Sitar Realty Company A New Jersey Corporation 503 Washington Avenue Sea Girt, New Jersey 08750 TLL 732.449.2000 FAX 732.449.2828 www.sitarcompany.com



March 24, 2004

Federal Trade Commission Office of the Secretary Room 159-H (Annex D) 600 Pennsylvania Ave, N.W. Washington, D.C. 20580

Re: "CAN-SPAM Act Rulemaking, Project No. R411008," 69 Federal Register 48, 11775-11782 (March 11, 2004)

Dear Sir or Madam:

As a member of the New Jersey Association of REALTORS® (NJAR) and the NATIONAL ASSOCIATION OF REALTORS® (NAR), I appreciate this opportunity to comment on the CAN SPAM Act. As an independent businessperson who is forced to deal with a flood of offensive and fraudulent e-mails in my box each day and as one who sends e-mails in the course of my real estate business, I have a significant interest in the outcome of this rulemaking process.

While I support the Commission's efforts to control fraudulent, misleading and abusive unsolicited e-mails and e-mailing practices, I am concerned that the establishment of a Do-Not-E-mail Registry goes too far and will result in penalizing small businesses for engaging in legitimate e-mail communications with past clients and potential future clients. Real estate brokers and agents commonly use e-mails to share information about issues and changes in local real estate markets that affect their clients largest asset, their home.

Last year, small businesses were subjected to several new federal regulations (Do-Not Call, Do-Not–Fax regulations and CAN SPAM provisions), which have greatly impacted the ordinary course of business between real estate professionals and our customers. I believe that a Do-Not-E-mail Registry would have a significant economic impact on small businesses by imposing additional compliance costs, not to mention the potential for loss of revenues as a result of further restrictions on business-to-consumer communications.

I am also concerned about the privacy and security of a Do-Not-E-mail Registry. I urge you to closely consider whether the disputable consumer benefits of a Do-Not-E-mail Registry and the potential risk to privacy of a central depository of legitimate e-mail addresses outweigh the onerous and costly compliance burdens on millions of small businesses. I urge you to consider the impact of this registry on small businesses.

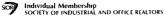
Sincerely,

Christopher Heine Sales Associate

Main Office: Parkway Centre • 1481 Oak Tree Road, Iselin, New Jersey 08830 • 732.283.9000 • FAX 732.283.3103

, . . .

MU INFORMATION FURNISHED REGARDING PROPERTY FOR SWEEKINTAL OR FINANCING IS FROM SOURCES DEEMED REFEABLE. BUT NO WARRANE) OR REPRESENTATION IS MADE AS TO THE ACCURACY THEREOF AND SME IS SUBMIFIED SUBJECT TO ERRORS. OMISSIONS, CHANGES OR PRICE RENEY OR OTHER CONDITIONS WITHDRAWM WITHOUT NOTICE, AND TO ANY SPECIAL EISTING CONDITIONS IMPOSED BY OUR PRINCIPALS.





Winner of the IDRC Outstanding Area Research Award



EXPERIENCE | ACTION | RESULTS

