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**H. Nathalie Hodge
Commissioner**

**Testimony
Before the
35th Legislature of the Virgin Islands**

**Diane Capehart, Chair
Committee on Rules and Judiciary**

Bill 35-0117

June 13, 2024

"Serving Businesses & Assisting, Educating and Protecting Consumers"

Good Day Honorable Senator Diane Capehart, Chairperson of the Committee on Rules and Judiciary, 35th Legislature of the Virgin Islands; committee Senators present; all other senators in attendance today; all those seated in the senate chambers; as well as those in the listening and viewing audience.

My name is H. Nathalie Hodge, Commissioner for the Department of Licensing and Consumer Affairs (hereinafter referred to as “DLCA”). Today I am accompanied by the Chair of the Virgin Islands Real Estate Commission, Laurent Alfred.

Thank you for the opportunity to testify before the 35th Legislature on Bill 35-0117, an Act amending Title 27, Virgin Islands Code, Chapter 15, sections 421a and 422, pertaining to the qualifications, term limits, and duties of the members of the Real Estate Commission.

I am here today to express my support for Bill 35-0117. The amendments proposed in this legislation are poised to significantly enhance the efficiency, transparency, and professionalism of the Virgin Islands Real Estate Commission. The following points elucidate why I believe this bill is a progressive step forward for this industry and our community:

1. **Enhanced Professional Standards:** The requirement for at least three members, but not more than four, to hold a valid Virgin Islands Real Estate Broker, Sales Associate, or Property Management license for at least five consecutive years

ensures that the Commission benefits from the insights and expertise of seasoned real estate professionals. This requirement not only upholds high professional standards but also ensures that the Commission's decisions are informed by substantial industry experience. Experienced practitioners bring a wealth of knowledge and practical insights, which are crucial for the effective governance of real estate practices within the territory.

2. **Diverse Representation & Geographic Balance:** The amendment ensures a more balanced representation within the Commission by including members who have never been licensed as a Broker, Sales Associate, or Property Manager. This diversity will bring fresh perspectives and ensure that the interests of all stakeholders, including those outside the real estate profession, are adequately represented. Additionally, the stipulation that three members reside on St. Croix, three on St. Thomas, and one on St. John ensures equitable geographic representation. This balance is crucial for addressing the unique real estate issues and concerns across different parts of the Virgin Islands, fostering a more inclusive and representative Commission. This geographic distribution ensures that regional differences and local concerns are addressed effectively, enhancing the Commission's responsiveness to community needs.
3. **Term Limits & Clear Grounds for Removal:** The amendment introduces term limits, preventing members from serving more than two consecutive four-year terms. This change promotes fresh ideas and prevents stagnation within the Commission, encouraging a dynamic and evolving governance structure.

Furthermore, it clarifies grounds for the removal of Commission members to include continued neglect of duties, incompetence, unprofessionalism, or dishonorable conduct. This ensures accountability and maintains the integrity of the Commission. By setting clear criteria for removal, the amendment ensures that the Commission upholds the highest ethical standards, fostering trust and confidence among stakeholders.

4. **Improved Transparency and Engagement:** The requirement for the Commission to maintain and publish a current list of all licensed individuals, and to elect a liaison to realtor organizations within the territory, significantly enhances transparency and engagement. Publishing a current list ensures public access to up-to-date information, fostering greater transparency and accountability. The liaison, tasked with conducting meetings and gathering feedback, will bridge the gap between the Commission and the real estate community, facilitating better communication and collaboration. This proactive engagement ensures that the Commission remains responsive to the needs and concerns of real estate professionals and the wider community, promoting a more informed and participatory regulatory environment.

Overall, Bill No. 35-0117 introduces pivotal reforms that will strengthen the structure and functioning of the Virgin Islands Real Estate Commission. These amendments are instrumental in ensuring that the Commission operates with heightened transparency, accountability, and responsiveness to the evolving needs of the Virgin Islands' real estate sector and the broader community. I strongly encourage this Committee to consider this bill favorably and recommend its passage.

Thank you for the opportunity to present this testimony. We are prepared to address any questions this esteemed Body may have.