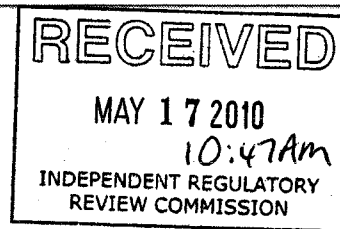


Schulder, Judith 2838

From: Robin Zellers [rzellers@naicir.com]
Sent: Wednesday, May 12, 2010 12:08 PM
To: Schulder, Judith
Subject: Proposed Seller Disclosure Regulations (35.284a and 35.335)



Ms. Schulder,

I read that the R.E. Commission is proposing new regulations regarding Seller disclosures. I am interested in understanding whether the proposed disclosure requirements would be applicable to commercial/industrial transactions. If so, I would be strongly opposed to such regulations.

In the commercial/industrial real estate transactional environment, we often work with corporate owners of real estate. Said owners are often located outside of the Commonwealth and, very typically will require a corporately approved, standardized listing contract for a Selling Broker. They may often be unable to provide representations required on a Seller's Disclosure for many reasons (e.g. – inherited real estate through a purchase of or merger with another business, lack of history of a long-standing business facility, loss or retirement of key employees with facility specific knowledge, etc.).

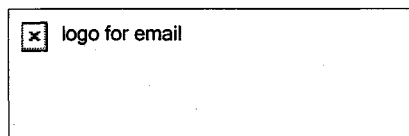
Additionally, I note that purchasers of commercial/industrial real estate will require a due diligence period as part of a sales contract thereby allowing the purchaser and his/her consultants to inspect and explore all relevant aspects of the premises and it's condition.

In summary, I believe these regulations would be burdensome and, in many cases, impossible to satisfy in the commercial/industrial real estate transactional environment.

Please feel free to contact me with any questions.

Thank you

Robin Zellers, SIOR
COO, Broker of Record



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