



Sports Fans Coalition Testimony on the DC RESALE Act

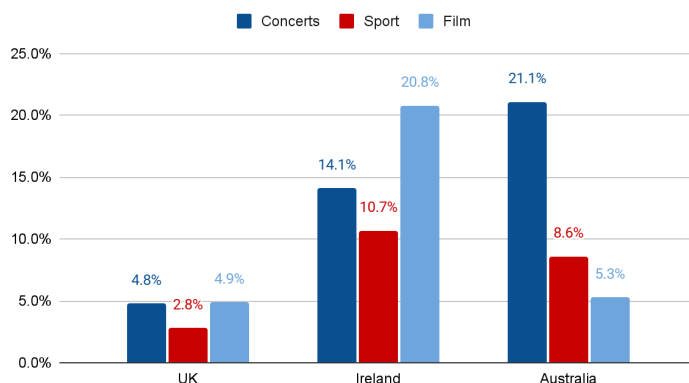
Good morning, Chair Nadeau and Members of the Committee. My name is Brian Hess, Executive Director of Sports Fans Coalition, representing hundreds of thousands of District sports fans who attend Capitals, Nationals, Wizards, and DC United games throughout the year.

We appreciate the Committee's attention to ticket marketplace practices and consumer protection. It is no secret that the industry is broken and fails to serve fans at all levels of the supply chain. The RESALE Act addresses several important issues, and can offer much needed protections to consumers. However, we hope to work with you to strengthen this legislation so it truly serves all DC's fans.

Sports Fans Coalition supports all-in pricing, refund guarantees, and the ban on speculative ticketing. We do have concerns about how the all-in pricing language currently interacts with federal regulations. The Federal Trade Commission's junk fee rule took effect in May, and since then fans have enjoyed the benefits. Now, fans see the real cost of the ticket at the start of the transaction. We urge the committee to make sure the language conforms with the FTC and the federal TICKET Act, which passed the House of Representatives 409-15, and awaits Senate action.

Our primary concern is the bill's exclusion of sports tickets from the definition of "ticket." This creates a two-tiered system where DC residents attending a concert at Capital One Arena receive consumer protections, but those attending a Wizards game in the same building do not. This distinction is particularly problematic given that sports tickets are subject to a significantly higher tax rate than other entertainment tickets. Sports fans deserve equal protection under consumer law. Including sports tickets would not only provide fairness it would also strengthen the bill's effectiveness and scope.

Estimated Fraud Rate by Event Type



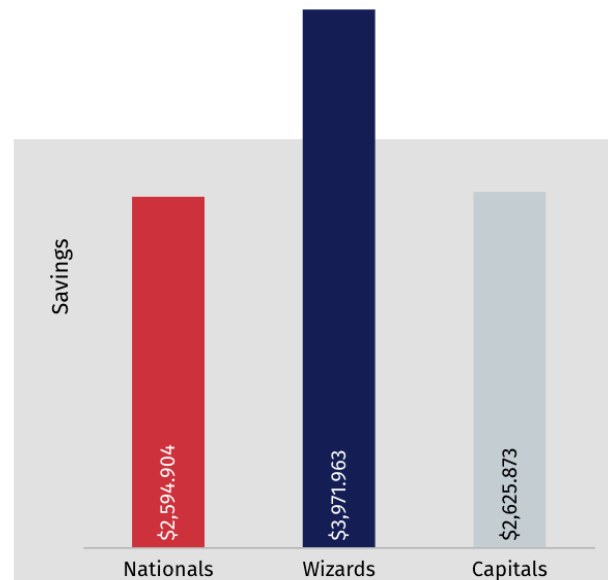
Our second concern is about the anti-fan price cap on secondary market sales. While we understand the intent, international evidence gives us pause. Ireland implemented similar caps in 2021 and saw ticket fraud affect 16% of consumers, with losses averaging up to €500. Victoria, Australia experienced fraud rates nearly four times higher than uncapped markets.¹ Ontario, Canada

¹ Bradshaw Advisory, "Ticket fraud: its impact and the cost of market regulation," March 16, 2025. <https://bradshawadvisory.com/insights/ticket-fraud-its-impact-and-the-cost-of-market-regulationnbspy>

repealed its price cap after determining it was “unenforceable.”²

Price caps don't eliminate demand, they merely push consumers from regulated platforms with fraud protections onto unregulated channels like social media marketplaces and person-to-person sales. This increases risk rather than reducing it. Risks and harms are compounded when law enforcement is not given the appropriations they need to adequately, and consistently enforce these laws.

Contrary to common belief, the secondary market often leads to saving opportunities for tickets, as well. Research from the American Consumer Institute found that 55% of resold tickets sell below face value, saving consumers \$414 million nationally in 2024.³ We have documented \$475 million in consumer savings since 2017.⁴ In DC specifically, we estimate \$9.1 million in savings for local fans who purchase below face value on the secondary market – More than \$2.5 million dollars for Caps and Nats fans each and more than \$3M for Wizards fans (Data does not include DC United savings).⁵



Price caps would eliminate the safe, regulated marketplaces that provide the opportunity for these savings. The harms are compounded for season ticket holders. For many DC sports fans, season ticket packages will become economically unfeasible for middle-class families who rely on reselling high-demand games to offset the cost of their annual commitment.

Moreover, price caps fundamentally undermine market competition in ways that benefit dominant players like Ticketmaster and their business partners. Independent ticket marketplaces compete by offering better prices, better technology, and better consumer protections. Price caps eliminate the pricing flexibility that allows these competitors to differentiate themselves and attract customers. When all platforms must cap at the same price, the market advantage shifts entirely to the platform with the largest inventory and deepest venue relationships — Ticketmaster. This effectively consolidates Ticketmaster's control over both primary and secondary markets, the very monopolistic behavior currently under investigation by the Department of Justice. Rather than protecting consumers, price caps

² The Canadian Press, “Ontario just scrapped a ticket resale cap meant to keep scalpers

Profits down,” April 15, 2019, <https://www.cbc.ca/news/canada/toronto/ontario-scalpers-ticket-resale-cap-ford-1.5098924>

³ American Consumer Institute, “Report Update: Secondary Market Is One Part of the Consumer Ticketing Ecosystem” June 12, 2025,

<https://www.theamericanconsumer.org/2025/06/report-update-secondary-market-is-one-part-of-the-consumer-ticketing-ecosystem/>

⁴ Sports Fans Coalition, “Ticket Transferability Saves Sports Fans \$475 Million Since 2017,” February 18, 2025,

<https://www.sportsfans.org/latest-news/ticket-transferability-saves-sports-fans-475-million-since-2017>

⁵ Sports Fans Coalition, “United States of Ticketing: Washington, DC,” <https://www.sportsfans.org/united-states-of-ticketing/dc>

protect Ticketmaster from the competitive pressure that would otherwise force them to improve service and reduce costs.

We'd like to highlight one critical consumer protection missing from this bill: ticket transferability. The ability to freely transfer tickets is fundamental to consumer rights, market functionality, and flexibility for fans. When fans can't transfer tickets they've purchased, they're locked into a single marketplace with no competitive options. Additionally, if life gets in the way and they can no longer attend the show, they will have no choice but to eat the cost of the ticket since most venues do not offer refunds for fans after purchasing a ticket.

Virginia protects transferability and DC should follow suit. There's a fiscal benefit to doing so: Protecting transferability would enhance a safe, trustworthy secondary ticket market that already exists for DC sports and entertainment. A healthier, more transparent marketplace means more transactions, which means more tax revenue for the District. These additional revenues could help pay down the Commanders stadium subsidy faster or fund youth sports and music programs that benefit DC residents. Consumer protection and fiscal responsibility can work hand in hand.

The Sports Fans Coalition wants to support strong, effective, and enforceable consumer protection legislation. We believe the RESALE Act can be improved to serve all of the District's fans equally while avoiding unintended consequences that harm the consumers it seeks to protect.

We're committed to working with this Council to get this right. DC fans, whether they're attending a Nationals game or a concert at the Anthem, deserve nothing less than comprehensive, equitable consumer protection.

We urge you to:

1. Expand the definition of "ticket" to include sports tickets, ensuring equal protection for all DC consumers,
2. Remove the price cap provision based on documented enforcement challenges and fraud increases in other jurisdictions,
3. Harmonize all-in pricing language with the FTC rule and federal TICKET Act to ensure legal consistency, and
4. Add robust transferability protections that would enhance consumer rights and competition within the district and increase tax revenue.

We also encourage the Council to review the Ticket Buyer Bill of Rights, developed by more than a dozen leading consumer organizations, including the National Consumers League and Consumer Federation of America. It offers other comprehensive protections that complement the RESALE Act's goals.

Thank you for your time and consideration. I'm happy to answer any questions.