



National Society of Professional Surveyors

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www.nsp.us.com

April 20, 2016

Mr. Dale A. Stinton
Chief Executive Officer
National Association of Realtors®
430 N. Michigan Avenue
Chicago, IL 60611-4087

Re: National Association of Realtors – Code of Ethics and Standards of Practice (effective 1/1/16)

Dear Mr. Stinton:

It has come to the attention of the National Society of Professional Surveyors (NSPS) that there are many instances in which Realtors are potentially assuming great liability by providing to property owners, or buyers, information that is assumed to be accurate regarding the location of property boundaries and corner monuments. In some cases, describing land area contained in a property may also assume liability.

Such practices are in direct conflict with the respective state licensing laws regarding the practice of surveying, undermine the mandate in those licensing laws related to the protection of the health, safety, and welfare of the public, and often create unnecessary conflict among adjacent land owners.

NSPS urges the National Association of Realtors to add the following language to Article 13 of its *Code of Ethics and Standards of Practice* document:

REALTORS® shall not engage in activities that constitute the unauthorized practice of Land Surveying and shall recommend that counsel of a professional land surveyor be obtained when the interest of any party to the transaction requires it.

Such language would be notice that Realtors should neither act in such a way, nor make statements, so as to imply that the Realtor is qualified to state with certainty the location of property boundary markers, or the location of a property line. It should be made clear to the client/land owner that such activities and statements are solely the responsibility of the professional land surveyor who is qualified and duly licensed by the state in which the property is located.

Sincerely,

J. Anthony Cavell PLS
President
National Society of Professional Surveyors (NSPS)
5119 Pegasus Court, Suite Q
Frederick, MD 21704