

Comment #: 177

February 25 2004

Mr. Louis Lavin
N/A
New Jersey
United States

Docket ID: 3084-0098
CRF Citation : 16 CRF 310
Published: February 13, 2004 [FR Doc. 04-03287]
Project No: R411001

Dear Secretary:

I am a member of the New Jersey Association of REALTORS? (NJAR), I am writing in response to the proposed rule that was published on February 13, 2004 that would require Telemarketers to update their Do Not Call Lists every 30 days.

Realtors are independant contractors, not employees. Whatever it costs to operate, comes out of my own pocket. Cold Calling is essential to my livelihood, without it I am pretty much unemployed, because in this business it is rare for sellers to come to me.

Telemarketers work for companies, which have the money and resources to produce "clean" lists for their people. Us Realtors do not have that luxury, and have to do it by hand. IN order to cold call I download the tax data, and then have to compare it to your list. When I compare the numbers I have to do it when there are no distractions, and I have to check over the list three times to make sure. This takes a couple of days, or more just to end up with a list of about 60 numbers.

Making me do it once a month, I will be spending most of my time going through weeding out the do not calls, and less time to actually sell a house which is what actually puts food on the table.

The "do not call" list has not even been in place for three months yet, you have not even given it enough time to see if it works. From my experience, when someone goes on the "do not call list" the calls start to slow down right away, and by the end of the three months they stop altogether.

Since most people use caller id, and answering machines, to screen their calls prior to answering their phones, waiting three months puts no burden on them. But doing this every month puts a burden on us, and could drive us out of business. Which is not a good idea, since jobs are scarce these days.

I was laid off from my computer programming job two years ago, and have been unable to find another job, aside from trying to sell real estate.