



Oregon

John A. Kitzhaber, MD, 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

**Notice of Agenda
OREGON REAL ESTATE BOARD
Regular Meeting Agenda**

**Monday, December 5, 2011
Oregon Real Estate Agency
1177 Center St. NE
Salem, Oregon 97301**

NOTE: *The board plans to meet from 10 a.m. until 1:30 p.m., including a "working lunch" period.*

I. BOARD BUSINESS

- A. Call to Order
- B. Introduction of new board member, Jef Farley
- C. Roll Call
- D. Approval of the Agenda and Order of Business
- E. Approval of October 3, 2011, regular meeting minutes
- F. Election of Chair and Vice-Chair for 2012
- G. Date of the Next Meeting: February 6, 2012 location to be announced.

II. PUBLIC COMMENT

- This time is set aside for persons wishing to address the Board on matters not on the agenda. Speakers will be limited to five minutes.
- The Board Chair reserves the right to further limit or exclude repetitious or irrelevant presentations. If written material is included, 12 copies of all information to be distributed to board members should be given to the Board Liaison prior to the meeting.
- Action will not be taken at this meeting on citizen comments. The Board, however, after hearing from interested citizens, may place items on a future agenda so proper notice may be given to all interested parties.
- If no one wishes to comment, the next scheduled agenda item will be considered.

III. REQUESTS FOR WAIVERS – Waiver request log. No change.

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER– Approval of petition log.

- A. USDA-Rural Development (Kate Bateman)
- B. John's Waterproofing Company (John Lombardi)

V. BOARD ADVICE/ACTION

A. 2012 Board Meeting Calendar:

- February 6, 2012
- April 2, 2012
- June 4, 2012
- August 6, 2012
- October 1, 2012
- December 3, 2012

B. List of Associations interested in hosting meetings for 2012:

1. Central Oregon Association of Realtors/Bend
2. Baker County Board of Realtors/Baker City
3. East Metro Association of Realtors/Gresham
4. Curry County Board of Realtors/Brookings
5. Douglas County Association of Realtors/Roseburg
6. Grants Pass Association of Realtors/Grants Pass
7. Yamhill County Association of Realtors/McMinnville

VI. COMMUNICATIONS – Administrative Actions Summary

VII. REPORTS

A. Chair Kegler

B. Commissioner Gene Bentley

1. Major Changes
 - a. eLicensing
 - b. Pre-licensing education job analysis
2. Legislative issues
3. Reciprocal License Agreements
4. Chair Kegler

C. Agency division reports-Deputy Commissioner Dean Owens

1. Regulation Division – Selina Barnes
2. Licensing Division – Laurie Hall
3. Education Division – Stacey Harrison
4. Land Development Division – Laurie Skillman
5. Administration/Information Systems Division – Erica Kleiner
 - a. eLicensing Demo/Anna Higley

VIII. ANNOUNCEMENTS – Next board meeting February 6, 2012 location to be announced.

IX. ADJOURNMENT

Interpreter services or auxiliary aids for persons with disabilities are available upon advance request.



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State of Oregon Real Estate Agency

REAL ESTATE BOARD

Regular Meeting Minutes October 3, 2011

MEMBERS PRESENT:

Art Kegler, Chair
Warren (Lee) Dunn
George Slape
Marcia Edwards
Robert LeFeber
Joann Hansen
Diana Emami
Chris Hermanski

MEMBERS ABSENT:

Byron Hendricks, Vice-Chair, excused

STAFF PRESENT:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Stacey Harrison, Education Division Manager
Laure Hall, Licensing Division Manager
Erica Klemer, Administrative Services Division Manager
Leandra Hagedorn, Board Liaison

STAFF ABSENT:

Selina Barnes, Regulations Division Manager

GUESTS PRESENT:

John Wallace, Oregon Association of Realtors
Debbie Morrow, Clatsop Association of Realtors
Tommy Huntingon, Clatsop Association of Realtors
Rosalie McCleary, Clatsop Association of Realtors
Victor Kee, Clatsop Association of Realtors
DJ Vogt, Department of Administrative Services
Terri Olson
Marionne Pittorci, Remax
Crystal Lewis, Richard Levin Law Group
Reta Leithner, Clatsop Association of Realtors
Michele Johnson, Clatsop Association of Realtors
Cindy Colley, Clatsop Association of Realtors
Alaina Giguiere, Kamali/Sotheby IR

Tim Regan, Windemere Clatsop County Realty Group
Doris Strumme, Windemere Clatsop County Realty Group
Pam Korpinitas, Windemere
Jackie Weber, Windemere
Robin Risely, Clatsop Association of Realtors

I. BOARD BUSINESS

- A. **Called to Order.** Chair Kegler called the meeting to order at 10 am and asked Carol Hunderford, President of Chamber of Commerce, Brent Dahl, Executive Director of the Chamber of Commerce and Mike Morgan, Mayor of Cannon Beach to address the board. Ms. Hunderford, Mr. Dahl, and Mr. Morgan welcomed the board to Cannon Beach.
- B. **Introduction of new board member, Diana Emami.** Mr. Bentley introduced Diana Emami as new board member and explained that Ms. Emami joins the board as a public member. He also acknowledged DJ Vogt, Department of Administrative Services Budget Analyst and also gave recognition to Victor Kee who was a prior board member and chair.
- C. **Roll Call.** Chair Kegler asked the board liaison to call roll. All members were present with the exception of Byron Hendricks, who was excused. Joann Hansen was excused to participate in a teleconference and arrived to the meeting at 10:15 a.m.
- D. **Meeting Process.** Chair Kegler gave a brief overview of the board meeting process and asked the board members to introduce themselves to the audience.
- E. **Approval of the Agenda and Order of Business.** The Agenda and Order of Business were approved as submitted.
- F. **Approval of August 1, 2011, regular meeting minutes.** The minutes were approved as submitted.
- G. **Date of Next Meeting: December 5, 2011 in Oregon Real Estate Agency, 1177 Center St. NE, Salem, Oregon at 10 a.m.**

II. PUBLIC COMMENT. None.

III. REQUEST FOR WAIVERS-Waiver request log. No change.

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER-Approval of petition Log.

- A. Sterling Education Services, Inc. Stacey Harrison stated that Sterling Education Services representative Brian Sturwait, was delayed in Denver, Colorado and asked that the board to review the petition submitted and vote.

**MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY WARREN (LEE) DUNN
SECOND BY MARICA EDWARDS.
MOTION CARRIED BY UNANIMOUS VOTE**

- B. Terri Wilson. Warren (Lee) Dunn stated that he would abstain from the review and vote process regarding this petition. Ms. Wilson appeared and explained the basis for her petition is the lack of knowledge among real estate industry members regarding transactions involving rural property.

**MOTION TO DENY PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY CHRIS HERMANSKI
SECOND BY ROBERT LEFEBER**

MOTION CARRIED BY UNANIMOUS VOTE

- C. The Richard Levin Law Group. Krystal Lewis, appeared and explained that the firm represents clients who own multi family housing and also works with board members of non profit corporations that run multi family condominiums and/or town homes. She also stated that the firm has been educating consumers and would like to offer education to real estate industry members.

MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER

SECOND BY WALTER (LEE) DUNN

MOTION CARRIED BY UNANIMIOUS VOTE

- D. Alpha Environmental. Scott Nance appeared and provided a packet (**Exhibit A.**) for the board members and explained that Alpha Environmental focuses on due diligence regarding property, commercial and/or residential tax. He also stated that the company founded in 1995 and to date offers a wide range of services regarding mold, radon, under ground tanks, wells, and environmental issues.

MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER

SECOND BY MARCIA EDWARDS

MOTION CARRIED BY UNANIMOUS VOTE

V. BOARD ADVICE/ACTION-Commissioner Bentley

- A. Oregon Department of Revenue Pilot Project (House Bill 3082)/Commissioner Bentley. Mr. Bentley explained that the Department of Revenue has asked the board for their participation in a pilot project which would focus on real estate firms that have not met their tax obligation.

MOTION TO DENY PARTICIPATION IN OREGON DEPARTMENT OF REVENUE PILOT PROJECT BY WALTER (LEE) DUNN

SECOND BY CHRIS HERMANSKI

MOTION CARRIED BY SEVEN AYES: ART KEGLER, MARICA EDWARDS, CHRIS HERMANSKI, JOANN HANSEN, DIANA EMAMI, GEORGE SLAPE, WALTER (LEE) DUNN, AND ONE NAY VOTE: ROBERT LEFEBER

- B. Law and Rule Required Course (LARRC) approval/Stacey Harrison. Ms. Harrison respectfully asked the board to approve the revised version of the Law and Rule Required Course which will be effective January 1, 2012 to December 31, 2013. She also reviewed the memorandum she prepared for the board regarding the revised version of the LARRC course.

MOTION TO APPROVE REVISED LAW AND RULE REQUIRED COURSE BY MARCIA EDWARDS

SECOND BY WALTER (LEE) DUNN

MOTION CARRIED BY UNANIMOUS VOTE

C. Meeting calendar for 2011:

- February 6, 2012
- April 2, 2012
- June 4, 2012
- August 6, 2012
- October 1, 2012
- December 3, 2012

Commissioner Bentley explained that the board needs to determine where or if we will be traveling outside of Salem for the board meetings for the 2012 calendar year. The board responded that this issue should be revisited at the December 5, 2011 meeting to allow local associations interested in hosting the board meetings to notify the Agency.

VI. COMMUNICATIONS-Administrative Actions Summary. Chris Hermanski requested the Stipulated Order regarding Mr. Carlson be sent via email as it was not included in the packet.

VII. REPORTS

A. **Chair Kegler.** Mr. Kegler expressed concern regarding the size of the electronic version of the board packets. The consensus among board members was that electronic versions are preferred and laptops are appropriate to have at board meetings.

B. **Commissioner Gene Bentley**

1. **eLicense Update.** Mr. Bentley turned this agenda item over to Deputy Commissioner Owens. Mr. Owens explained that the go live date for the eLicense database has been postponed to December 12, 2011. **Examination Job Analysis.** Mr. Bentley stated that a survey will be developed which will be sent to people in different categories regarding the new pool of test questions.

2. **Budgeting/Licensing count.** Mr. Bentley reported that as of the end of August, 2011 the total number of licensees was 20,120 which is a decrease of 4487 from the peak in August of 2007 and he also stated that the Agency has decreased costs significantly. Mr. Bentley indicated that he just returned from ARELLO (The Association of Real Estate License Law Officials) Annual Conference where he was able to listen to Richard Mendenhall, a past NAR (National Association of Realtors) president, who gave a very thought provoking presentation regarding the past and future of real estate industry

C. **Agency division reports-Deputy Commissioner Owens (Division reports included in packet)**

1. **Regulation Division-Dean Owens.** Laurie Hall gave this report in Selina Barnes absence. Ms. Hall explained that both the Regulation and Licensing Division are in a transition period as the divisions consolidate.

2. **Licensing Division-Laurie Hall.** Ms. Hall combined this report with Agenda Item No. C.1. above.

3. **Education Division-Stacey Harrison.** Ms. Harrison reviewed the statistics provided in the handout and explained that continuing education providers have been asked to submit courses they have provided and will report the results at the December 5, 2011 board meeting. She also stated that compliance reviews are down due to staff transition and brokerage reviews

were sent to Lane Co. as well as property management reviews to Linn/Benton Counties. Ms. Harrision reported that on October 11, 2011 the Education Division will be presenting a class covering the complaint process and sanctioning.

4. **Land Development Division-Deputy Owens.** No change, no report.
5. **Administrative Services Division/Information Technology-Erica Kleiner.** Ms. Kleiner explained that the Agency has implemented costs reduction actions which included the following:
 - Phased out all temporary employees
 - Reorganization of the Information Technology Division
 - Compliance manager position vacated as of 9.30.11 and will not be filled

VIII. ANNOUNCEMENTS – Next board meeting December 5, 2011 at the Oregon Real Estate Agency, 1177 Center St. NE, Salem, Oregon 97301 at 10 a.m.

IX. ADJOURNMENT

Respectfully submitted:

Respectfully submitted:

GENE BENTLEY
COMMISSIONER

ART KEGLER
BOARD CHAIR

Exhibits distributed:

- A. Alpha Environmental informational packet, *Agenda Item No. IV. C.*

10/3/11	Sterling Education Services, Inc., Brian Westrate	Approved	<p>FACTS: Sterling Education Services, Inc. has provided real estate education courses for five years and are approved sponsors for education in states such as Alabama, Washington, Idaho, Hawaii, Nevada, Missouri, New York, Ohio, Pennsylvania and many more. They offer courses on landlord tenant law, property tax appeal and other relevant topics.</p> <p>DISCUSSION: Stacey Harrison stated that Brian Westrate was delayed in Denver, Colorado and asked that the board review the petition submitted and vote.</p> <p>MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY WARREN (LEE) DUNN SECOND BY MARICIA EDWARDS MOTION CARRIED BY UNANIMOUS VOTE</p>
10/3/11	Terri Wilson	Denied	<p>FACTS: Ms. Wilson holds an active broker license and has specialized in rural properties for over a dozen years. She has been providing educated help and advice to fellow Realtors, property owners and buyers regarding the unique aspects of rural properties and feels there is a need for a rural property course. A rural property course is within the scope of several eligible course topics such as Land Use Planning and Zoning, Water rights, RE Taxation, RE Title, Risk Management, RE Property Evaluation, Appraisal or Valuation, Misrepresentation in RE Transactions, plus several more. Ms. Wilson is a member of Metro Technical Advisory Committee and regularly attends several County meetings. Ms. Wilson created a 12 page booklet in 2007 titled "Fact-Finding Guidebook for Rural Properties in Oregon".</p> <p>DISCUSSION: Warren (Lee) Dunn stated that he would abstain from the review and vote process regarding this petition. Ms. Wilson appeared and explained the basis for her petition is the lack of knowledge among real estate industry members regarding transactions involving rural property.</p> <p>MOTION TO DENY PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY CHRIS HERMANSKI SECOND BY ROBERT LEFEBER MOTION CARRIED BY UNANIMOUS VOTE</p>
10/3/11	The Richard Levin Law Group, Crystal Lewis	Approved	<p>FACTS: The Richard Levin Law Group has experience and expertise in no less than eight of the course topics eligible for continuing education credit. The firm primarily represents property owners and unit owner associations in resolving disputes arising out of the construction and sale of their properties and has been practicing in this area of law for the last seven years. The firm has conducted educational seminars to property managers and board members of homeowner associations on their legal rights and responsibilities.</p> <p>DISCUSSION: Crystal Lewis appeared and explained that the firm represents clients who own multi-family housing and also works with board members of non-profit corporations that run multi-family condominiums and/or town homes. She also stated that the firm has been education consumers and would like to offer education to real estate industry members.</p> <p>MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER SECOND BY WARREN (LEE) DUNN MOTION CARRIED BY UNANIMOUS VOTE</p>

10/3/11	Alpha Environmental Services, Inc, Phil Brewer	Approved	<p>FACTS: Alpha Environmental Services, Inc. has facilitated environmental classes for attorneys and real estate licensees for over 12 years. They also have expertise in the following eligible topics under Oregon Administrative rule 863-020-0035: Environmental Protection Issues in Real Estate, Real Estate Property Evaluation, Appraisal or Valuation, and Risk Management.</p> <p>DISCUSSION: Phil Brewer and Scott Nance appeared and provided a packet for the board members and explained that Alpha environmental focuses on due diligence regarding property, commercial and/or residential tax. He also stated that the company was founded in 1995 and to date offers a wide range of services regarding mold, radon, underground tanks, wells and environmental issues.</p> <p>MOTION TO APPROVE PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER</p> <p>SECOND BY MARCIA EDWARDS</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
12/5/11	USDA- Rural Development, Kate Bateman		<p>FACTS: Rural Development is an agency within the USDA whose focus is on creating rural communities and keeping existing rural communities economically viable. Rural Development offers several affordable home loan products for borrowers of moderate to very low income in eligible rural areas providing potential new markets and clients for Realtors. Rural Development provides educational presentations and training workshops to all program participants including real estate licensees. Continuing education course topics will include Real Estate Financing, Real Estate Property Valuation, Evaluation and Appraisal, Fair Housing Policy and Environmental Protection Issues in Real Estate.</p> <p>FACTS: John's Waterproofing Company provides information and resources realtors need to identify water problems before a house is listed. John's Waterproofing Company is currently registered as a continuing education provider with the State of Oregon Insurance Division. They are approved to offer 2 hours of continuing education for insurance agents, plumbing and HVAC contractors, and home inspectors.</p>
12/5/11	John's Waterproofing Company, John Lombardi		



PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

Rev. 7/2011

**AGENDA ITEM NO.
IV. A.**

Real Estate Agency
177 Center Street NE
Salem OR 97301
Phone: 503-378-4170
Fax: 503-378-2491
www.rea.state.or.us

INSTRUCTIONS

To petition the Real Estate Board for approval of qualifications to become an applicant for certification as a continuing education provider, the petitioner must complete this form and submit it via mail or fax to the Agency at least 21 days before the next scheduled Board meeting at which the applicant wishes the Board to act. OAR 863-020-0025

IMPORTANT:

- ▶ If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.
- ▶ All information and documents submitted as part of this petition become part of the Board Packet, and therefore, public record.
- ▶ Petitioners will need to appear before the Board. Once the Agency receives this completed petition, a letter will be sent to the petitioner with the date of the Board meeting the petitioner will need to attend.

If the Board approves this petition, the Agency will mail a letter to the petitioner, at the mailing address provided, confirming the Board's approval. The petitioner may then apply for certification as a continuing education provider under OAR 863-020-0030.

PETITIONER

Name USDA-Rural Development Phone Number 503-414-3393

Physical Address 1201 NE Lloyd Blvd. Address Cont. Sulte 801

City Portland State OR Zip Code 97232 County Multnomah

E-mail kate.bateman@or.usda.gov

Mailing Address (if different) _____ Address Cont. _____

City _____ State _____ Zip Code _____ County _____

AUTHORIZED CONTACT PERSON

Prefix _____ First Name Kate Last Name Bateman

Phone Number 503-414-3393 E-mail kate.bateman@or.usda.gov

Provide the name of the individual that will appear in person on behalf of the Petitioner: Kate Bateman and Jeff Rapp

AGENCY USE ONLY

Approved by Board YES NO

Review Date _____

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

QUALIFICATION INFORMATION

Provide below sufficient information about the petitioner to allow the Board to determine whether the petitioner qualifies for certification. If the petitioner is an entity, the information provided must pertain to that entity. If the petitioner is an individual, the information provided must pertain to that individual.

Information MUST include one or both of the following:

- ▶ Petitioner's demonstrated expertise and experience in providing educational courses to real estate licensees.
- ▶ Petitioner's demonstrated experience and expertise in two or more course topics eligible for continuing education credit under OAR 863-020-0035.

You may attach up to **three (3)** additional pages if necessary.

Rural Development is an agency within the USDA whose focus is on creating rural communities and keeping existing rural communities economically viable. Rural Development offers several affordable home loan products for borrowers of moderate to very low income in eligible rural areas providing potential new markets and clients for Realtors.

Rural Development provides educational presentations and training workshops to all program participants: Realtors, Lenders, Brokers, Insurance Agents, etc. Rural Development has conducted a three hour workshop for the Salem RMLS and the Yamhill Realtors Association with educational credits provided by both organizations.

Rural Development is proficient in providing educational information regarding Real Estate Financing, Real Estate Property Valuation, Evaluation, and Appraisal, Fair Housing Policy, and Environmental Protection Issues in Real Estate.

Rural Development has professional specialists in multi-family housing, single family housing, appraisal/valuation, and environmental protection policy/laws.

At the end of a Rural Development course, the licensee will be able to describe and identify:

The differences and availability of RD Housing Programs and the federal regulation that applies to each. Consumer protections and housing laws relevant to RD Housing Programs. Appraisal guidelines, updates (UAD), valuation concern, and well/septic guidelines. Environmental protection policy regulation and updates pertaining to RD Housing Programs.

Please see the attached resumes for further back ground information.

AUTHORIZATION AND ATTESTATION

- ▶ I hereby certify that I am authorized to submit this form on behalf of the petitioner and that the information is true and accurate, to the best of my knowledge.
- ▶ I acknowledge that petitioner, or authorized individual on petitioner's behalf, has read, understands and is ready to comply with the statutory and administrative rule provisions applicable to certified continuing education providers.
- ▶ I attest that petitioner knows and understands the responsibilities of a certified continuing education provider under OAR 863-020-0050.
- ▶ I attest that petitioner knows and understands the requirements of an instructor under ORS 696.186 and the information required on a continuing education instructor qualification form under OAR 863-020-0060.

Kate Bateman

Date 10-27-2011

Printed Name of Authorized Individual


Signature of Authorized Individual

Kathryn A. Bateman
13718 SE 11th Circle
Vancouver, WA 98683
503-810-6855
Professional Experience

USDA Rural Development (Portland, OR)

Jan 2010-Present

State GRH Loan Specialist

- *Performed financial/credit analysis and underwriting of Guaranteed Rural Housing Loans submitted through GUS and manually.
- *Analyzed applications of lenders, mortgage companies, and builders seeking to originate USDA loans.
- *Completed ARRA portions of lender audits and internal SIR audit.
- *Reviewed application packages and existing loans in the GLS system to resolve any defects in loan delivery.
- *Developed marketing plan and business goals for SFH fiscal year 2010 as well as marketing goals and business plan for the "All the way to 20k" national campaign.
- *Create and conduct Lender training and Realtor education workshops for the state of Oregon.
- *Responsible for financial/credit analysis and processing/underwriting of USDA 502 Direct Loans.

Platinum Mortgage (Clackamas, OR)

Aug 2006-December 2009

Sr. Loan Officer

- *Independently reviewed and analyzed credit applications for residential, rental, commercial, and bare land properties.
- *Provided all outreach between referral sources, lenders, and clients.
- *Composed and edited a wide range of correspondence and internal documents.
- *Responsible for all direct marketing to clients and referral sources including postcards, flyers, and newsletters.
- *Prepared and delivered presentations before groups of all sizes using power point projectors, laptops, or by memory.
- *Developed training materials for Realtor and CPA seminars.

Landmark Mortgage Inc. (Portland, OR)

Aug 1999-Aug 2006

Loan Officer

- *Established and managed a solid client base and expanded referral network.
- *Experience analyzing loan documentation and underwriting guidelines.
- *Very proficient with Conventional, Government, and Reverse Mortgages.
- * Experience with closing loans; drawing loan documents, funding, and secondary marketing.

Marketing Loan Consultant

- *Directly Responsible for all marketing activities in Portland and Washington.
- *Experienced in trade show marketing.
- *Prepared presentations for financial seminars.
- *Responsible for the creation of all marketing and promotional material.

First Security Bank (Salt Lake City, UT)

Oct 1998-June 1999

Mortgage Insuring & Secondary Marketing

- *Audited conventional loans, government mortgage loans, and broker applications.
- *Insured mortgage loans with: Department of HUD, Department of Veterans Affairs, and USDA.
- *Prepared and transmitted secondary marketing materials to investment agencies

Chase Manhattan Bank (Tempe, AZ)

March 1997-Dec 1997

Fraud Operations

- *Initialized fraud claims on client accounts
- *Provided investigators with initial background information on accounts

Education

Arizona State University (Tempe, AZ)
BA, English Literature, Business Administration Minor. 1996

Jeffrey G. Rapp

State Appraiser

U.S.D.A. Rural Development

BACKGROUND

Jeff Rapp has more than 35 years of experience in the commercial and residential real estate industry, with the past 25 years focused on real estate appraisal. He has extensive experience appraising both commercial and residential properties utilizing both narrative and form formats of reporting throughout Oregon. Mr. Rapp began his career as a real estate agent in 1975, expanding into a fully licensed real estate broker in 1978.

TRAINING

- 1995-2007 Provided appraisal and appraisal review training to the lending community.
- 2007-Present Providing real estate appraisal eminent domain training to right-of-way staff, appraisers, and the legal community.
- 2010-Present Providing multi-family affordable housing appraisal training to USDA Rural Development staff and the appraisal community.
- 2010-Present Providing single family residential appraisal review training (including the new UAD) to USDA Rural Development staff, lenders, and real estate brokers.

PROFESSIONAL LICENSES

- State of Oregon Real Estate Brokers License (780300021)
- State of Oregon Certified Appraiser (C000045)
- Oregon State Registered Appraiser

PROFESSIONAL EXPERIENCE

- State Appraiser, USDA Rural Development, Portland, Oregon, 11/2010-Present
- Principal, Valuation Resources Co., Portland, Oregon, 5/2010-11/2010
- Senior Appraiser Analyst, Oregon Department of Transportation, Salem, Oregon, 10/2007-5/2010
- Principal, Valuation Resources Co., Portland, Oregon, 1/2001-10/2007
- National Senior Review Appraiser, Meritage Mortgage Corp./Resources Mortgage Bancshares Group (RBMG), Lake Oswego, Oregon, 3/1998-12/2000
- Principal, Jeffrey G. Rapp Real Estate Appraisal and Consulting Services, Portland, Oregon, 11/1992-3/1998
- Principal/Broker, NW Realty Advisors & J.G. Rapp & Associates, Portland, Oregon, 3/1978-10/2007
- Appraiser, H.R. Wacker & Associates, Portland, Oregon, 1/1990-11/1992
- Principal, Jeffrey G. Rapp Real Estate Appraisal and Consulting Services, Portland, Oregon, 12/1988-1/1990
- Associate Broker/Appraiser, Cushman & Wakefield, Appraisal Division, Portland, Oregon, 1/1987-12/1988
- Property Manager, Harsh Investment Corporation, Portland, Oregon, 1979-1980
- Title Officer, Title Insurance Company of Oregon, Portland, Oregon, 1977-1979

EDUCATION

Concentrated studies in real estate, appraisal, marketing and business administration, including the following:

- Portland Community College
- Portland State University
- Appraisal Institute (formerly the American Institute of Real Estate Appraisers)
- International Association of Assessing Officers
- National Association of Independent Fee Appraisers
- International Right of Way Association
- Attendance at numerous seminars and conferences



PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

Rev. 7/2011

AGENDA ITEM NO. IV. B.

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If the Board approves this petition, the Agency will mail a letter to the petitioner, at the mailing address provided, confirming the Board's approval. The petitioner may then apply for certification as a continuing education provider under OAR 863-020-0030.

PETITIONER

Name John's Waterproofing Company Phone Number 503-873-5650

Physical Address 201 Airport Rd Address Cont. _____

City Silverton State OR Zip Code 97381 County Marion

E-mail education@johnswaterproofing.com

Mailing Address (if different) _____ Address Cont. _____

City _____ State _____ Zip Code _____ County _____

AUTHORIZED CONTACT PERSON

Prefix _____ First Name John Last Name Lombardi

Phone Number 503-873-5650 E-mail education@johnswaterproofing.com

Provide the name of the individual that will appear in person on behalf of the Petitioner: John Lombardi

AGENCY USE ONLY

Approved by Board YES NO

Review Date _____

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

QUALIFICATION INFORMATION

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- ▶ Petitioner's demonstrated experience and expertise in two or more course topics eligible for continuing education credit under OAR 863-020-0035.

You may attach up to three (3) additional pages if necessary.

John's Waterproofing Company is looking for the opportunity to provide continuing education courses for realtors. We can provided the information and resources realtors need to identify water problems before a house goes on the market. Currently, we provide 2 hours of continuing education classes for insurance agents, plumbing and HVAC contractors, and home inspectors in the Portland and Salem areas.

John's Waterproofing has been keeping basement and crawl spaces dry and healthy since 1974. Basements and crawl spaces leak with regularity causing a number of issues with homes. In the class, we will educate realtors on new construction codes, methods of waterproofing, and proper drainage. For existing basements and crawl spaces, we will explain why they leak, problems caused from leakage and water, structure and health, problems with water vapor, and how to guarantee repair.

We have been working with several Title companies to provide these courses to realtors and the feedback has been very positive. The information we provide can prevent many of the last minute complications that can come with water issues under a home.

AUTHORIZATION AND ATTESTATION

- ▶ I hereby certify that I am authorized to submit this form on behalf of the petitioner and that the information is true and accurate, to the best of my knowledge.
- ▶ I acknowledge that petitioner, or authorized individual on petitioner's behalf, has read, understands and is ready to comply with the statutory and administrative rule provisions applicable to certified continuing education providers.
- ▶ I attest that petitioner knows and understands the responsibilities of a certified continuing education provider under OAR 863-020-0050.
- ▶ I attest that petitioner knows and understands the requirements of an instructor under ORS 696.186 and the information required on a continuing education instructor qualification form under OAR 863-020-0080.

John H. Lombardi

Date 11-10-11

Printed Name of Authorized Individual

[Handwritten Signature]

Signature of Authorized Individual



Oregon

John A. Kitzhaber, MD, Governor

Department of Consumer and Business Services

Insurance Division

350 Winter St. NE

P.O. Box 14480

Salem, OR 97309-0405

503-947-7980

Fax: 503-378-4351

www.insurance.oregon.gov

September 30, 2011

JOHN'S WATERPROOFING COMPANY INC
ROBIN EKLOFF
201 AIRPORT RD
SILVERTON, OR 97381

Re: Continuing Education Provider Registration Renewal

On 1/1/2012 your provider registration will expire. If you wish to remain a provider of continuing education, please supply the following information. **Return in duplicate with a postage paid self addressed envelope.** If you choose not to renew the provider registration on 1/1/2012 all courses currently on file with the Insurance Division will expire. Please complete and return this form with all the requested information.

Current Mailing Address: 201 Airport Rd., Silverton, OR 97381

Current Contact Person: Debbie Hood

Telephone Number: 503-873-5650 Fax: 503-873-3234

Email Address: education@johnswaterproofing.com

1. Provide a list of all states where provider is authorized to conduct continuing education courses.
2. Provide a list of all employees or contractors who supervise or conduct and certify completion of courses. If any of these individuals currently hold or have held an insurance license of any kind, provide the state-issued license number and indicate whether the license is current.
3. Has this organization or any of its employees or contractors who supervise or conduct and certify completion of a course had a history of noncompliance with insurance statutes or rules or had an agent license or other insurance license revoked, suspended or refused because of violation of or noncompliance with insurance statutes or rules? Yes No
4. If the provider is a firm, corporation or trade association, provide a list of the principal officers.

FOR USE BY INSURANCE DIVISION ONLY

6591 is your provider registration number. Use this number on each credit registration request.

This provider registration request expires January 1, 2014

Signature: *Dee*
Insurance Division

UA8051

Johns Waterproofing Countinuing Education Course

Start time	Time stop	Total time spent on subject	Detailed description of subject matter, including sources for material .
10:00 AM	10:10	10 min.	history of John's waterproofing started 1974 used all typed awareness of the industry
10:10	10:40	30 min.	Codes dealing with new construction. Methods of waterproofing new construction proper drainage for new construction
10:40	11:20	40 min	Existing Basements why they leak problems because of leaking how to repair and guarantee
11:20	12:00	40 min.	Existing crawl spaces why they leak problems because of water vapors how to repair and guarantee

**ADMINISTRATIVE ACTIONS
for OREA Board
September 16, 2011 thru November 23, 2011**

REVOCATIONS

Luxford, Brian (Eugene) Broker #790400373
Order on Default dated October 27, 2011

SUSPENSIONS

None

REPRIMANDS

Clemente, RJ (Salem) Broker #980200215
Stipulated order dated October 25, 2011

CIVIL PENALTIES

Expired — Late Renewal civil penalties are computed using each 30-day period as a single offense. The civil penalty for the first 30-day period can range from \$100-\$500, with each subsequent 30-day period ranging from \$500-\$1,000. ORS 696.990

Lusk, Jacque L (Corvallis) #980500199
Stipulated order dated October 25, 2011 with a civil penalty of \$100.

Jepsen, Michele Jean (Portland) #200506393
Stipulated order dated October 25, 2010 with a civil penalty of \$1,100.

Woodbridge, Candace (Bend) Broker #200006083
Stipulated order dated October 27, 2011 with a civil penalty of \$5,100.

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of

BRIAN K. LUXFORD

ORDER ON DEFAULT

1.
1.

1.1 On September 27, 2011, the Real Estate Commissioner issued, by certified mail, a notice of intent to revoke the real estate principal broker's license of Brian K. Luxford (Luxford). The Real Estate Agency (OREA) sent the notice of intent to Luxford's last known address of record with the OREA. The notice of intent was also mailed to Luxford by regular first class mail in a handwritten envelope.

1.2 Over twenty (20) days have elapsed since the mailing of the notice issued in this matter and no written request for hearing has been received.

1.3 Copies of the entire investigation file are designated as the record for purposes of default, including any submission from respondent and all information in the administrative file relating to the mailing of notices and any responses received.

2.

Based upon the foregoing and upon a review of the above described investigation reports, documents and files, the Real Estate Commissioner finds:

2.1 Oregon Administrative Rule 863-001-0006 states, in part, that a notice of intent is properly served when deposited in the United States mail, registered or certified mail, addressed to the real estate licensee to the licensee's last known address of record with OREA.

2.2 Luxford's last known address of record with OREA was 3786 Kevington St, Eugene, Oregon 97405.

2.3 A certified mailing of the notice of intent was mailed to Luxford at 3786 Kevington St, Eugene, Oregon 97405, last known address of record, on September 27, 2011.

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ORDER

IT IS HEREBY ORDERED that Luxford's principal real estate broker license is revoked.

Dated this 27th day of October, 2011.

OREGON REAL ESTATE AGENCY



GENE BENTLEY
Real Estate Commissioner

DATE of service: 11-4-11

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the date of service of this order. Judicial review is pursuant to the provisions of ORS 183.482.

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate Broker's
5 License of
6
7 R. J. CLEMENTE
8

STIPULATED FINAL ORDER

9
10 The Real Estate Agency (OREA) and R. J. Clemente (Clemente) do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT
13 AND
14 CONCLUSIONS OF LAW

15 1.

16 1.1 At all times mentioned herein, Clemente was licensed as a principal broker with
17 R. J. Clemente & Home Team, Inc.

18 1.2 On September 15, 2010, the Oregon Real Estate Agency (OREA) received a
19 complaint from Jim Van Damme (Van Damme) and opened an investigation file.

20 1.3 Van Damme had listed his property with Clemente on July 1, 2010.

21 1.4 Clemente failed to give Van Damme a true, legible copy of the listing agreement
22 at the time of securing such listing.

23 **Violation:** OAR 863-015-0130(1) 2010 Edition (6-15-2010), and is subject to sanction
24 pursuant to ORS 696.301(3), which requires that a real estate licensee who enters into a listing
25 agreement must give the seller signing the agreement a copy at the time it is signed.

26 1.5 Clemente failed to put in writing that he would not make a continuous, good faith
27 effort to find a buyer for the property.

28 **Violation:** ORS 696.805(3)(g), which requires a seller's agent to make a continuous,
29 good faith effort to find a buyer for the property, unless otherwise agreed to in writing.

30 \ \ \

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate Broker's
5 License of

6
7 JACQUE L. LUSK
8

STIPULATED FINAL ORDER

9
10 The Real Estate Agency (OREA) and Jacque Lusk (Lusk) do hereby agree and stipulate
11 to the following:

12 FINDINGS OF FACT
13 AND
14 CONCLUSIONS OF LAW

15 1.

16 1.1 Lusk became licensed in Oregon as a real estate principal broker on August 12,
17 2005.

18 1.2 On April 30, 2011, Lusk's principal broker license expired.

19 1.3 Lusk renewed her principal broker license on June 16, 2011.

20 1.4 Lusk continued to conduct professional real estate activity from May 1, 2011
21 through June 15, 2011, even though her license was expired.

22 **Violation:** ORS 696.020(2), which states that an individual may not conduct
23 professional real estate activity within this state unless the individual holds an active real estate
24 license.

25 STIPULATION & WAIVER

26 I have read and reviewed the above findings of fact and conclusions of law which have
27 been submitted to me by OREA and further, the order which follows hereafter. I understand
28 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
29 complete agreement and stipulation between OREA and me. I further understand that if I do
30 not agree with this stipulation I have the right to request a hearing on this matter and to be

1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.

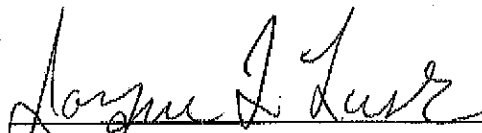
6 I hereby agree and stipulate to the above findings of fact and conclusions of law and
7 understand that the order which follows hereafter may be completed and signed by the Real
8 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
9 amended notice of intent may be issued in this matter.

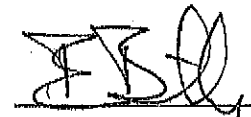
10 ORDER

11 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
12 set forth above, Lusk pay a civil penalty in the sum of \$100, said penalty to be paid to the
13 General Fund of the State Treasury by paying the same to OREA.

14
15 IT IS SO STIPULATED:

IT IS SO ORDERED:

16
17 
18 _____
19 JACQUE L. LUSK

20 
21 _____
22 GENE BENTLEY

Real Estate Commissioner

23 Date 10-27-11

Date 10-26-11

24 DATE of service: 10-27-11

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Unlicensed Professional
5 Real Estate Activity of

6
7 MICHELLE JEPSEN
8 *MJ*

STIPULATED FINAL ORDER

9
10 The Real Estate Agency (OREA) and Michelle Jepsen (Jepsen) do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT
13 AND
14 CONCLUSIONS OF LAW

15 1.

16 1.1 Jepsen became licensed in Oregon as a real estate broker on September 1,
17 2005.

18 1.2 On April 30, 2011, Jepsen's broker license expired.

19 1.3 Jepsen renewed her broker license on August 17, 2011.

20 1.4 Jepsen continued to conduct professional real estate activity from May 1, 2011
21 through August 16, 2011, even though her license was expired.

22 **Violation:** ORS 696.020(2), which states that an individual may not conduct
23 professional real estate activity within this state unless the individual holds an active real estate
24 license.

25 STIPULATION & WAIVER

26 I have read and reviewed the above findings of fact and conclusions of law which have
27 been submitted to me by OREA and further, the order which follows hereafter. I understand
28 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
29 complete agreement and stipulation between OREA and me. I further understand that if I do
30 not agree with this stipulation I have the right to request a hearing on this matter and to be

1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.

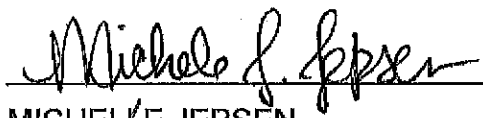
6 I hereby agree and stipulate to the above findings of fact and conclusions of law and
7 understand that the order which follows hereafter may be completed and signed by the Real
8 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
9 amended notice of intent may be issued in this matter.

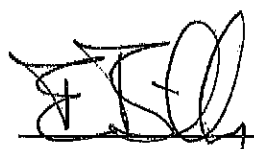
10 ORDER

11 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
12 set forth above, Jepsen pay a civil penalty in the sum of \$1,100, said penalty to be paid to the
13 General Fund of the State Treasury by paying the same to OREA.

14
15 IT IS SO STIPULATED:

IT IS SO ORDERED:

16
17 
18 _____



19 MICHELLE JEPSEN

GENE BENTLEY

20 *Michelle mjg*

Real Estate Commissioner

21 Date 10/10/11

Date 10-25-11

22
23 DATE of service: 10-27-11

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Unlicensed Professional
5 Real Estate Activity of
6
7 CANDACE WOODBRIDGE
8

STIPULATED FINAL ORDER

9
10 The Real Estate Agency (OREA) and CANDACE WOODBRIDGE do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT
13 AND
14 CONCLUSIONS OF LAW

15 1.

16 1.1 Woodbridge became licensed in Oregon as a salesperson on January 1, 2001,
17 and became an affiliated broker on January 7, 2005.

18 1.2 On July 31, 2010, Woodbridge's broker license expired.

19 1.3 Woodbridge renewed her broker license on July 8, 2011.

20 1.4 Woodbridge continued to conduct professional real estate activity from August 1,
21 2010, through July 7, 2011, even though her license was expired.

22 **Violation:** ORS 696.020(2), which states that an individual may not conduct
23 professional real estate activity within this state unless the individual holds an active real estate
24 license.

25 STIPULATION & WAIVER

26 I have read and reviewed the above findings of fact and conclusions of law which have
27 been submitted to me by OREA and further, the order which follows hereafter. I understand
28 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
29 complete agreement and stipulation between OREA and me. I further understand that if I do
30 not agree with this stipulation I have the right to request a hearing on this matter and to be

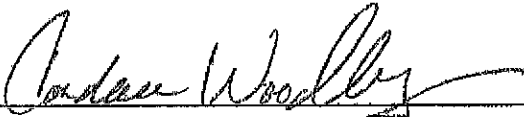
1 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
2 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
3 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily
4 waive my rights to a hearing, to representation by legal counsel at such a hearing, and to
5 judicial review of this matter.

6 I hereby agree and stipulate to the above findings of fact and conclusions of law and
7 understand that the order which follows hereafter may be completed and signed by the Real
8 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
9 amended notice of intent may be issued in this matter.

10 ORDER

11 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
12 set forth above, Woodbridge pay a civil penalty in the sum of \$5,100, said penalty to be paid to
13 the General Fund of the State Treasury by paying the same to OREA.

14
15 IT IS SO STIPULATED:

16
17 
18 _____

19 CANDACE WOODBRIDGE

20
21 Date 10/21/11
22 _____

IT IS SO ORDERED:

23 
24 _____

25 GENE BENTLEY

26 Real Estate Commissioner

27 Date 10-27-11
28 _____

29 DATE of service: 11-7-11
30 _____

**REAL ESTATE BOARD
REGULATION DIVISION REPORT
December 5, 2011**

Licensing & Regulation Division Manager: Selina Barnes
Licensing & Compliance Manager: Laurie Hall

Administrative Specialist: Denise Lewis
Financial Investigators: Peter Bale, Donald Barrett, Gae Lynne Cooper,
Aaron Grimes, Deanna Hewitt, Philip Johnson, Rob Pierce,
Investigator 2: Vacant

Section Overview

The regulation section of the Licensing and Regulation Division receives complaints and determines validity and assignment for investigation. Investigators gather facts, complete report and submit to Manager for review. The Manager determines whether the evidence supports charging a person with a violation of Agency statutes or administrative rules.

Workload and Activity Indicators

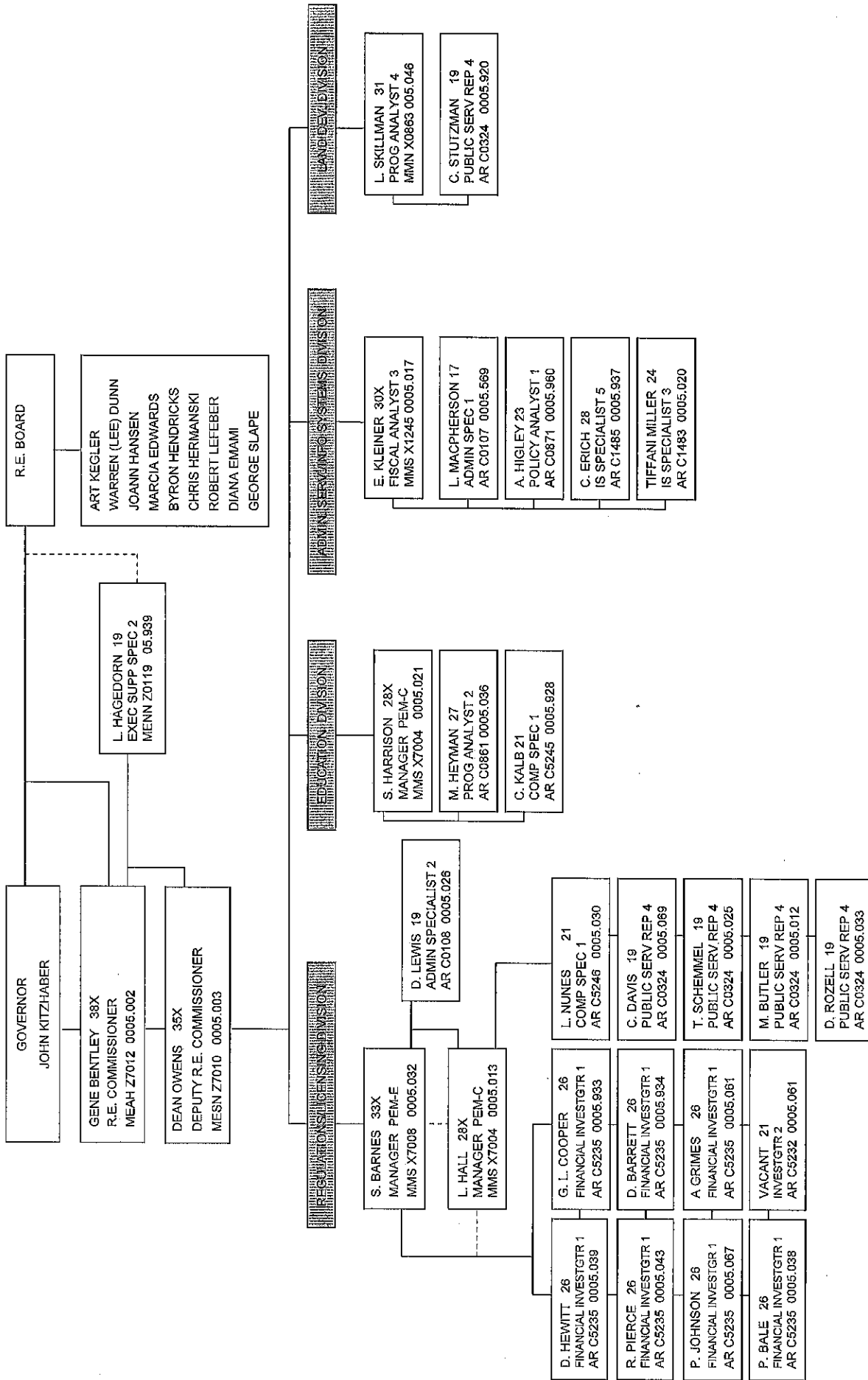
	Nov 10	Dec 10	Jan 11	Feb 11	Mar 11	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sep 11	Oct 11		Avg
Complaints Received	20	21	18	25	23	24	36	20	17	27	19	19		22.4
Investigations Opened	13	6	4	10	19	9	11	17	10	18	13	4		11.2
Inv Open at Month End	88	81	74	69	74	72	67	92	86	93	88	75		79.9
Investigations Completed	12	13	12	13	15	11	15	6	5	10	14	16		11.8
Admin Reviews Completed	13	8	6	10	9	11	7	11	5	20	6	12		9.83
Hearings Held	1	2	1	2	0	0	0	0	0	1	0	0		0.58
Avg Days to Complete Investigations	165	137	201	214	182	185	233	181	311	197	254	204		205
Avg Days to Complete Admin Reviews	12	9	21	18	115	11	17	26	134	74	24	17		39.8

Laurie Hall has assumed Kris Ebelmesser's previous duties of incoming complaint review and preparation of Agency notices and orders. She is also assisting during the settlement conferences.

As a combined division (Licensing and Regulation Division), we are now working towards cross training of staff for clerical and data entry functions.

REAL ESTATE AGENCY ORGANIZATION CHART

As of November 2011 (Draft)



**REAL ESTATE BOARD
LICENSING SECTION REPORT
December 5, 2011**

Manager: Laurie Hall

Section Overview

The Licensing Section of the Licensing and Regulation Division has six staff members who are responsible for public and licensee information services, real estate, property management and escrow licensing transactions and the registration of real estate business names. The staff is also responsible for reception.

There are over 24,000 individuals and facilities throughout Oregon that are licensed and registered with the Agency. So far this year, staff members have processed an average of almost 1,600 transactions and handled over 3,000 phone calls each month. Normal processing time for transactions (receiving money, input into database and mailing out a license) is 7-10 days.

Online renewals were at 78% in September and 85% in October.

Workload and Activity Indicators

**NUMBER OF ACTIVE AND
INACTIVE LICENSEES - 2011**

	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>
Broker - Total	12,775	12,684	12,584	12,476	12,387	12,260	12,155	12,007
Active	9,893	9,886	9,836	9,806	9,774	9,692	9,629	9,568
Inactive	2,882	2,798	2,748	2,670	2,613	2,568	2,526	2,439
Principal Broker - Total	7,159	7,139	7,108	7,088	7,075	7,059	7,053	6,985
Active	6,625	6,611	6,584	6,573	6,561	6,527	6,514	6,467
Inactive	534	528	524	515	514	532	539	518
ALL BROKERS Total	19,934	19,823	19,692	19,564	19,462	19,319	19,208	18,992
Active	16,518	16,497	16,420	16,379	16,335	16,219	16,143	16,035
Inactive	3,416	3,326	3,272	3,185	3,127	3,100	3,065	2,957
Property Manager - Total	751	754	754	757	767	766	764	759
Active	665	663	664	666	672	669	669	662
Inactive	86	91	90	91	95	97	95	97

**NEW LICENSEES: MONTHLY
AVERAGE BY LICENSE TYPE**

	2006	2007	2008	2009	2010	2011 YTD
Broker	242.6	184.9	103.3	59.4	59.3	48.4
Principal Broker	31.5	34.9	26.4	15.7	311.2	11.6
TOTAL BROKERS	295.8	245.5	165.4	143.7	373.1	60.0
Property Manager	7.9	8.3	9.7	6.6	7.3	5.7
MCC Salesperson	2.8	1.3	1.8	0.8	0.8	1.2
MCC Broker	0.2	0.0	0.1	0.2	0.1	0.2
TOTAL INDIVIDUALS	306.8	255.0	176.9	151.2	381.3	67.1

Program Changes and Future Projects

The Licensing Division Staff has been working hard to get all the paper transactions processed, and are preparing for testing and training on the new licensing database, eLicense.

**REAL ESTATE BOARD
EDUCATION DIVISION REPORT
December 5, 2011**

Manager: Stacey Harrison
Program Analyst: Mesheal Heyman
Compliance Specialist: Carolyn Kalb

Division Overview

This division carries out the Agency's mission by providing for the advancement of education and research in connection with the educational requirements for the securing of licenses for real estate licensees. The division does this by approving pre-license and post-license courses, developing and maintaining exams and test items, developing informational publications and websites, providing customer services via phone and electronic mail, and conducting compliance reviews.

Workload and Activity Indicators

<u>Exams Administered</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>
ALL LICENSING EXAMS Total	112	140	125	119	114	120
Broker	88	113	89	88	82	76
Property Manager	10	11	14	10	10	21
Principal Broker	14	16	22	21	22	23

Year to date exam totals for October 2011 showed a 3% decrease in the number of exams administered for the same period in 2010.

Compliance Reviews- Brokerage and Property Management

Brokerage:

- o In October, 49 compliance review participation request letters were mailed to a portion of principal brokers from Lane County.

Property Management:

- o In October, 44 participation request letters were mailed to property managers in Lincoln, Polk and Marion Counties.

Program Changes, Future Projects, Streamlining

The Agency is assisting PSI in conducting a job analysis of principal brokers, brokers and property managers. PSI delivered the first phase of the job analysis to participating licensees mid November.

In October, the division conducted an audit of certified continuing education providers. Certified continuing education providers were required to submit records for all courses offered during the month of July. Preliminary findings from the audit are as follows:

- o 38% of all providers offered courses in July
- o 88% of the providers who offered courses in July conducted at least one of the courses in a class room setting
- o The most common areas of non-compliance were the use of non-eligible course topics and not maintaining the completed instructor qualification form.

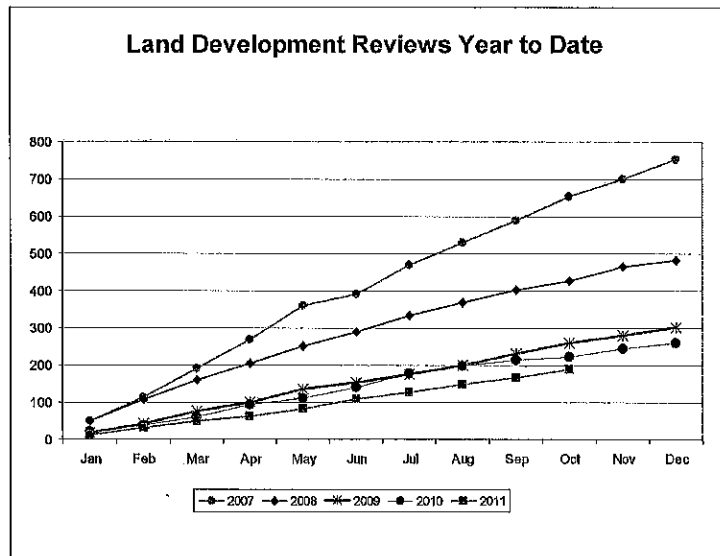
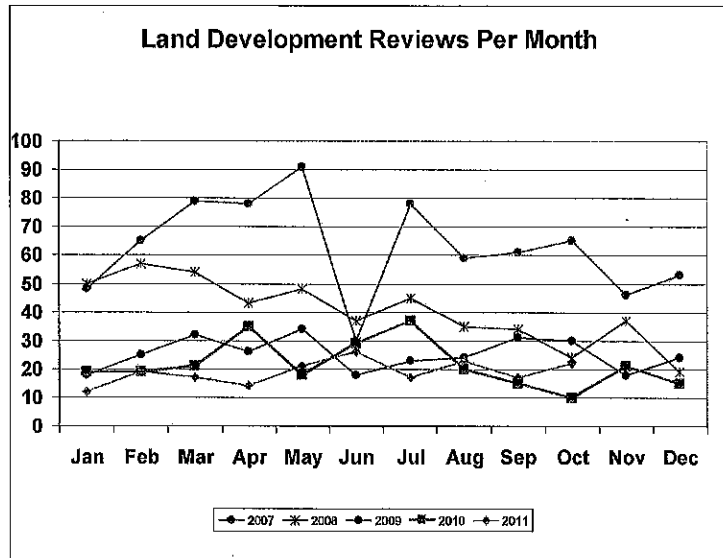
The division continues to analyze the information and plans to contact providers who are out of compliance.

**REAL ESTATE BOARD
LAND DEVELOPMENT DIVISION REPORT
December 5, 2011**

Manager: Laurie Skillman Administrative Specialist: Colleen Stutzman

Section Overview. The Division reviews land development filings, including condominiums.

Workload and Activity Indicators



Land development statistics for 2011 continue to closely track the statistics for 2010. At the end of calendar year 2011, total annual filings for 2011 will be roughly 90% of 2010 filings. The economy and financing challenges continue to negatively impact filings.

Program Changes, Future Projects, Streamlining

No program changes since the October Board report.

**REAL ESTATE BOARD
ADMINISTRATIVE SERVICES DIVISION REPORT
December 5, 2011**

Manager: Erica Kleiner

Administrative Specialist: Linda MacPherson

Operations and Policy Analyst: Anna Higley

Information Systems Specialists: Chris Erich and Tiffani Miller

Student Workers (part-time): Katie Archambault and Robbie Christiansen

Section Overview

The Administrative Services Section acts as support to the agency. This section manages budget/allotment preparation, accounting, purchasing and contracting, inventory control, facilities, payroll, special projects, and Information Technology (IT).

Budget Update

Personal Services: Savings of \$44,932 due to;

- Vacancy Savings: The Agency currently has one vacant Investigator position and is leaving the Compliance Manager position vacant on an extended basis.
- Services & Supplies: Savings of \$865,343;
- Actual savings in S&S is dependent on many factors including the actual savings realized from efficiencies due to the implementation of the eLicense system, i.e. a decline in paper, printing, postage, etc.
- Agency Budget – total projected savings of \$910,275 of our limitation.

See budget spreadsheets for more information.

Program Changes and Project Progress

Recruitment Results:

After a first round of interviews for the Information Systems Specialist 3 (ISS 3) position, the Agency narrowed the candidate pool to three individuals. One candidate proved to be successful out of the second round of interviews. The Agency hired Tiffani Miller who began in the ISS 3 position on November 14, 2011.

Information Systems Reorganization:

The Agency will be adding wireless internet to its Hearings Room. The connection should also extend to the whole building thereby allowing any visitors who need to connect to access a connection separate from the Agency's main network (for security purposes). We expect the wireless implementation to be completed shortly. We are also working closely with the State Data Center on our firewall migration and expect it to be completed soon. Finally, we have installed a kiosk machine to be used for eLicense. Customers who come into the Agency to do business with us can use the kiosk to do all transactions online, i.e. make payments, etc.

Real Estate Agency
 2011-2013 Biennium
 Through October 2011

	Legislative Approved Budget	Expected Total Expenditures for Biennium (current)	Expected Limitation at end of Biennium	Notes
Total Personal Services	501,294	497,499	44,992	
Services & Supplies and Capital Outlay Detail:				
Travel	97,294	102,745	(5,451)	Includes both Instate & out of state travel
Business Related Office Expenses	389,680	168,300	221,380	Includes printing of forms, postage, business cards, business literature, travel, copier, rent, etc.
Publicity & Publications	116,996	38,834	78,162	Includes licensing forms & packets, no longer printing Q & A books, discontinued printing of Manuals and OREN-J
Telephone Fees, Services & Supplies	74,016	61,320	12,696	
Data Processing	36,577	24,014	12,563	Server support & data processing (ie customer service survey processing and email subscription service)
IT Professional Services	205,693	35,000	170,693	Includes data base, printers and internet services (including email, agent for internet, etc.)
IT Expendable Property	646,994	336,200	310,794	Includes all IT related equipment - including new online licensing system
State Govt Service Charge	206,293	172,981	33,312	Includes DAS Assessments, Treasury charges, State Library service charges, etc...
Agency Govt Seal Fees	205,838	456,813	250,975	
Facilities Rent, Taxes & Maintenance	400,681	370,443	30,238	
Other Professional Services	62,716	65,246	2,530	
Agency Program Related S&S	36,385	16,846	19,539	
Total Services & Supplies and Capital Outlay	2,444,136	1,578,796	865,340	
Totals	2,461,430	1,551,155	910,275	