



Charleston Trident Association of REALTORS®

# Public Policy Guide

And Legislative Group Rules and Regulations



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## **GUIDING PRINCIPLES**

The Charleston Trident Association of REALTORS® (CTAR or “The Association”) promotes the highest standards of professionalism, ethics, education, and technology, ensuring REALTOR® members are the primary source for real estate services in the South Carolina Lowcountry. CTAR has served as the “Voice of Real Estate” in the Lowcountry region of South Carolina for more than 100 years, issuing statistical analysis of market conditions, offering legislative support to its members and the industry at large and serving as the premier resource for real estate in the tri-county and outlying areas.

REALTORS® are dedicated to the opportunity for ownership of real property for all who desire it, within the framework of a democratic free enterprise system. Real property ownership positively impacts neighborhoods, communities, and the region’s economic stability.

REALTORS® believe the right of property ownership confers with it the freedom to make full use of one’s property and freedom which should not be abridged.

REALTORS® are committed to the protection and preservation of private property rights. Private, individual ownership of land should be respected at all levels of government and the value of that land should not be artificially affected by government intrusion.

REALTORS® believe in the free transfer of real property. The fundamental right to own property is guaranteed in the Constitution of the United States and that right should not be infringed upon, nor should property be taken by the government for a public use without just compensation.

REALTORS® support policies which encourage property choice, economic development and adequate infrastructure in an effort to protect the quality of life that has made the Charleston region an attractive place to locate.

REALTORS® are committed to the proposition that all persons, regardless of race, color, religion, national origin, familial status, disability, sex, or sexual orientation, have a right to own real property. People are entitled to exercise and reap the benefits of property ownership without undue encroachment or intrusion by government or individuals.

REALTORS® fully support all fair housing policies. Equal opportunity in housing can best be achieved through education and observance of the law, and mutual cooperation of the real estate industry and the public in a free and open housing market.



## LEGISLATIVE GROUP GUIDELINES

The Legislative Group works in conjunction with the Government Affairs Director to monitor local, state, and national legislative issues that affect the region's quality of life and the real estate industry, to generate funds to be used for political activities, to interview candidates for public office, and to review concerns and make recommendations to the Board of Directors as to public policy positions of the Association.

All REALTOR® members are welcome and encouraged to participate in the Legislative Group. CTAR is a non-partisan organization and does not endorse any specific political party.

The Legislative Group typically meets the monthly. Meetings are called at the discretion of the 1<sup>st</sup> Vice-President of the Government Affairs Division, who serves as the chair of the Legislative Group Meeting topics include local, state and national issues pertaining to the real estate business and interests of REALTORS® and the REALTORS® Political Action Committee. Members discuss issues, offer opinions and make any necessary recommendations for courses of action. Actions and policy proposals made by the municipal and county governments which relate to real estate, private property rights, or a REALTORS® ability to work and earn a living may be addressed by this group. Any recommendations for action must be approved by a Group vote, based on a simple majority of members present. Once approved by the group, recommendations for action must be submitted to the CTAR Board of Directors for approval, prior to these positions being made public.

The Legislative Group has two standing subgroups:

- **Candidate Screening Subgroup** - Any REALTOR® can take part in the candidate screening subgroup. CTAR screens candidates by asking questions of importance to REALTORS® and the REALTOR® agenda. The group may also recommend REALTOR® Political Action Committee contributions for candidates at the group's discretion. The Legislative Group will determine the races for which they wish to interview candidates. All candidates will be offered equal opportunity to be interviewed. Each candidate is rated by CTAR as one of the following: recommended, qualified, no position or not interviewed. Rating information is distributed to the entire REALTOR® membership eligible to vote in the election. All candidate position ratings and RPAC contributions are subject to approval by the CTAR Board of Directors. Positions and funding for state candidates (statewide and General Assembly) must be also be approved by the SCAR RPAC Trustees. For more information, please see the CTAR Candidate Screening Guide.
- **REALTOR® Political Action Committee (RPAC)** - The REALTOR® Political Action Committee is the local fund-raising arm for RPAC. Under the RPAC cooperative agreement, all funds raised are shared with the South Carolina Association of REALTORS® and the National Association of REALTORS®. RPAC funding recommendations for local candidates are subject to local Board approval. CTAR is challenged each year to meet a fund-raising goals established by the South Carolina Association of REALTORS® and the National Association of REALTORS®.



## POLICY STATEMENTS

### ZONING

#### Background

Zoning is put into place by governing jurisdictions to protect the health, safety and welfare of its citizens. Zoning was ruled constitutional by the United State Supreme Court in 1926 in a case challenging the zoning laws of Euclid, Ohio. Zoning traditionally has separated properties based on use (commercial, residential, industrial, and multi-family) with separate sectors assigned minimum lot sizes and buffers. Several neighborhoods found on the Charleston peninsula, the Old Villages of North Charleston and Mount Pleasant, and downtown Summerville and Moncks Corner vary from traditional zoning rules however and exhibit more compact, mixed use and walk-able land use patterns. Mixed lot sizes and building types offer a greater number of choices in which to live and work.

#### REALTOR® Position

CTAR supports property owners' choice with respect to land use. Zoning policies should provide for the flexibility of the free market and allow for the highest and best use of subject land. Every citizen should have the right to acquire real property with the confidence and certainty that the value of such property will not be diminished by governmental action without just compensation or the owner's express consent. No committee, panel, board or organization shall prevent zoning matters from being given open, fair and timely hearings before the appropriate legislative body.

### GROWTH BOUNDARIES/OVERLAY DISTRICTS

#### Background

Growth boundaries and overlay districts are land use techniques commonly used to stop development or direct development into specific areas. Sometimes overlay districts are used to increase density, promote infill development or provide needed quality of life and private property protection benefits. Most often these restrictions are under the auspices of other land use objectives, such as sprawl or protection of historic areas or farmlands. Often public infrastructure improvements are severely restricted in areas such as these, spurring fragmented development and producing additional sprawl.

#### REALTOR® Position

CTAR opposes land use techniques that reduce property values of those either within in or beyond the restricted areas. CTAR supports policies that provide incentives for developing within a certain area through bonus densities, expedited permitting or other incentive-based tools. CTAR opposes arbitrary lines and believes a clear nexus should be provided. Any regulatory down zoning or takings should compensate the property owner for the loss of value. Public infrastructure necessary to serve the residents already living in the area should not be excluded on the basis of the creation of the boundary or district. A rationalization during the comprehensive planning process based on facts should justify any imposed districts or boundaries.



## DEVELOPMENT APPROVAL PROCESS

### Background

Often times, jurisdictions and citizens are afraid of a new development. In response, they create a lengthy development review process, excessive fees or other barriers to freely developing private property. These barriers come in the form of unjustified architectural review boards, bureaucratic development review processes, and excessive development and review fees. Each review and day that goes by in the development approval process costs private property owners money and thus increases the cost of properties. The rising cost of construction can be directly linked to the time and payment of getting permits approved for construction.

### REALTOR® Position

CTAR supports increased communication within and between governments to expedite the development approval process. Improved coordination of the permitting process at the local levels could result in lower building costs. Often the various levels of governmental authorities do not have effective communication and co-approval systems, which cause unnecessary delays, increases construction costs and ultimately hinder affordable housing. CTAR opposes regulations and restrictions that seek to delay the process.

Fees on the process should no more than the cost to the jurisdiction for approving the permit, inspecting the unit and completing other required tasks associated. The rising cost of home construction can be directly linked to the time and payment of getting permits approved for construction. Fees should not be levied on the development approval process, which are unreasonable or excessive.

## RENTAL & LANDLORD-TENANT ISSUES

### Background

Owners of rental property must provide safe and decent structures for the needs of their rental occupants. Rental occupants must recognize and accept their legal responsibility to maintain and care for the property and safety of their fellow occupants.

### REALTOR® Position

CTAR opposes any unreasonable and excessive fees or regulations on the ability of private property owners to rent their property. The Association encourages and supports legislation, as well as legal measures, to prevent owner-tenant laws or other policies which are injurious to the basic rights of private property ownership. CTAR believes property owners should be afforded adequate legal recourse to promptly evict those persons who do not have a legal right to occupy the premises. This legal recourse should be consistent and uniform throughout the state, giving private property owners a consistent framework to operate within.

The Association supports the protection of private property rights and opposes unreasonable and



excessive restrictions on private property owners and landlords, particularly in short-term rental properties and college-oriented living. Property owners should have a choice in how they use their property and restrictions on rental use should be vigorously opposed.

## **SIGNS**

### **Background**

The freedom of property owners to display signs on their own property without government interference is a matter of free speech guaranteed by the First Amendment of the U.S. Constitution. Imposing fees and regulations on “For Sale,” “Sold”, “For Rent” and other types of real estate marketing signs authorized by owners on their own property is an intrusion on the rights of property owners and an unnecessary tax.

### **REALTOR® Position**

CTAR supports reasonable regulation of size and placement of signs on private property but opposes a ban on real estate signage by either a government or homeowner association. Sign ordinances should strike a reasonable balance between providing for public safety and protecting the needs of buyers and sellers, who depend upon real estate signs to help market and sell property.

The Association supports reasonable regulation of the number, duration, and placement of signs in the public rights of way. As with all public policies, sign ordinances should be consistent and easily understood by all.

CTAR opposes the imposition of fees on property owners for the placement of signs on their own private property or within a right-of-way owned by the public.

## **TREE PROTECTION**

### **Background**

One of the special traits of the Charleston region is its history that lives within its trees. Also recognized is the need for a tree canopy to make sure a balanced environment exists that calls for the protection of the environment.

### **REALTOR® Position**

CTAR affirms the right of the property owner to be able to make basic improvements to their property without significant financial or regulatory hurdles. The Association supports reasonable protection of trees and opposes laws that put a financial burden on a property owner for trees destroyed under no action of the property owner. The Association opposes tree protection standards that are tantamount to takings and believes regulatory takings should be vigorously opposed.

Reasonable fees charged for removal of “significant” trees or on site or tree bank replacement of



these trees should be assessed if these “significant” trees are removed. However, trees should not be considered “significant” due just their size or species, but due to a combination of their size and species and relevance to the site in question.

## **ENERGY**

### **Background**

Understanding that commercial and residential buildings account for 40% of all energy consumption in the United States, CTAR will be an active participant in discussions involving energy, conservation and any legislation intended to regulate those interests. CTAR is committed to the principals of sustainability and energy conservation and supports policies which are environmentally sound and remain true to the core values of REALTOR® membership. Energy conservation and a diversity of energy types can lower energy costs and make the region a more affordable place to live.

### **REALTOR® Position**

CTAR is committed to supporting commercially reasonable strategies with voluntary, performance based incentives to support sustainability, energy conservation and the reduction greenhouse gas (GHG) emissions. Development of climate change/energy conservation policy should be guided by the key principles of protecting private property rights, maintaining affordability/availability, and Smart Growth principles, which accommodate commercial and residential growth. Environmental initiatives and responsible development are not mutually exclusive, and therefore energy initiatives should not create barriers to the ability to own, use or transfer property.

CTAR encourages energy efficiency, environmental responsibility and education of REALTORS®, affiliates, and the community regarding the benefits of voluntary, market-based reductions in GHG and energy conservation.

CTAR supports:

- Solutions that are guided by market and smart-growth principles of protecting private property rights and maintaining real estate affordability and availability
- Educating property owners and consumers about the benefits of energy efficiency
- Voluntary programs and investments that incentivize retrofits or upgrades infrastructure, water availability, and risk management with regard to energy policy
- The exploration of alternative energy and the development of sufficient energy to meet the region’s consumption
- Buyers’ choice regarding inspections and document disclosure as related to energy efficiency.

CTAR opposes

- Transaction triggered mandates





- Mandatory energy inspections at point of sale
- Any energy efficient rating system or labeling which may stigmatize properties
- Mandates that decrease property affordability
- Mandates or other requirements that interfere with free market transactions for property owners, managers or tenants

## AFFORDABLE/WORKFORCE HOUSING

### Background

The generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual income on housing. An estimated 12 million renter and homeowner households now pay more than 50 percent of their annual incomes on housing. The lack of affordable housing is a significant hardship for low-income and working households and prevents them from meeting other basic needs, such as food, clothing, transportation and medical care.

Availability of housing for all income levels is critical for balanced and healthy growth of the Charleston area and its individual communities. Employers seeking to locate in Charleston need to first attract and then maintain a workforce. A key component to workforce recruitment and retention is affordable and centrally located housing. Workers who can only find affordable housing by living far from their jobs and enduring long commutes does not make for a satisfied workforce by degrading the quality of life and higher living costs (i.e. expense of commute).

### REALTOR® Position

REALTORS® have much to offer our communities to help them meet the challenge of providing affordable housing. REALTORS® know our housing market and the impact local conditions and ordinances will have on housing values, choice and affordability. CTAR can help foster debate, while building community consensus for fair and balanced solutions. CTAR will – either alone or within a coalition of like-minded partners – craft solutions through education and legislative avenues to address the critical issue of providing affordable housing in Charleston’s housing economy. To help facilitate direction, CTAR supports:

- **Urban Revitalization** - Many urban centers do not have readily available land upon which to build new affordable housing units. The positive impact of building more affordable housing in urban centers on workers and the community as a whole should be communicated to builders and developers.
- **Density Bonus** - Building at higher densities in appropriate locations is vital to provide greater choice and affordability in housing. Builders should be offered incentives to build affordable housing - a market-driven approach that will give the return on investment. Real estate of all types flourishes best in livable communities that offer a high quality of life at a reasonable cost. Livable communities offer a variety of affordable housing choices, good schools, quality public services, open space, and a strong employment base. One of the most challenging aspects to promoting these essential livable community elements is



density. Municipalities that allow mixed-use, cluster, and small lot zoning will encourage diverse growth patterns to sustain and enhance a community's quality of life.

- **Housing Finance Programs** - Private development of affordable housing should be stimulated through tax incentives and exemptions. Down payment and closing costs are often major barriers to first-time and low-income home buyers. Finance programs that provide down payment grants and low interest rate loans help to remove these obstacles and assure that the American Dream of homeownership is within every person's grasp.

## DEVELOPMENT IMPACT FEES

### Background

Impact fees are real estate taxes paid by developers or builders to offset the costs of capital improvements within a new development. These fees are assessed to service/accommodate the impact of each building unit. While developers and builders typically pay the impact fee, the ultimate burden of the impact tax is passed on to the end user – the property buyer – through the built-in cost of construction. Impact fees are typically used as a temporary substitute for jurisdictions not willing to pay for adequate infrastructure demanded by the residents who currently reside there. Impact fees are most often enacted in fast growing or largely urban communities.

### REALTOR® Position

CTAR believes impact fees hamper and deter development in communities and contribute to irresponsible development. These taxes create:

- A disproportionate increase in the cost of new construction
- Higher costs for new construction which result in upward pressure on the cost of existing properties
- Sprawl, as developers seek political jurisdictions without impact fees
- Reductions in the quality and/or quantity of new construction units due to increased costs
- Disadvantages to lower income households who are impacted more significantly and
- Reductions in housing opportunity across the income spectrum, for ownership and rentals.

Impact fees strip private property rights and go against the responsible growth and quality of life goals the Association has outlined in their guiding principles. The rising cost of construction can be directly linked to the time and payment of getting permits approved for construction. CTAR is opposed to any expansion, increase, or levying of new or existing impact fees, and in areas where impact fees exist, CTAR will work for their repeal.

**In areas that have previously enacted impact fees**, CTAR believes guidelines should be stringently followed to ensure accountability for how and for what the fee can and will be used. Proceeds from impact fees should be segregated from other government revenues.

- Impact fees should be used solely for capital improvements related to a specific new development.



- Municipalities or schools should have the burden to demonstrate specific infrastructure needs as a prerequisite to assessing impact fees.
- Impact fees should be collected only at the point the impact is realized by the local community.
- Exemptions to residential impact fees should be provided for housing marketed to low- and moderate-income households, for ownership or rental.

### **Alternatives to Development Impact Fees**

CTAR supports the following alternatives to impact fees:

- **Tax Increment Finance (TIF) Districts** - Tax Increment Financing is a tool which uses future projected tax revenue to finance current improvements which are expected to enhance the tax base. When a public project such as a road or hazardous waste cleanup is carried out, there is often an increase in the value of surrounding real estate. Increased site value and investment often generates increased tax revenues. The increased tax revenues are the "tax increment." Tax Increment Financing dedicates tax increments within a certain defined district to finance debt issued to pay for the project. TIF is designed to channel funding toward improvements in distressed or underdeveloped areas where development might not otherwise occur. TIF creates funding for "public" projects that may otherwise be unaffordable to localities.
- **Municipal Improvement Districts (MID)** - A Municipal Improvement District authorizes improvements that include malls, parkways, parks and playgrounds, recreation and athletic facilities, pedestrian facilities, parking facilities, facade redevelopment, widening and dredging of recreational waterways, street improvements, public buildings and facilities, and underground utilities. Improvements must be made pursuant to an overall plan for prevention of deterioration, preservation of property values and tax base, and promotion of development. Improvements may be financed by assessments, special district bonds, general obligation bonds, general revenues or revenues from any unrestricted source.
- **Residential Improvement Districts (RID)** - A Residential Improvement District authorizes the building of public infrastructure or improvement of public infrastructure through additional millage levied on property taxes. The additional millage levied must be agreed upon between the property owner and the governing jurisdiction. Properties may be non-contiguous and combined to create one single district. RIDs are different from MIDDs in that they can also be used for educational facilities.

## **REAL ESTATE TRANSFER TAX**

### **Background**

A real estate transfer tax is a state or local tax assessed on real property when ownership of the property is exchanged between parties. Although the tax is generally calculated based upon the value of the property, it is assessed only on the sales transaction instead of on an annual basis like the general property tax. Real estate transfer taxes may be assessed on either the buyer or the



seller, but both are usually jointly and severally liable for the tax.

As a source of general fund revenues, the realty transfer tax is unstable and burdensome, as it is unpredictable as a source of revenue is applied only to a narrow tax base.

### **REALTOR® Position**

CTAR opposes real estate transfer taxes for its negative impact on real property costs and the industry as a whole. Further, CTAR urges the repeal of any established realty transfer tax, because the tax is a major burden to buyers and sellers of real property, particularly at the time of closing.

As the tax is levied only on buyers and sellers of property, the burden per taxpayer is much greater than the burden from a more broad-based tax designed to generate the same amount of revenue.

While the revenue generated by the real estate transfer tax during times of economic prosperity and a corresponding housing upturn can be immense, the amount of revenue actually earned from the tax fluctuates as the supply and demand for real property vacillates due to varying economic conditions. As an unstable source of revenue, earnings gained from the realty transfer tax should not be attached to a general operating budget of either state or local government.

CTAR opposes the adoption of a private real estate transfer fees by private groups / associations and encourages enactment of laws or regulations that would prohibit the use of deed restrictions to impose such fees.

## **POINT OF SALE**

### **Background**

Often times, governments place restrictions on a property at the time of sale. This way they neither have to place a mandate on an existing property owner or a tax increase upon them, but rather can unsuspectingly burden the new buyer. These types of actions can cause delays and burdensome requirements in the selling and buyer of real property and produce a hindrance to the free market.

### **REALTOR® Position**

CTAR opposes regulations enacted to require governmental action at the point of sale, or when a transaction occurs. These actions artificially affect the real estate market by making it more difficult or burdensome to transfer property. Point of Sale requirements only affect properties when being transferred thus creating an inequity when compared to properties not being transferred. Where any point of sale requirement exists, the Association will work to eliminate the requirement and allow the real estate market to operate free of outside influence.

## **CONCURRENCY**



## **Background**

Jurisdictions in high growth areas tend to advocate concurrency or adequacy of public facilities. Their goal is to make sure public facilities, such as, water, sewer, schools, roads, recreation and etc. are concurrent or adequate to handle the increase demands the new growth puts on these facilities. Traditionally, these types of mandates come in the form of permit allocations, moratoriums, concurrency requirements or adequate public facility ordinances.

## **REALTOR® Position**

CTAR supports building concurrent and adequate infrastructure and public facilities to accommodate growth but opposes policies and procedures that artificially affect the market by putting onerous requirements on the private property owner. The full community should shoulder the burden of new facility construction to ensure adequate and concurrent facilities are available to all citizens. All measures should be taken to prevent these policies from infringing upon the free enterprise system and the private marketplace in a development approval process.

## **EDUCATION**

### **Background**

The quality of education in our schools has proven to be a driving force in the growth or demise of our residential and business communities. The quality of schools affects consumers buying, and thus, property values in areas. Probably no single factor other than cost discourages home purchases in a community more than the real or perceived poor quality of education and educational infrastructure. Striving for an excellent public education system throughout the different levels of education is critical to the continued economic growth and prosperity of the region.

### **REALTOR® Position**

CTAR supports providing each student in every area access to the best possible education. REALTORS® support choice in education endeavors and believe the Charleston region should have varied types of educational opportunities, including but not limited to, public, private, charter, home school, vocational, technical and higher education opportunities. Education should be adequately funded. Property taxes used to pay for education should reach the classroom and not be wasted on government bureaucracy.

CTAR supports varied funding sources for education, particularly savings from increased government efficiencies. Capital improvement costs should be borne from the whole community. CTAR encourages school districts to maintain, regularly update and aggressively pursue a strong capital improvements plan that is designed in conjunction with appropriate other governmental agencies.

## **TRANSPORTATION**

### **Background**



Transportation is the mode to navigate either on roads and highways, bicycle and pedestrian routes, transit, commuter transit and waterways. Expansion of capacity to transport people represents an important investment in the future growth of our economy and the quality of life in the region. By investing in roads and public transportation, the quality of life is maintained and enhanced. The failure of transportation systems to meet the ever-growing demands placed on it has reached a critical point.

The Charleston region is largest metropolitan area in the State of South Carolina, yet the region has failed to adequately expand its transportation system to keep up with the population increase. Traffic congestion and gridlock threaten to choke opportunities for new investment and prohibit economic development and job growth.

Difficulties associated with suburban sprawl are a result of traffic congestion caused by an inadequate road infrastructure and lack of viable public transportation options. By investing in roads and public transportation, the quality of life is maintained and enhanced and economic potential is increased with the ability to move people efficiently to shopping, work, and schools.

### **REALTOR® Position**

CTAR supports coordination of transportation networks with the surrounding land use to ensure compatible usage. CTAR supports the construction of additional capacity in our current transportation infrastructure, adding more connections to make mobility more accessible and adding new routes and options to increase efficiency in our transportation system resulting in a full menu of transportation options. CTAR supports construction of complete streets which allow all modes of transportation to safely operate and include sidewalks and bicycle lanes.

CTAR supports the completion of major road projects that have been on the drawing board for years, including, but not limited to, I-526 Mark Clark Expressway, Glenn McConnell Parkway, the Berlin G. Myers Parkway and Highway 17 improvements.

Commuter rail, light rail and other transit-orientated modes of transportation need to be fully explored and supported as a reasonable alternative. Expansion of public transit bus service needs to be supported and an intermodal facility that will be a hub for transit-orientated activity needs to be completed.

A transportation plan should be included in every jurisdiction's comprehensive plan and capital improvements plan and should be coordinated to reflect the Charleston Regional Transportation Study (CHATS) group's plan.

## **ECONOMIC DEVELOPMENT**

### **Background**

Economic growth and development is critical to the long-term health of the Charleston region. Counties and cities play a vital role in the attraction of new jobs and investment to the region. A

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diverse range of economic activity will create jobs and ensure the future growth of the region. Economic development and education are reciprocally related.

The Port of Charleston, area military installations and the hospitality industry are the engines driving the region's economic development industry. The Charleston Regional Development Alliance, which CTAR has long been a supporter, plays a crucial role in the promotion of the region's availability for industrial development.

### **REALTOR® Position**

CTAR supports jurisdictions having an economic development recruitment and retention plan that seeks to bring and keep jobs and investment in the region. Jurisdictions should actively recruit jobs and investment to the region and put the necessary infrastructure in place to be in position to recruit and retain jobs and investment. Economic growth can occur without compromising property rights, the environment or the integrity of a county's comprehensive plan. Incentives and improving economic soil conditions should be used to lure and retain economic development.

CTAR supports the Port of Charleston's capacity expansion to meet the demands of all industries looking to locate or expand in the region. The Port should have diversified cargo and shipping services available to all customers looking to locate in the region.

CTAR supports actions and policies that aim to keep the military installations open and viable in the region. It supports efforts to keep BRAC from closing the bases and supports the Joint Land Use Study Committee, which makes recommendations aimed at keeping the Charleston bases open and operating.

## **RAIL ACCESSIBILITY TO PORT OF CHARLESTON**

### **Background**

Accessible, competitive, near-dock rail access is essential for importing and exporting cargo from the Port of Charleston and specifically, the new terminal on the old Charleston Naval Base. Port expansion and near-dock rail access is integral to Charleston's position as the leader in job creation and economic development in South Carolina.

### **REALTOR® Position**

CTAR supports the state of South Carolina creating a comprehensive rail plan and believes any such plan shall adhere to the following:

- No eminent domain for economic development; take all precautions to avoid the use of eminent domain; and strictly limit the use of eminent domain to infrastructure needs only
- Acknowledge the state of South Carolina's expanding real estate portfolio and the negative effect state-owned land has on taxpayers as it's taken off the tax rolls, leaving private landowners to pay the difference in higher taxes



- Eliminate CSX's rail line through Park Circle to protect, enhance and preserve the property values and quality of life for those who have invested in the community
- Recognize that a Memorandum of Understanding (MOU) currently exists between the South Carolina State Ports Authority (on behalf of the State of South Carolina) and the City of North Charleston and any change to that agreement should only occur with public input and the consent of both parties.

## **INSURANCE**

### **Background**

The affordability and availability of adequate insurance has a major effect on a buyer's choice in the property transaction process. Insurance is becoming more regulation, premiums are rising and accessing insurance is becoming increasingly difficult, specifically wind and hail insurance along the coast in Charleston County.

### **REALTOR® Position**

CTAR supports access to adequate and affordable insurance for REALTORS®, their families, their businesses and their property. Government has a role to play in the regulation of the insurance industry, and must keep the interests of the consumer and insurance corporations in mind when deciding on regulatory policies affecting insurance companies and the public. The role of government is not to subsidize private insurance companies or to interfere with the free market, but to ensure all have access to adequate and affordable insurance without unduly burdening others.

## **REAL ESTATE DISCLOSURES**

### **Background**

State law says prior to the time a signing a contract to sell on real property prior to signing a contract to sell, a state sellers' disclosure form must be completed and be examined and signed by the buyer.

### **REALTOR® Position**

CTAR supports the state's Real Estate Disclosure law, which provides buyers and sellers more information during the property transaction process. CTAR believes defects and other issues should be disclosed during the transaction through the state disclosure form. CTAR opposes special disclosures to be required by local government and believes any specific disclosures can be accounted for using the state disclosure form.

## **POLITICAL RESPONSIBILITY**

As "The Voice of Real Estate" in the Berkeley, Charleston, Dorchester counties, it is the responsibility of the Association and its members to remain vigilant in the affairs of government. CTAR urges members to become involved and participate in political activity at all levels of government. The Association will offer their services and support to candidates committed to

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REALTOR® principles outlined in CTAR's Public Policy Manual.

Any attempt to reduce the participation of voluntary political action committees undermines a basic political freedom and civic right. Candidates should be encouraged to seek support from many diverse sectors of the electorate to ensure representation of the widest spectrum of viewpoints.

### **REALTORS® Elected and Appointed Officials**

CTAR encourages REALTORS® to participate in the political process and civil service or through running for / serving in office or on any of the various elected or appointed Boards and Commissions that directly affect real estate and the area's quality of life.

### **REALTORS® Support of Candidates**

CTAR believes in the democratic process and actively supports political candidates, regardless of party affiliation, who strongly identify with issues important to the real estate industry, the free enterprise system, the property buying consumer and the preservation of private property rights.

## **PUBLIC POLICY COORDINATION**

Subject to the policy adopted herein, the Charleston Trident Association of REALTORS® officially pledges support of the legislative positions of the National Association of REALTORS® and the South Carolina Association of REALTORS® in the absence of specific action by the CTAR Board of Directors.