

# Calif. Broker Sues Over New Neb. Real Estate Rules

BY TIMBERLY ROSS  
Associated Press Writer

OMAHA, Neb. — A California woman whose website advertises property for sale says new rules governing Nebraska's real estate industry should be thrown out for being too broad, according to a federal lawsuit filed Thursday.

Leslie Rae Young of Volcano,

Calif., filed the challenge a little more than a week after being ordered by the Nebraska Real Estate Commission to stop advertising Nebraska properties through her website, www.elist.me.

Her lawsuit says changes to the Nebraska Real Estate License Act that took effect July 15 are unconstitutional because they give the commission jurisdiction beyond Nebraska. She says the

act does not provide enough guidance on whether she must be licensed in the state, among other things.

Young is a real estate broker licensed in California, but not in Nebraska.

The Nebraska attorney general's office didn't have an immediate comment.

Court filings include a cease-and-desist letter sent to Young by the Nebraska Real Estate

Commission, dated July 20. The letter says Young is considered a broker under Nebraska law but is operating without a state license and must stop. Failure to do so could result in criminal charges and fines up to \$1,000 per day, the letter states.

Young says in other court filings that her website offers advertising to homeowners who wish to sell their properties "without the use of a commis-

sion-charging realtor." Her clients, including at least one in Nebraska, are charged a flat-fee for her advertising service, the court filings say.

Young says that unless the law is thrown out, she "will be faced with the choice of risking lawsuits if I break my advertising contract(s) with the Nebraska homeowners" or fighting the cease-and-desist order through a commission hearing, which

would waive her right to contest the law. If she were to appeal to the commission and fail, Nebraska could report the matter to the California Real Estate Commission, which could sanction her, Young says.

Young is asking to have changes to the Nebraska law thrown out and for attorney's fees. Her attorney has also filed a motion for a temporary injunction blocking the law.

## SPAK

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done to make it work. Our board is very dedicated to making the company a success. We have parents who come in and volunteer their time and talents whenever they can. Without all their hard work, YCTC would not exist."

Yankton Children's Theatre has been in existence for several years, working jointly with the Lewis and Clark Theatre Company to put on one children's show per year. However, last October, YCTC took possession of the old Elk's building in downtown Yankton as their rehearsal and storage space.

"It is pretty amazing having our own location," Allison said. "To have a place where we can build our sets, store our props, rehearse — it just makes things so much easier. All of this stuff was stored in my house before."

Spak said that people wonder why they would need such a large space, but they are using the entire facility.

"We are using the lowest level as a place to build and store sets," she explained. "On the main floor we have an office and an area with couches where kids can sit and relax and we have props and costumes stored and more rehearsal space. The top floor is where we do the majority of our rehearsals."

The biggest benefit to having their own facility is that it has allowed the company to put on an entire season worth of shows.

"We wanted to start our own company only because it offers more opportunities for the kids," Spak said. "It wasn't a separation from Lewis and Clark, we just wanted to offer more. So now we can give the kids the opportunity."

Spak said they are learning as they go and admits that they have made some mistakes.

"Next year, we will maybe do things a little different as far as when we schedule the shows," she said. "I think we will try to spread them out more and have a few more during the school year, not all of them during the summer. It is a learning process."

Another goal of the company is to get as many kids involved as they can. They work with the Parks and Recreation creative drama program during the summer, helping to teach children about the theater and what goes into it.

"It is hard because kids are so busy with sports and events, but there are some out there that this is just what they love and we want to give them that opportunity," Spak said. "We hope someday that we can sponsor drama clubs after school, where each school would get a different day. Then we would have an end of year production. I think it would be a good way to get them involved at a younger age, where they will be more comfortable on stage and build a good self respect and esteem."

YCTC is making a point to get involved in the community whenever they can.

"We want people to know we are here," she said. "We are not the Yankton Children's Choir, we are the Yankton Children's Theatre Company."

Spak said that one of the toughest aspects of running a children's theatre company is finding costumes for all of the children. If anyone has children's costumes or old dance recital outfits they would like to donate the company she said they would gladly accept them.

"We will fix them. We will repair them. Whatever it takes to build that stock of kids costumes," she said. "It is really important to build up that stock of children's costumes. It is important because, with the creative drama program, we get kids in all shapes and sizes and it is very important to have costumes that will fit everyone."

Looking forward for the rest of their first season, YCTC will be performing a "Kid's On Broadway" show at Riverboat Days. Their next full show is the "Berenstein Bears" in September.

For more information about the theatre and upcoming events, contact YCTC at (605) 689-0401.

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