

The Voice For Real Estate<sup>®</sup>

700 Eleventh Street, N.W. Washington, DC 20001-4507 202.383.1194 Fax 202.383.7580 www.realtors.org/federalissues

February 3, 2004 Senator Wayne Allard 525 Dirksen Senate Office Building Washington DC 20510

Dear Senator Allard:

I am writing today to let you know our deep concern about the Office of the Comptroller of the Currency regulation that would preempt state real estate lending and other consumer protection laws for national banks and their operating subsidiaries.

We implore Congress to reign in these regulators run amok. This is only the latest example of regulators' disregard for public comments and congressional protests. We appreciate the Banking Committee holding hearings about this rule, and we ask that the OCC explain its lack of consideration for public and congressional comment.

The OCC rule would allow national banks and their subsidiaries to avoid the costs and regulatory burdens that state laws have on real estate related professionals, while exempting them from the consumer protections that states enforce. This is bad for consumers, homeowners, small businesses, and REALTORS<sup>®</sup> across our country.

The almost 1 million members of the National Association of REALTORS<sup>®</sup> are involved in all aspects of the real estate industry, including brokerage, leasing, property management, appraisal, home inspection, mortgage and title services. This OCC rule will put all of these real estate professionals at a disadvantage to national banks.

The Comptroller has consistently misinterpreted existing law and mischaracterized legal precedent to increase the profitability and strength of national banks. Regulators should not be in the position of creating winners and losers in the market. And federal regulators should not be allowing national banks to flout consumer protections devised by the states.

Any effort to concentrate banking regulation in the federal government should only be considered by *Congress* after a complete and careful examination determines that our nation's dual banking system has failed in some way. State laws and banking regulators are closer to these Americans and can best provide remedies to those who are injured by the acts of financial institutions.

We remain committed to ensuring these actions are debated by our elected officials and not decided by unelected and seemingly untouchable regulators. We appreciate you holding hearings on these issues, and hope we can count on you to provide some balance to the actions of the OCC. In the meantime, please don't hesitate to contact us if there is anything we can do for you.

Sincerely,

Welter I MS. Donald

Walter T. McDonald President

Walt McDonald President

Terrence M. McDermott EVP/CEO





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February 3, 2004 Senator Evan Bayh 463 Russell Senate Office Building Washington DC 20510

Dear Senator Bayh:

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GOVERNMENT AFFAIRS Jerry Giovaniello, Senior Vice President Walter J. Witek, Jr., Vice President

February 3, 2004 Senator Robert Bennett 431 Dirksen Senate Office Building Washington DC 20510-4403

Dear Senator Bennett:

I am writing today to let you know our deep concern about the Office of the Comptroller of the Currency regulation that would preempt state real estate lending and other consumer protection laws for national banks and their operating subsidiaries.

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February 3, 2004 Senator Jim Bunning 316 Hart Senate Office Building Washington DC 20510

Dear Senator Bunning:

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February 3, 2004 Senator Thomas Carper 513 Hart Senate Office Building Washington DC 20510

Dear Senator Carper:

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February 3, 2004 Senator Lincoln Chafee 141A Russell Senate Office Building Washington DC 20510

Dear Senator Chafee:

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February 3, 2004 Senator Jon Corzine 502 Hart Senate Office Building Washington DC 20510

Dear Senator Corzine:

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February 3, 2004 Senator Mike Crapo 239 Dirksen Senate Office Building Washington DC 20510

Dear Senator Crapo:

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February 3, 2004 Senator Christopher Dodd 448 Russell Senate Office Building Washington DC 20510

Dear Senator Dodd:

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February 3, 2004 Senator Elizabeth Dole 120 Russell Senate Office Building Washington DC 20510

Dear Senator Dole:

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February 3, 2004 Senator Michael Enzi 379A Russell Senate Office Building Washington DC 20510

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February 3, 2004 Senator Chuck Hagel 248 Russell Senate Office Building Washington DC 20510

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February 3, 2004 Senator Tim Johnson 136 Hart Senate Office Building Washington DC 20510

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February 3, 2004 Senator Zell Miller 257 Dirksen Senate Office Building Washington DC 20510

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We remain committed to ensuring these actions are debated by our elected officials and not decided by unelected and seemingly untouchable regulators. We appreciate you holding hearings on these issues, and hope we can count on you to provide some balance to the actions of the OCC. In the meantime, please don't hesitate to contact us if there is anything we can do for you.

Sincerely,

Welter I MS. Donald

Walter T. McDonald President



Walt McDonald President

Terrence M. McDermott EVP/CEO



The Voice For Real Estate<sup>®</sup>

700 Eleventh Street, N.W. Washington, DC 20001-4507 202.383.1194 Fax 202.383.7580 www.realtors.org/federalissues Walt McDonald President

Terrence M. McDermott EVP/CEO

GOVERNMENT AFFAIRS Jerry Giovaniello, Senior Vice President Walter J. Witek, Jr., Vice President

February 3, 2004 Senator Jack Reed 728 Hart Senate Office Building Washington DC 20510

Dear Senator Reed:

I am writing today to let you know our deep concern about the Office of the Comptroller of the Currency regulation that would preempt state real estate lending and other consumer protection laws for national banks and their operating subsidiaries.

We implore Congress to reign in these regulators run amok. This is only the latest example of regulators' disregard for public comments and congressional protests. We appreciate the Banking Committee holding hearings about this rule, and we ask that the OCC explain its lack of consideration for public and congressional comment.

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February 3, 2004 Senator Rick Santorum 511 Dirksen Senate Office Building Washington DC 20510

Dear Senator Santorum:

I am writing today to let you know our deep concern about the Office of the Comptroller of the Currency regulation that would preempt state real estate lending and other consumer protection laws for national banks and their operating subsidiaries.

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February 3, 2004 Senator Paul Sarbanes 309 Hart Senate Office Building Washington DC 20510

Dear Senator Sarbanes:

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February 3, 2004 Senator Charles Schumer 313 Hart Senate Office Building Washington DC 20510

Dear Senator Schumer:

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February 3, 2004 Senator Richard Shelby 110 Hart Senate Office Building Washington DC 20510

Dear Senator Shelby:

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February 3, 2004 Senator Debbie Stabenow 702 Hart Senate Office Building Washington DC 20510

Dear Senator Stabenow:

I am writing today to let you know our deep concern about the Office of the Comptroller of the Currency regulation that would preempt state real estate lending and other consumer protection laws for national banks and their operating subsidiaries.

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February 3, 2004 Senator John Sununu 111 Russell Senate Office Building Washington DC 20510

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