

FOR IMMEDIATE RELEASE

Johnny Thrash, CIO  
620 N State Street  
Jackson, MS 39202  
Office: 601-948-1332 ext. 16  
[johnny@cmr.realtor](mailto:johnny@cmr.realtor)  
<https://cmr.realtor>

March 21, 2019

### **Local REALTORS® Influence Policy Affecting Property Owners in Covenant-Governed Neighborhoods**

(Jackson, MS) -- Private transfer fees are fees charged to either buyers or sellers at the closing of a transaction each time a property is sold. These fees decrease affordability, increase potential liability and provide no benefit to the property sellers or buyers. They have also been called “harmful” by the National Association of REALTORS®, Mississippi REALTORS®, and Central Mississippi REALTORS®.

HB 962, recently signed into law by Governor Phil Bryant, becomes effective July 1, 2019 and codifies existing judicial precedent that has not been clarified by Mississippi statutes relating to which private transfer fees are proper and which ones are not. This new law makes it clear to everyone that transfer fees documented in the public records are legal, while attempts to collect transfer fees that are not properly documented in public land records are not. This clarification in the law is intended to stop abusive practices being experienced across Mississippi. Mississippi's law prohibits private transfer fees as a rule, but then excludes any property owner's association or the association's managing agent from the prohibition. HB 962 clarifies Mississippi law by making it clear that the right of a property owner's association or its managing agent to collect a transfer fee is evidenced by a deed restriction or covenant filed in the public land records, an approach already recognized by the Mississippi Supreme Court in reported appellate decisions.

REALTORS® pride themselves on supporting legislation that is beneficial and opposing legislation that is harmful to property owners and home ownership.

About Central Mississippi REALTORS®:

Central Mississippi REALTORS®, the parent company of Central Mississippi MLS, is the largest local real estate trade association in the State. Central Mississippi REALTORS® was chartered in 1924, represents over 1,900 REALTORS®, and is one of more than 1,200 local boards and 54 state and territory organizations of REALTORS® nationwide. Central Mississippi REALTORS® represents “The Voice for Real Estate” in ten counties of Central Mississippi including Hinds, Madison, Rankin, Yazoo, Holmes, Attala, Leake, Scott, Simpson, and Copiah. Learn more at <https://cmr.realtor>.

###