

Allowed to Make a Living

November 23, 2022

In 2014, Sally Ladd started a service to help clients in the Poconos rent out their vacation homes. She posted notices on Airbnb, arranged for cleaning, and performed other chores.

But then, in 2017, the Pennsylvania Bureau of Professional and Occupational Affairs — one of the many government agencies in the world that should not exist — told her that she was operating in Pennsylvania as a real estate broker without a license and must get one or shut down.

And getting the license would have entailed more than 300 hours of schooling, two exams, three years of apprenticeship, and opening an office in Pennsylvania.

The obstacle was senseless. Ladd was already satisfying her customers. And getting the license would have entailed more than 300 hours of schooling, two exams, three years of apprenticeship, and opening an office in Pennsylvania. (Ladd lives in New Jersey.)

She had to shut down.



But she didn't give up.

She teamed up with Institute for Justice, which filed suit, arguing, in IJ's words, that "forcing her to get a full-blown real-estate license violated her right to earn an honest living under the Pennsylvania Constitution."

At first, a lower court would not even consider the case, a decision overruled by the Pennsylvania Supreme Court in 2020. Finally, on October 31, 2022, a trial court affirmed that the "licensing requirements are unreasonable, unduly oppressive, and patently beyond the necessities of the case," and therefore unconstitutional.

Once again, it's IJ to the rescue!

In a world filled with government agencies that shouldn't exist, the Institute for Justice exists to check them.

This is Common Sense. I'm Paul Jacob.