

Attachment #31

Rhode Island Association of Realtors, 9/16/19 letter



Rhode Island Association of REALTORS® & State-Wide MLS

September 16, 2019

Honorable Evan P. Shanley

Chairman

The Rhode Island Online Data Transparency and Privacy Protection Commission

RE: Testimony on Proposed Online Data Transparency and Privacy Protection Proposal

Dear Chairman Shanley and Commission Members:

I represent the Rhode Island Association of REALTORS®, Inc. (RIAR) and State-Wide Multiple Listing Service, Inc. (MLS)-- a web-based database on which real estate professionals share information about real estate listings that use to assist their customers and clients--which are comprised of nearly 6,000 real estate brokers, salespeople, appraisers, and affiliated professionals. RIAR and MLS members would like to express our concerns and questions regarding the proposed Online Data Transparency and Privacy Protection proposal.

The proposal presents the following concerns and questions:

Do subscribers to the MLS purchase personal information for the purpose of buying and selling real estate?

RIAR and MLS members recognize that entities collect and sell data, and that the release of confidential information could create catastrophic scenarios that financially harm Rhode Islanders. However, legislation filed in the House of Representatives (2019---H 5930) requires clarification. Real Estate agents who access the MLS for the purpose of buying and selling real estate in Rhode Island are subscribers to the service and the 16,843 real estate listings posted in 2018. H 5930 defines "Business" as:

"A sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that is organized or operated for the profit or financial benefit of its shareholders or other owners, that collects consumers' personal information, or on the behalf of which such information is collected and that alone, or jointly with others, determines the purposes and means of the processing of consumers' personal information, that does business in the state of Rhode Island, and that satisfies one or more of the following thresholds:

.....Derives fifty percent (50%) or more of its annual revenues from selling consumers' personal information.