

REALTOR[®] Questionnaire

(Please submit by November 30, 2013)

Section I. Campaign Information

Candidate's full name: **Trent Mitchell Kittleman**

Campaign Headquarters Street Address: **3000 Kittleman Lane;**

City: **West Friendship** State: **MD** ZIP: **21794**

Telephone #: **301-661-3344**

Campaign Manager: **TBD** Honorary Campaign Chairman: **Charles Feaga**

Campaign Treasurer: **Samantha Reigel**

Electoral District: **9A** Political Party: **Republican**

Current Position/Occupation: **Lawyer**

Previous public offices or appointments:

- **Chief Executive Officer, Maryland Transportation Authority**
- **Deputy Secretary, Maryland Department of Transportation**
- **Minority Counsel, Senate Government Oversight Committee (name change since then), Sen. Fred Thompson**

Section II. Financial *Confidential*

Section III. Basis for Candidacy

Please give three (3) reasons why you are running for this office

1. **Reduce Taxes and Spending. Detroit should serve as an example for every major city and every state. We are at a critical point in history, both in Maryland and in America. We MUST be able to slow and even reverse the growth of government NOW, while we still have the power to do so. The effort to *voluntarily* stop the taxing-spending-taxing routine will be exceptionally difficult -- if not impossible. One thing we know is true: it will take the combined effort of both parties. And**

unless Maryland Republicans have a seat at the table, it can't be done. The first thing we must do in Maryland is return to a two-party State! I want to be a part of that effort.

2. Eliminate Harmful Regulations Almost as important as putting a lid on State spending is getting a handle on the regulations that seem to multiply by leaps and bounds. Regulations are a necessary part of government, but over-regulation acts as a deterrent to economic growth and job creation. Indeed, over-regulation can actually undermine the purpose of the regulation in the first place.

3. The Ability to get things done. As someone said, "'Delegate' is not an entry level job." During my four years with the Ehrlich Administration I learned how to collaborate with Democrats to get things done -- not by relinquishing my core Republican principles, but by treating the views of others with respect and working toward outcomes that are often able to satisfy both sides.

Section IV. Issues

Licensing Issues

1. *Real Estate brokerage practice has been transformed in response to great technological and market changes. Agents are better able to work independently from brokers. In turn, brokers are using new technology to supervise agent's activities. Despite that fact, some areas of real estate licensing law, including supervision of agents, are based on industry practices from 50 years ago.*

Are you willing to support efforts to modernize real estate brokerage law in Maryland?

YES

2. *Almost every year, new legislation is introduced requiring new facts to be disclosed to homebuyers as part of the real estate contract. Although some disclosures provide important information to consumers, disclosures have significantly increased the length of real estate contracts which, in turn, discourages consumers from reading the entire contract.*

As a legislator how would you balance the disclosure of important information to homebuyers?

This over-disclosure is a problem in many areas (such as warnings accompanying the purchase of drugs) where, by trying to disclose everything, the government unintentionally masks the things that are more important and/or more likely to occur in a sea of small type. My own answer would be to separate the disclosures into some sort of grouping that can highlight the more important ones (*without* subjecting anyone to a lawsuit for failure to disclose). I'm not the expert,

however, and I would like to work with and through the Realtors Association to hear your solutions.

3. *Some people believe pre-licensing and continuing education requirements for real estate licensees contribute greatly to professionalism in the industry. Others believe more education is an entry barrier to a new licensee and a cost impediment to current licensees.*

Where do you stand on required education for real estate licensees?

If there is some specific reason that realtors need to be aware of, such as a major change in the law, requiring a course specifically to bring the realtors up to date on the new law, I would likely be in favor of offering such a course, and even of making it mandatory. (I would also support making any such courses available online, as a number of courses now are. This is a great way for realtors to keep up to date with minimal time commitments.)

When generic "continuing education requirements" are imposed, however, I have found that such a mandate often achieves exactly the opposite of what it is intended to achieve.

First, I agree with your second proposition, that mandating more education becomes "an entry barrier to a new licensee." Indeed, it is not uncommon to see industries propose and lobby for such a mandate precisely because it will discourage people from entering the business and thus reduce potential competition.

Second, real estate is one of the most competitive industries there is. Because the requirements for becoming a realtor are concise and take minimal time, many people are attracted to the industry, producing significant competition. Buyers and sellers are served well by having such a competitive pool from which to choose. And because of the competition, most realtors will educate themselves and keep current on changes in the law precisely because they can use the fact of their continuing education as proof of their professionalism, all to win clients. And over time, the performance of the agents and brokers who remain abreast of the law will show up in their productivity.

A final reason that I am skeptical about having the government impose this type of consumer protection legislation is because it can have exactly the opposite effect of that intended. By passing legislation, invariably called the "Safe Buyer Rule" or something equally warm and fuzzy, it gives us comfort that we are being protected . . . and makes us *less likely to use our own good judgment when we engage in the open market economy. open market.*

Taxation

1. In the past sessions, proposals have been introduced to tax professional services. Some of the proposals would have levied gross receipts taxes, others would have levied sales taxes.

Would you support the taxation of professional services?

NO

2. Real estate is taxed in many different ways. The sale of real estate is taxed through transfer taxes, recordation taxes, recordation fees, impact fees, excise taxes and capital gains taxes. The ownership of real estate is taxed through property taxes, Chesapeake bay restoration fees, storm water fees, and various local property surcharges.

Do you believe real estate is overtaxed, undertaxed, or appropriately taxed for its related government services?

OVERTAXED

Land-Use Planning

1. The U.S. Census projects that over 1 million more people will relocate to Maryland by the year 2030. Maryland, the 5th most densely populated state in the country, will face even greater challenges to managing growth.

What policies, if any, would you support to manage growth?

I'd be willing to look at proposals, but I'd have to be convinced that any plans for managing growth 20 years out would be based on *reliable* projections of need and benefit. My experience is that long-term planning result in either: (1) plans are made and then ignored (the ICC was in the plans 50 years ago), or (2) the models used to project future needs and plans are designed to give answers that fit the bias of the planners in charge. One constant use of models is to argue the need for more mass transit facilities (particularly trains). The models project a need for more transportation; planners use that finding to contend that building more mass transit is the answer. Unfortunately, that conclusion is generally built on the faulty assumption that commuters will leave their cars at home and begin commuting on the new mass transit facility. Plans that arrive at this conclusion are inevitably refuted by reality.. . after many transportation dollars are spent.

2. *In recent years, more state legislators have sought to override local planning decisions through state legislation.*

Do you support more control of local planning decisions at the state level?

Absolutely not. Land use and planning have been in and belong in the hands of local officials. We believe in the maxim that it is best to confer the most power to the government closest to the people. People actually have the ability to be heard and to have a impact on local governments. As government gets larger, the power of the people declines.

One of the reasons for local control over land use is that there are significant differences among -- and within -- the counties of Maryland. Nonetheless, through his program called "Plan Maryland" it is clear that the current governor *wants* the power to impose a one-size-fits-all throughout the state and that he is *taking* it. Perhaps the most egregious example of the governor's plans to apply a single policy throughout the state -- a policy which results in dire unfairness to the rural counties. This is the governor's plan to prohibit construction or use of septic systems. This effectively strips the landowner of the ability to develop their property, and wipes out the value of the major asset owned by most farmers.

Housing Opportunity

1. *Housing affordability and availability are important issues – not only for REALTORS®, but for consumers and business as well.*

What policies would you propose or support to make the cost of housing more affordable for the average citizen?

I'd be willing to consider any such proposal, particularly if it relied in part on the market economy to support the idea. One thing I would be concerned about, however, is the long term welfare of those people who then buy "affordable" housing in Howard County. There is a disconnect between the County's desire to be home for lower income individuals and the County's positioning and believing itself to be "rich." This results in problems for residents with a limited income. County fees go up, and, perhaps even more concerning is the unintended consequence of raising property taxes virtually every year. Unlike an income tax which only goes up when your income goes up, property taxes keep going up regardless of whether your income can absorb the additional cost. Often, the only way to realize the "increased value" of your home is to sell it -- which is not fair to those whose family is here and who have no desire or means to move elsewhere.

Environment

Cleaning the Chesapeake Bay has been a top priority for Maryland. EPA requirements set 2025 as an important goal for achieving reductions in key pollutants for the Bay. The cost of achieving these reductions is estimated by some at over \$10,000 per Maryland household.

As more costly and significant environmental policies are passed to meet EPA requirements, how would you work to balance good environmental stewardship with protecting homeowners from unsustainable costs?

Environmental Stewardship One option is to continue to find ways to merge highway construction with environmental remediation. During the effort to obtain approval to build the ICC, Neil Pederson, SHA Administrator at that time, came up with a new approach -- indeed, he more or less invented the concept of "environmental stewardship." As part of the agreement to get approval from the various federal environmental agencies, he proposed to perform environmental stewardship of certain adjacent residential homes. These homes had no direct connection with the construction of the ICC, and the concept was so novel that it took some time for the EPA to recognize and approval its value.

Process Efforts to clean up the Chesapeake Bay are made more difficult by virtue of the fact that multiple independent parties are responsible -- these include Pennsylvania and Virginia. One of the most important factors in getting agreement from every stakeholder lies in the "process" by which issues are attacked. During my 4 years in Ehrlich's administration, I was involved in three such efforts, two of which I headed and all of which were successful. Dealing with parties over which you have no control can be frustrating and time-consuming. Nonetheless, I have found that the best way to approach a problem such as this is to involve all stakeholders -- including those over which we have no control - from the beginning so that, like it or not, everyone is a part of the process. Taking the time to involve every stakeholder right up front, and keeping them genuinely involved takes less time in the long run.

Is Money the Only Answer? Imbedded in your question is the assumption "the cost of achieving these reductions is estimated by some at over \$10,000 per Maryland Household." I believe that assumption should be tested; there are often opportunities to do more with less money if you pursue that as a goal. Government has difficulty with initiative and ingenuity, and measures everything in dollars and sense. I think it's time that we all recognized not all problems can be solved with more money.

Federal lead paint laws regulate the renovation of homes, and impose disclosure requirements on the sale of all residential property. Do you support further state regulation of lead hazards in existing homes?

I tend to be generally averse to the "I'm-tougher-than-you" approach to regulating, where states try to outdo the feds and counties try to outdo the states; where every jurisdiction with the power to regulate does so. There are already so many laws on the books dealing with the dangers of lead paint that it is difficult to fathom what real issue has not yet been addressed. If there is a specific danger that requires a new regulation, I would support it -- lead paint poses a significant

hazard in old homes, particularly to children. However, if a jurisdiction simply wants to "tweak" an existing regulation by passing new regulations that would provide no value other than political, I would not be in support of the effort.

Many bills have been introduced to help promote energy efficiency in new and existing housing. Would you support policies to mandate energy audits in existing homes?

NO. _____

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