



Susman Godfrey Announces \$418M Settlement with the National Association of Realtors in Real Estate Commission Antitrust Litigation

Lawyers at Susman Godfrey have achieved a groundbreaking \$418 million joint settlement on behalf of a nationwide class of home sellers with the National Association of Realtors (NAR) that will resolve claims in four antitrust class actions against NAR.

The class actions allege that NAR and several of the nation's largest residential real estate brokerage companies implemented anticompetitive rules requiring real estate agents for home sellers to offer pay buyer broker fees in addition to their own brokers' commissions. The settlement will end these longstanding rules that plaintiffs claim have artificially inflated commissions and harmed homeowners. The \$418 million settlement with NAR is in addition to \$208.5 million in settlements previously reached with additional defendants, including Anywhere Real Estate, RE/MAX, and Keller Williams.

Under the terms of the deal, NAR will pay \$418 million in four annual installments along with interest, for the benefit of home sellers across the nation, in addition to \$3 million toward class settlement notices.

"We are very pleased to have helped achieve this historic settlement after several years of hard fought litigation," said partner and co-lead counsel, [Marc Seltzer](#). "This deal will usher in changes that will benefit countless homeowners and buyers across the nation."

The settlement includes significant, comprehensive injunctive relief, including the following:

- NAR will prohibit seller's brokers from offering buyer broker compensation through multiple listing services.
- Buyer brokers will be required to enter into buyer representation agreements that clearly spell out the compensation that they will receive from buyers.
- NAR has agreed to make other changes to ensure that sellers and buyers receive fair disclosures about broker compensation.

The lawsuits continue against the remaining non-settling defendants. It is expected that these changes will go into effect in mid-July 2024.

Susman Godfrey lawyers joining Seltzer on the matter are partners [Steven Sklaver](#), [Matt Berry](#), [Beatrice Franklin](#) and [Floyd Short](#) and associates [Alex Aiken](#) and [John Macy](#).

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The plaintiffs are represented by Susman Godfrey, Cohen Milstein Sellers & Toll, and Hagens Berman Sobol Shapiro in *Moehrl, et al., v. National Association of Realtor, et al.*, (N.D. Ill.) and *Umpa v. National Association of Realtors, et al.* (W.D. Mo.); and Boulware Law LLC, Ketchmark & McCreight PC, and Williams Dirks Dameron LLC in *Burnett, et al. v. National Association of Realtors, et al.* (W.D. Mo.) and *Gibson, et al. v. National Association of Realtors, et al.*