



Oregon

Theodore R. Kulongoski, Governor

Real Estate Agency

1177 Center Street NE

Salem, OR 97301-2505

Phone: (503) 378-4170

Regulations Fax: (503) 373-7153

Admin. Fax: (503) 378-2491

Licensing Fax: (503) 378-3256

www.rea.state.or.us

State of Oregon Real Estate Agency

REAL ESTATE BOARD

Regular Meeting Minutes

August 4, 2008

BOARD MEMBERS PRESENT:

Michael Graeper, Chair
Byron Hendricks
Robert LeFeber
Art Kegler
Chris Hermanski
Warren (Lee) Dunn
Kim Medford

BOARD MEMBERS ABSENT:

Troy Costales, excused
Marianne Wood, excused

STAFF PRESENT:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Laurie Skillman, Land Development Division Manager
Mesheal Heyman, Education Division Manager
Gae Lynn Cooper, Investigator
Selina Barnes, Regulations Division Manager
Kate Nass, Administrative Services Manager
Leandra Cooley, Board Liaison

GUESTS PRESENT:

Shirley Parson, Windermere AM West Properties
Marsha Morgan, Coldwell Bankers Whitney & Assoc.
Jeanette Strobel, Windemere American West Properties
Charlotte Dack, ERA Universal Realty
Dave Newman, ERA Universal Realty
Virginia Miller, Miller Realty
Darcee Bishop, Windermere American West Properties
Brandy Clark, Windermere American West Properties
Lois Ebel, Valley Realty
Jim Brooks, Valley Realty
Clinton Fordice, Fordice Real Estate
John Harvey, ERA Universal Realty
Sandi Siron, ERA Universal Realty
Judy Smythe, ERA Universal Realty
Patsy Keimig, Windermere American West Properties
Sandra Allen, All Star Realty
Carol and Mike Jackson, Premier Properties
Nancy Walehl, Windermere American West Properties
Marilyn Dale, Maridale Real Estate

**Donn Walls, Century 21 Realty Specialist
Jim Whitney, Whitney Land Company
Shelly Mundy, Windermere American West Properties**

I. BOARD BUSINESS

- A. Call to Order**
- B. Roll Call.** Chair Graeper thanked the Columbia Basin Board as hosts and welcomed the Umatilla Board Association. Chair Graeper invited Pasty Keimig to speak on behalf of Columbia Basin Board. Ms. Keimig welcomed Real Estate Board.
- C. Approval of the Agenda and Order of Business.** The agenda was approved as submitted.
- D. Approval of June 2, 2008, regular meeting minutes.** The June 2, 2008 minutes were approved with one correction
- E. Date of Special Meeting: September 8, 2008, (a special meeting will be held to discuss draft rules)**
- F. Date of Next Regular Meeting: October 6, 2008**

II. PUBLIC COMMENT. None.

III. REQUESTS FOR WAIVER

- A. Waiver request log.** The log was included in the board packet. No discussion.
- B. Kyle Smith requests experience requirements waiver for a sole practitioner license.** Chair Graeper invited Mr. Smith to address the Board regarding his reason for requesting a waiver. Mr. Smith responded by explaining that although he does not have three years of experience, he does have auditor background and explained he is interested in selling property as an owner and handling his own listings. Mr. Smith stated that he attended a property investment college course in Italy as well as received online training for multi-family housing and formal property management training.

**MOTION TO DENY WAIVER REQUEST BY BYRON HENDRICKS.
MOTION CARRIED BY UNANIMOUS VOTE.**

Chair Graeper noted a correction to the June 23, 2008 regular meeting minutes under Agenda Item No. I. A. Call to Order. The minutes should reflect that Chair Graeper asked Commissioner Bentley, who called the meeting, to conduct the meeting.

IV. BOARD ADVICE/ACTION/Commissioner Bentley

- A. Advise: Discuss the "within the State" issues.** Commissioner Bentley provided **Exhibit A**, which addresses activity within the state and reviewed the Exhibit. Commissioner Bentley indicated that at this time the issue will be discussed briefly and then explored in more depth at the October 6, 2008 regular board meeting.
- B. Advise: Discuss ways to recruit/train investigators for industry knowledge.** Commissioner Bentley provided **Exhibit B** which gives an outline of the training that the Agency provides to investigators. This subject will also be addressed in more depth at the October 6, 2008 regular board meeting.

- V. COMMUNICATIONS-Administrative Actions Summary.** Chair Graeper asked for clarification regarding the hearing on Bari Tripp. Selina Barnes explained that the matter was resolved through the hearing process.

VI. REPORTS

A. Chair Graeper

1. Meeting invitations

- a. **Invitation from Portland Metropolitan Association of Realtors.**
- b. **Invitation from Rogue Valley Association of Realtors (Medford)**
- c. **Invitation from Mid-Columbia Association of Realtors (Hood River/The Dalles area).**
- d. **Invitation from Baker City Board.**

MOTION TO ACCEPT MEETING INVITATIONS FOR 2009 CALENDAR AS FOLLOWS:

- **JULY, 2009/BAKER CITY**
- **OCTOBER, 2009/MID-COLUMBIA**
- **DECEMBER, 2009 /PORTLAND**

MOTION CARRIED BY UNANIMOUS VOTE

B. Commissioner Gene Bentley

1. **Legislative Work Group (document provided in packet).** Commissioner Bentley addressed the Governor's Commuter Challenge and acknowledged the Real Estate Agency staff members who received a letter of commendation from the Governor for their commitment to the challenge. Mr. Bentley then addressed the 2008 Legislative Work Group handout provided in the packet and explained work group's function was to review the recommendations from the 2006 Joint Interim Task Force on Real Estate Agency Oversight and draft legislation for consideration by the legislature to implement the recommendations of the 2006 Joint Interim Task Force on Real Estate Agency Oversight. The work group members consisted of the following people:

- Senator Johnson, Co-Chair
- Representative Esquivel, Co-Chair
- Representative Galizio, 2005 Task Force Member
- Michael Graeper, Real Estate Board Chair
- Art Kegler, 2005 Task Force Member and Real Estate Board Member
- Andrea Bushnell, OAR Executive Officer
- Byron Hendricks, New Industry Board Member
- Kim Medford, New Public Board Member

2. **Rule Review Status.** Commissioner Bentley explained the process involved breaking the rules into three basic categories:

- **Brokerage (real estate brokers, principal brokers, and sole practitioners)**
 - Work group had final meeting on July 16, 2008
- **Property Management (individual who has a broker or property manager license)**
 - Advisory group has reviewed draft rules
 - Draft rules will go to Board on August 15, 2008
- **Escrow (escrow agents)**
 - Advisory group has reviewed draft rules

- o Draft rules will go to Board on August 15, 2008

Mr. Bentley explained that the review is a two step process. The first step consists of a work group developing draft rules. The second step consists of an advisory committee reviewing and providing feedback on the draft rules

Commissioner Bentley also mentioned that Agency will be going through similar process regarding the education task force recommendations on pre license education, post license education and continuing education.

C. Agency Division Reports

1. **Land Development Division** (handout provided in packet). Laurie Skillman reviewed the statistical information provided in the handout and also summarized the function of the Land Development Division.
2. **Licensing Division** (hand out provided in packet). Selina Barnes gave a brief description of the Division's function and also summarized the statistical information provided in the handout.
3. **Education Division** (hand out provided in packet). Mesheal Heyman provided a brief summary of her history with the Agency and reviewed the statistical information provided in the handout. Ms. Heyman also gave an overview of the process/update on the recent implementation of the Education Division.
4. **Regulation Division** (hand out provided in packet). Selina Barnes gave a summary of the division's function and reviewed the statistical information provided in the handout. Ms. Barnes also summarized the training plan for investigators in the near future which will include attendance at a workshop through ARELLO and also criminal fraud classes.
5. **Administration/Information Division** (hand out provided in packet). Kate Nass stated that the Agency is currently recruiting for a position in the IT Division and summarized the statistical and budget information provided in the handout.

VII. QUESTIONS FROM THE PUBLIC

Directed toward the Commissioner and the Board. The Commissioner and Board answered various questions posed to them by guests present.

VIII. **ANNOUNCEMENTS**-Special board meeting, September 8, 2008 @ 10a.m., in Salem, Oregon to discuss draft rules.

IX. ADJOURNMENT

Respectfully submitted:


GENE BENTLEY
COMMISSIONER

Respectfully submitted:


MICHAEL R. GRAEPER
BOARD CHAIR

Exhibits distributed:

- A. Oregon Real Estate Agency Real Estate activity within the State, *Agenda Item No. IV. A.*
- B. Investigator Training, *Agenda Item No. IV. B.*