

# MAINE STATE LEGISLATURE

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April 6, 1954

To Doris St. Pierre, Secretary, Real Estate Commission  
Re: Inquiry as to Showing Properties while unlicensed.

. . . The gentleman obviously wishes to be advised that it is permissible for his wife to show property which he has listed for sale, if a prospect comes while he is absent. He states that she would not have a license, would not receive compensation, and would not offer to sell or try to negotiate a sale of real estate.

From the foregoing it appears that she would not strictly come within the term, "real estate salesman", as defined in III of Section 2 of Chapter 75. I believe, nevertheless, that in such an instance it would be in the best interests of both the public and Mr. X. that his wife should have a real estate salesman's license. The temptation is always present to attempt to show the good points of property, the visiting party will always have questions, and the line is not easily drawn between what will be an offer to sell or negotiate a sale and that which is not.

I believe that we had a similar situation with Mr. Baker, formerly of our Tax Department, where it was shown that he himself had lost his eyesight and the question arose whether or not his wife, as his agent, should also hold a license. As I recall, I advised that she should, so that there would be no chance that she might make a mistake. This view gives the Real Estate Commission some control because they can revoke the license.

Roger A. Putnam  
Assistant Attorney General

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