

To: The Montana Board of Realty Regulation
From: James A. Bowditch, General Counsel for the Montana Association of Realtors®, Inc., Boone, Karlberg P.C., Missoula, Montana
Subject: **MAR Notice No. 24-210-47** – Comments on Proposed New Rules Relating to Supervision Requirements of Supervising Brokers

On behalf of the Montana Association of Realtors®, Inc. (“**MAR**”), below please find written comments concerning the proposal of the Montana Board of Realty Regulation (the “**Board**”) to adopt NEW RULES I and II providing guidance concerning the responsibilities of Montana real estate brokers with a Supervising Broker endorsement (the “**New Rules**”).

While MAR supports the adoption of the New Rules, MAR suggest a couple of small revisions to the proposed language as set forth below.

1. Concerning the first sentence of subsection 2 of both NEW RULE I and NEW RULE II, MAR proposes that the language be revised to state as follows

(2) Nothing in this rule shall prevent a supervising broker from engaging others to assist in providing the supervision outlined above.

or words to that effect. The rationale behind this suggestion is to avoid a potential perception that may be created with the existing language that any and all aspects of supervision of a salesperson by a supervising broker can be delegated to others.

2. Concerning subsection 1 of NEW RULE II, eliminate “and/or” and replace simply with “or” so that the relevant language of subsection 1 states “ ... with less than two years of experience or who have less than ten transaction sides in a calendar year ...”

On behalf of MAR, thank you for considering the comments of MAR as set forth herein. If you have any questions please do not hesitate to contact me directly.