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**Testimony on House Bill 33  
Senate General Government Committee  
May 10, 2023**

**Amy Milam, Associate State Director, Outreach & Advocacy  
AARP Ohio**

Good afternoon, Chairman Rulli, Vice Chair Schuring, Ranking Member DeMora and distinguished members of the Senate General Government Committee.

My name is Amy Milam, and I serve as an Associate State Director for AARP, Ohio. AARP, with 1.5 million members in Ohio, is a nonpartisan, nonprofit, nationwide organization that helps empower people to choose how they live as they age, strengthens communities, and fights for the issues that matter most to families, such as healthcare, employment and income security, retirement planning, affordable utilities, livable communities, and protection from financial abuse.

**AARP is here today to support the provisions in the budget that would prohibit real estate brokers from engaging in unfair “right-to-list” service agreements.** Such agreements involve homeowners entering into exclusive agreements, in exchange for money, to allow another person or company to list the real estate for sale at a future date, with the added burden of the agreement running with the land to bind future owners or otherwise purporting to be a lien or other encumbrance.

AARP Ohio has endeavored to warn homeowners in Ohio of this alarming practice in real estate involving companies offering homeowners upfront money to sign a long-term agreement – sometimes up to 40 years – to exclusively use that real estate company in the future when the homeowner wants to sell their home. Documentation of these agreements is then recorded in the county property records in an attempt to hold future owners of the property to that exclusive agreement. This can subject homeowners to steep fees that the company will seek to recover if the homeowner transfers the property without paying that company a commission. The encumbrance on the property created when these documents are recorded can also cause unnecessary complexity when refinancing and add extra costs and barriers to property transfers. AARP Ohio is dedicated to protecting consumers, particularly older Ohioans, from practices that may cause them serious problems in the future. In March, AARP held a tele-forum Town Hall reaching 9,402 participants to inform our members of the pitfalls of such agreements.



The prohibition of these types of agreements will prevent additional homeowners from being confused or tricked into signing right-to-list agreements that can tie up their homes, cloud the public records, and add unnecessary cost and complexity to future property transfers.

**AARP also wants to make sure that any provisions that would remove the Superintendent of Insurance's authority to prohibit certain forms of solicitation of Medicare supplement policies remain out of the budget.** The Superintendent of Insurance has the existing ability to prohibit unsolicited marketing of such policies via (1) Print solicitation such as leaflets, flyers, or door hangers left at residences or on motor vehicles; (2) In-person solicitations of individuals at the individual's residence or in public or common areas such as parking lots, hallways, lobbies, or sidewalks; and (3) Telephonic or electronic solicitation such as electronic voicemail messages, text messages, or direct social media messages. We believe the Superintendent's current authority to limit or regulate such solicitations is appropriate, necessary, and in the best interest of older Ohioans. We do not want to see that crucial oversight weakened.

AARP supports strong consumer protection policies that safeguard all of Ohio's 50+ population, including those that protect Ohioans 65 and older from unwanted and bothersome solicitation of Medicare supplemental policies. AARP opposes any eroding of the existing protections against unwanted marketing.

I appreciate the opportunity to speak on behalf of AARP today and encourage the Senate General Government Committee 1) to maintain the provisions in the budget bill that would prohibit unfair "right-to-list" real estate service agreements, and 2) to keep out any provisions that would weaken the Superintendent of Insurance's authority to regulate Medicare supplement policy solicitation. Thank you for your time, and I welcome any questions.