I know that you have a great following and that there's a lot of REALTORS listening to this podcast. And so, I just want to flag that this trial is serious and important, but there are things that REALTORS can do right now, and some of you have been doing it and that's great, but keep doing it right now to prepare for any outcome in the trial. And it's really simple. There's two things. We need every single REALTORS to be articulating their value to consumers early and often explain what services you're providing and how compensation works. So Marki, as you said in the opening, there was a listing agreement, right? The listing agreement said this is how it's going to work. Well, you're absolutely right, but we also need you to be using buyer representation agreements. Using buyer representation agreements also will ensure that the consumers and the buyers understand what services are going to be provided and how the buyer representative will be compensated. And it will create that opportunity for the communication and negotiation of those services and payment.

**Marki Lemons Ryhal** ([06:32](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

I'm often reminded of the fact that agency does not equal compensation. There are times when we as REALTORS have been outstanding agents. We dotted every I, we crossed every T, but if that deal does not close, we are not compensated. And because we are discussing representation and we have representation agreement, it's kind of funny, it's not even funny though, sad that we can't be compensated for the job in which we're doing, noting that there are times that we perform as an agent and might not be compensated due to the fact that the transaction does not close.

**Katie Johnson** ([07:16](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

That's a really good point that again, I think that the plaintiffs and the class action attorneys are not recognizing or at least very much underestimating, but it's also an opportunity Marki. So, what you just said is a great point that maybe consumers don't know. And so when we talk about articulating the value, being very clear to consumers when you're talking about the services and the compensation that are covered in the listing agreement and the buyer broker agreement explain to them that this is why it works, this works because we are going to work as hard as we can to make this deal close and we want it to close for you and sometimes it doesn't for various circumstances, but you get my undivided attention and effort because of this arrangement. That is just one of the many important things that you can share with the consumers to try to cancel out this miscommunication and mischaracterization that the plaintiffs are perpetuating.

**Katie Johnson** ([08:16](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

And we have a lot of resources to do it too. So, I just want to flag it here. I know we'll talk about at the end too, but at competition.realtor, we have a number of resources that help our members explain to consumers the great value that they are providing to the consumers in every transaction. We have explainers, we have a video, we have an infographic, we have a whole website that explain how compensation works and why it works in the best interest of consumers. That website is realestatecommissionfacts.com. The other resources you can find on competition.realtor. And then there's other resources too, Window to the Law. There's a video about buyer representation agreements, the benefits of it. And of course the ABR designation is a wonderful education tool for being the best buyer representative you can be.

**Marki Lemons Ryhal** ([09:07](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

You know what? I'm glad that you brought up the ABR. I was telling some of my fellow REALTORS this morning, if it wasn't for the ABR, I would not still be here almost 20 years later when we start thinking about pre-license. Pre-license does not teach us how to sell real estate. And the ABR course taught me about leveraging a buyer representation agreement in my business and how to protect that buyer selling real estate. And we also have the SSRS, which I also took. So because of the designations and certifications that the National Association of REALTORS offers, I was taught how to sell real estate, but more importantly about consumer protection inside of the real estate transaction. And no pre-licensed course gave me that lesson. I did not learn that from the pre-licensed course that I took, which stated that I should be competent, right? It was through the National Association of REALTORS that I became competent because it broke down every last one of those agreements for me. Does the fact that the plaintiffs were awarded a class action status affect NAR's case in any way?

**Katie Johnson** ([10:23](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Marki, that is a wonderful testimonial. I am so happy to hear happy your experience with that education because that's true. And you know, the education resources at NAR is just one of the many benefits of membership of local, state and National Association of REALTORS. But you mentioned in there how to treat consumers, the pro-consumer. And I'll tell you that from NAR's perspective, which I think you would agree, our MLS rules, our Code of Ethics. We start from the foundation of serving the best interest of consumers. Your article, one of the Code of Ethics requires that you serve the best interest of your clients. And so when we are making these very public rules in these very public rule settings, and I'm referring to the MLS rules, they are based on the ideals that the multiple listing service, which is just cooperation amongst professionals, you know, brokers agreeing to cooperate, that is what makes an MLS system.

**Katie Johnson** ([11:19](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

And why do they do it? It's because you are creating efficiency, transparency, accuracy in this transaction. And I just wanted to hit it on the head. They claim that the rule leads to fixed prices, which is just ludicrous because the rule itself says it could be any amount, like literally any amount you can fill in that field in the MLS. And why, why do you even have a rule that says it? It's because it's a piece of information that leads to efficiency in the transaction. Meaning people deserve to know how much they're going to get paid for the work that they perform. Filling out that field with any amount whatsoever will provide information to the buyer representative that they need to know prior to starting work on behalf of the buyer. And if the amount doesn't match the buyer representative's expectations or the buyer's expectations, that leads to a conversation between the buyer and the buyer representative that could lead to a negotiation with the seller and the listing agreement and the listing broker.

**Katie Johnson** ([12:27](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

So all this rule does is create transparency and force efficiency into the transaction. So, we're going to show that the rule makes sense and that it's lawful and that the actual compensation from listing broker to buyer broker serves the best interest of buyers and sellers alike. I mean, this model allows the buyers to have professional representation but still afford to buy a home, put all of their funds into the home, that either the down payment or into the better mortgage terms. It serves sellers, too, because it creates the most widespread group of buyers who know about the home and who could potentially buy the home.

**Marki Lemons Ryhal** ([13:13](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

I'm reminded, I purchased my first property at the age of 24 back in 1994, and I know that I did not have enough money for down payment, for closing cost and to pay direct out of funds for my agent. Now mind you, I didn't use an agent at that time to purchase that property because I bought it from my grandfather. But that would've prohibited me from being able to buy at such an early age if I would've had to add anything else to that. And what I'm often reminded of is when it comes to compensation in the world of real estate, we don't have a standard, an average or a normal. It is definitely what we negotiate. In September two of NAR's co-defendants in the case Anywhere Real Estate and ReMax decided to settle with the plaintiffs. Can you say anything about why they made that decision and whether it affects NAR's case?

**Katie Johnson** ([14:15](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Yes, let's definitely talk about settlement, but also, I want to touch on your real story because that is the story for millions of Americans. And there are reports by economists who have studied this issue. Cheney's report sticks out in my mind the most, and it's available on competition.realtor. And they studied the issue, what if buyers had to pay directly out of pocket? And their economic analysis shows that that will harm first time home buyers. As you just said, it will harm low income and even middle income home buyers and it will have a disproportionate effect on minorities. And so the outcomes that the plaintiffs are trying to achieve take us back in time and seriously harm the majority of consumers who can now potentially buy property. That may not be the case if the plaintiffs had their way.

**Marki Lemons Ryhal** ([15:07](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Katie, I want to come back because I happened to birth a second generation realtor. So my son, Skylar, is 27 years old, and last week he closed two transactions and both of those transactions he negotiated basically a seller contribution, $13,000 on each. Plus they received a $7,500 grant. Now, as a 27-year-old, he was bragging about the great service that he provided, but it is because of that negotiation that there are two additional home buyers. When interest rates are high, people don't believe that they can buy. But through a 27-year-old REALTOR, two people realized that American dream last week through his negotiations, knowing what his buyers needed buying on the south side of the city of Chicago. And so I can't imagine, you know, how much more he could have negotiated. But in those situations, could you imagine if there was an additional cost added because those buyers needed every penny of that to go into that transaction?

**Katie Johnson** ([16:12](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Exactly. I can't imagine if there's additional cost added, those would've been lost opportunities, or if they did not have the professional representation that they had in your son, they would have lost out on those funds. That is a perfect example of what's at stake here, what's at risk. So in addition, you duly noted that there are two more people who have realized the American dream. Now what the jury's going to hear and realize from our expert witnesses too is that so many Americans and the American economy depends on people realizing the American dream as real estate transactions and all the interconnected services related to them contribute to 18% of the GDP, which means any effort to make it harder or maybe even impossible to buy homes is going to have a much wider impact than these plaintiffs can imagine. Okay, so let's talk about settlement two really quickly.

**Katie Johnson** ([17:13](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

I think there's a lot of misinformation out there, but, let me start by saying that settlement is always an option for any party in litigation. It's a business decision whether or not you take the risk and you weigh the pros and cons. And two of our co-defendants Anywhere and ReMax have decided to settle and their settlement is pending. It needs to eventually be approved by the judge. It'll probably take a year before it's totally finalized, but it will not change our case. Their settling out does not have an a negative impact on how we will present our case to the jury this week, next week and the week after. What did they settle for? Just to be clear, they are agreeing to have their franchisees and or their company owned brokerages do what our code of ethics and MLS rules already require.

**Katie Johnson** ([18:06](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Specifically, they are going to require their franchisees and brokers to refrain from claiming that brokerage services are free. They're going to require them to display the offers of compensation on listings wherever MLSs make that available. They're going to require them to refrain from using offers of compensation as a factor for filtering out listings that they deliver to consumers. And they're going to require their franchisees and brokers to be super clear and transparent with consumers about how compensation is negotiable and paid. That's great, that's what REALTORS do every single day. But they also said that they're agreeing that they will no longer mandate that their franchisees and company owned brokerages join NAR or adhere to our Code of Ethics. All that simply does is put that choice into the hands of the franchisee or the broker. It does not say they're separating from NAR.

**Katie Johnson** ([19:05](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

It's not even encouraging a separation from NAR. It is just saying we are going to leave it up to the independent legal entities that are the franchisees or brokers to determine if Association membership works best for them and their agents. And so, I just want to say at NAR, we've always operated under the assumption that the brokerages are independent legal entities that make those business decisions on their own. But it's a reminder to local, state, and national REALTOR associations to continue to really communicate and provide real value to the members so that they continue to choose to belong.

**Marki Lemons Ryhal** ([19:47](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

We all know how real estate transaction works. Generally, there will be two real estate agents cooperating on a sale. This lawsuit is trying to turn that concept on its head. Let's break it down. If the verdict were to go against NAR and its co-defendants, what impact would that have on NAR's members in residential real estate, on real estate buyers and sellers? And on NAR.

**Katie Johnson** ([20:16](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Let's speculate. I've already kind of foreshadowed some of the negative outcomes. If the plaintiffs had their way, as we discussed earlier, consumers would be harmed. Likely the buyers may be forced to forego professional representation or have not as much money going to the purchase of the home sellers would be harmed because that would result in fewer buyers. If there aren't it would reduce the amount of buyers who can afford a home to the extent that these outcomes would detract from the efficiency or transparency of the MLS. Meaning if brokers were somehow encouraged or ordered to not share information via the MLS and take that off of this centralized database, that's going to add friction, that's going to add time, that's going to definitely decrease the efficiency of the transaction, which typically those things result in more costs, added expense, but also it could deteriorate the benefits of using the multiple listing service. So we don't want any outcome that would detract from a real estate professional's desire to share information with other real estate professionals and to contribute that information to this centralized database, this local marketplace. Because again, for a hundred years, that's what our members have been doing and that has been serving the best interest of consumers.

**Marki Lemons Ryhal** ([21:43](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

What should members be doing right now to ensure transparency with the buyers and sellers they're working with?

**Katie Johnson** ([21:50](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

They should be doing what we were talking about earlier, which is articulating their value to consumers very clearly early and often. Explain very clearly what you do to add value and, you know, represent these consumers in the transaction. Explain very clearly how compensation works and why this compensation works in their best interest. Listing brokers explain a little more than you've ever done before, even if you're the best communicator. I'm charging everyone to just up their game a little bit to explain to their client, explain to their seller, why do you want your listing broker to compensate buyer brokers? Why does that work in the seller's best interest and buyer agents? Explain to your buyers why do you want the listing broker to compensate your buyer? How can you be assured that the buyer's agent will still serve your very best interests, even though they're being compensated by somebody else?

**Katie Johnson** ([22:49](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Have those conversations early, often and very clearly. And then put it in writing. Use buyer representation agreements every single time. And I'll just hit the resources that we talked about earlier in our conversation, which is a really great Window to the Law Video, five minutes or less, explaining the benefits of buyer representation agreements. competition.realtor is a wealth of information, infographics, articles and more that can help you articulate value add, and explain the competition that results from this amazing, unique and beneficial multiple listing service, a local broker marketplace model. Realestatecommissionfacts.com is a really easy primer to use, especially when speaking to your consumers about how compensation works in their best interest. And go for the gold and get an ABR designation because what's at stake here in this trial is the future of buyer representation. So prepare yourself and prepare your agents to be the best buyer representative that you can be in the years to come.

**Marki Lemons Ryhal** ([23:54](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

As a realtor, I'm reminded of article 11 in regards to competency. Today is the day for us to show the world how competent we are when it comes to representing buyers and sellers. Katie, I want you to have a great day in court representing me and my fellow REALTORS.

**Katie Johnson** ([24:15](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

Thank you, Marki. Thank you REALTORS. I think we will prevail because you are with us and you are with the consumers. We are on the consumer side, so we will show the jury that that's true.

Speaker 1 ([24:30](https://www.temi.com/editor/t/V052TqoVz2UVo2SNubympZnNklG5M0Bnt0g7oHZvMQ25WUfKFd-effR0nRVhuXf4uZvi4ui15agjRbSPSeJleFHx0fk?loadFrom=DocumentDeeplink)):

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