

Key Points About the National Association of REALTORS® Lawsuit

March 29, 2024

On March 15, 2024, the National Association of REALTORS® (NAR) announced it had reached a proposed settlement agreement that would end the litigation for some defendants relating to federal antitrust conspiracy claims.

Commissions

- There is not currently, and never has been, a standard commission rate established nationwide, statewide or in a local marketplace.
- Real estate commissions have always been and will continue to be negotiable.
- Each real estate firm establishes its own commission rate.
- Commissions and types of services may vary by real estate firm.

Wisconsin is different than other states

- Under current law, Wisconsin licensees are required to use state-approved (WB) forms.
- Wisconsin WB forms already have many of the pro-consumer policies addressed in the NAR proposed settlement agreement.
- While other states have not incorporated certain buyer representation practices into their law, Wisconsin has encouraged and required written buyer agency agreements for buyer clients for more than 20 years.
- Wisconsin's WB listing and buyer agency agreements explain how commissions are earned and how compensation is received or paid to real estate firms cooperating in the real estate transaction.

The value of REALTORS® in the real estate transaction has not changed

- Buyers and sellers have always had the option to hire REALTORS® to assist them in the real estate transaction.
- Compensation for REALTOR® services has always been determined through negotiations between the REALTOR® and buyers or sellers.
- Nothing about the settlement agreement created more inventory, made the market less competitive, made the transaction less complex, or made homeownership less important for the consumer.
- REALTORS® continue to add value by assisting consumers through a number of ways as a professional, including navigating through the maze of paperwork, interpreting online information, managing deadlines and understanding the marketplace.

For more information about the NAR lawsuit and related proposed settlement agreement, visit the WRA's [antitrust resources](#) webpage.