



# Oregon

Theodore R. Kulongoski, Governor

Real Estate Agency

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## State of Oregon Real Estate Agency

### REAL ESTATE BOARD

#### Regular Meeting Minutes

October 5, 2009

#### MEMBERS PRESENT:

Art Kegler, Chair  
Warren (Lee) Dunn, Vice Chair  
George Slape  
Michael Graeper  
Marianne Wood  
Byron Hendricks  
Chris Hermanski  
Bob LeFeber

#### MEMBERS ABSENT:

Kimberly Medford, excused

#### STAFF PRESENT:

Gene Bentley, Commissioner  
Dean Owens, Deputy Commissioner  
Selina Barnes, Regulations Division Manager  
Laurie Hall, Licensing Division Manager  
Stacey Harrison, Education Division Manager  
Kate Nass, Administrative Services Division Manager  
Leandra Soto, Board Liaison

#### GUESTS PRESENT:

Kim Salvesen, Windermere Glenn Taylor Real Estate  
Jamie Crouse, WGTRE The Dalles  
Joyce Beach, Oregon Association of Realtors  
Shaun Jillions, Oregon Association of Realtors  
Geri Murray, Gorge Winds Properties  
Ray Spooner, John L. Scott  
Dee Ashley, Windermere Glenn Taylor Real Estate  
Jeanne Farwig, Gorge Winds Properties  
Ruth Chausse, Don Nunamaker  
Kim Muenzer  
Tara Snyder, Don Nunamaker  
Nan Summers, Columbine Gorge Real Estate  
Sandy Dean, John L. Scott  
Jim Wilcox, Fadness Realty Inc



## **I. BOARD BUSINESS**

- A. Call to Order.** Chair Kegler asked each board member to introduce themselves and give a brief summary of their background.
- B. Roll Call.** The board liaison conducted roll call. Kimberly Medford was excused. Chair Kegler asked the members of the Mid-Columbia Association to introduce themselves. Commissioner Bentley asked the Real Estate Agency staff members to introduce themselves.
- C. Approval of the Agenda and Order of Business.** The Agenda and Order of Business was approved.
- D. Approval of the August 3, 2009, regular draft meeting minutes.** The August 3, 2009 regular meeting minutes were approved as submitted.
- E. Date of Next Meeting:** December 7, 2009 at the Oregon Real Estate Agency in Salem, Oregon at 10:00 a.m.

## **II. PUBLIC COMMENT.** None.

## **III. REQUESTS FOR WAIVER-**Waiver request log.

## **IV. BOARD ADVICE/ACTION-Commissioner Bentley**

- A. Make recommendations to the Agency for filing on proposed rule. (memo and draft included in packet)**
  - 1. August 12, 2009, HB 2910 and SB 140.** Commissioner Bentley stated that HB 2910 and SB 140 deal with brokerage issues and the Agency is required to seek the recommendation from the board to move forward with the draft rules for these bills.
  - 2. August 18, 2009, SB 141.** Mr. Bentley explained that SB 141 deals with escrow issues and Division 49 has been assigned to this bill.

## **MOTION TO RECOMMEND FILING ON PROPOSED RULE BY WARREN DUNN MOTION CARRIED BY UNANIMOUS VOTE**

- B. Department of Revenue Pilot Project.** Mr. Bentley explained that HB 3082 passed legislation last year and allows the Department of Revenue to offer a pilot program for licensing entities to participate in. He stated this pilot program would also allow the Department of Revenue to withhold the issuance of a license if it was determined that the licensee was not current with their tax obligations.

## **MOTION TO DENY PARTICIPATION IN THE DEPARTMENT OF REVENUE PILOT PROGRAM MOTION CARRIED BY UNANIMOUS VOTE.**

- C. Board's responsibility to develop 3 hour continuing education course on recent updates to legislation.** Commissioner Bentley stated one of the components to SB 640 is a mandatory continuing education course that will be offered for licensees effective January of 2011 and the board has the responsibility of developing and approving the course. He also asked the Board how they would prefer to handle developing the course. Byron Hendricks asked Mr. Bentley if the course could be taken in three 1 our blocks. Mr. Bentley responded that the course will most likely be required to be taken as one 3 hour block. Michael Graeper and Lee Dunn recommended that the Agency use an outside company to develop the curriculum for the course.

## **MOTION TO APPROVE THE REAL ESTATE AGENCY TO DEVELOP AN OUTLINE FOR THE EDUCATION DEPARTMENT MOTION CARRIED BY UNANIMOUS VOTE**

## V. NEW BUSINESS-Commissioner Bentley

A. **Agency closure schedule for 2009.** Mr. Bentley explained that effective March of 1009, at the Governor request, executive and/or management state employees take one furlough day off each month. As a result of the union negotiations, all union represented state employees are required to take ten furlough days over the next biennium. In addition, depending on salary range, they may be required to take up to four floating furlough days off.

- **October 16 and November 27.** The Oregon Real Estate Agency will be closed on these days.

- The following Agency closure schedule is for 2010:

- March 19
- April 16
- June 18
- August 20
- September 17
- November 26

- The following Agency closure schedule is for 2011:

- March 18
- May 20

VI. **COMMUNICATIONS-Administrative Action Summary.** No discussion.

VII. **OREGON REAL ESTATE NEWS JOURNAL-Chair Kegler.** Lee Dunn will submit an article for the December issue of the OREN-J.

## VIII. REPORTS

### A. Chair Kegler

1. **Report on "Vision of Future" Committee.** Bryon Hendricks indicated that he and Michael Graeper are in the process of developing an outline for the blog regarding the "Vision of the Future". Mr. Hendricks explained the purpose of the blog is to receive input from the public regarding the impact that technology advancement has had and will have on the real estate industry. The blog is anticipated to be in place by the end of October, 2009.
2. **2010 Board Meeting Schedule.** Chair Kegler indicated that outreach letters have been sent to all local associations regarding hosting board meetings in their area for 2010 calendar year.

### B. Commissioner Gene Bentley

#### 1. Rule Revision Update.

a. **September 10, 2009, SB 640-Continuing Education.** The Continuing Education Work Group met on September 10, 2009 and began the development process of the draft rule for SB 640. SB 640 will implement the following requirements for licensees:

- posses high school diploma or equivalent
- principal brokers take an Agency administered test
- adhere to changes in structure of continuing education
- complete 3 hour course

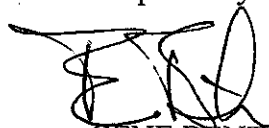
**C. Agency Division reports/Deputy Commissioner Dean Owens (reports included in packet)**

- 1. Regulation Division-Selina Barnes.** Ms. Barnes reported the current vacancy in the Regulations Division has been reclassified from a Financial Investigator to an Investigator 2, which does not require accounting experience and she also summarized the Regulation Division's statistics provided in the handout.
- 2. Licensing Division-Laurie Hall.** Ms. Hall summarized the Licensing Division's statistics provided in the handout. She also indicated that the Agency is currently in the process of evaluating new licensing software that will improve services to licensees. Ms. Hall stated that, due to the elimination of the sole practitioner category and the current manual licensing software, licenses would be mailed out by end of January, 2010.
- 3. Education Division-Stacey Harrison.** Ms. Harrison summarized the Education Division's statistics provided in the handout and also stated that the Education Work Group will have a second session on November 2, 2009 at which time course topics and learning agendas will be addressed. The Education Work Group is also scheduled to meet on January 21, 2009 in the event they are not able to develop the draft rule at the November 2, 2009 session. Ms. Harrison also reported that the Education Division is currently recruiting for a Compliance Specialist position and she anticipates the position will be filled this month.
- 4. Land Development Division-Stacey Harrison.** Ms. Harrison delivered the report in Laurie Skillman's absence. Ms. Harrison summarized the statistics provided in the handout. She also announced that Marjorie Fernando has filled the previously vacant Public Representative Service position in the Land Development Division.
- 5. Administration/Information Systems-Kate Nass.** Ms. Nass summarized the Administrative Services Division's statistics provided in the handout. She also indicated that the findings from consultants contracted to evaluate the Agency's needs for new licensing software are still in the process of being reviewed. Ms. Nass announced that she has accepted a Budget Analyst position with the Department of Administrative Services and this will be her last board meeting.

**IX. ANNOUNCEMENTS**

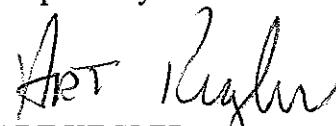
**X. ADJOURNMENT**

Respectfully submitted:



GENE BENTLEY  
COMMISSIONER

Respectfully submitted:



ART KEGLER  
BOARD CHAIR