



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
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Notice of Agenda
OREGON REAL ESTATE BOARD
Regular Meeting Agenda
Monday, February 6, 2012
Oregon Real Estate Agency
1177 Center St. NE
Salem, OR 97301
Hearing Room

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. Roll Call/Chair Hendricks comments
- C. Approval of the Agenda and Order of Business
- D. Approval of December 5, 2011, regular meeting minutes
- E. Date of the Next Meeting: April 2, 2012 at the Central Oregon Association of Realtors, 2112 Northeast 4th Street, Bend, Oregon 97701.

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. Service Master of Portland (Kelley Martin, Petitioner)

V. COMMUNICATIONS – Administrative Actions Summary

VI. REPORTS

A. Commissioner Gene Bentley

1. State hiring freeze
2. Legislative session
3. eLicensing System

B. 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. 2012 Governor’s Food Drive

VII. ANNOUNCEMENTS – Next board meeting April 2, 2012 at the Central Oregon Association of Realtors, 2112 Northeast 4th Street, Bend, Oregon 97701.

VIII. ADJOURNMENT

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



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OREGON REAL ESTATE BOARD

Regular Meeting Minutes

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

BOARD MEMBERS PRESENT:

Art Keeler
Byron Hendricks
Robert LeFever
Warren (Lee) Dunn
Marcia Edwards
Joann Hansen
Chris Hermanski
Diana Emami
George Slape

STAFF PRESENT:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Selina Barnes, Regulations Division Manager
Laurie Hall, Licensing Division Manager
Stacey Harrison, Education Division Manager
Carolyn Kalb, Education Division Compliance Specialist
Laurie Skillman, Land Development Division Manager
Erica Kleiner, Administrative Services Division Manager
Leandra Hagedorn, Board Liaison

GUESTS PRESENT:

John Lombardi, John's Waterproofing Co.
Jeff Rapp, USDA Rural Development
Lane Mueller, Keller Williams
Jenny Pakula, Oregon Association of Realtors

I. BOARD BUSINESS

- A. Call to Order. Chair Kegler called the meeting to order at 10:02 am and asked each board member to introduce themselves.
- B. Introduction of new board member, Jef Farley.
- C. Roll Call.
- D. Approval of the Agenda and Order of Business. Agenda and Order of Business were approved as submitted.
- E. Approval of October 3, 2011, regular meeting minutes. October 3, 2011 regular meeting minutes were approved as submitted.
- F. Election of Chair and Vice-Chair for 2012. Byron Hendricks was elected Chair and Robert LeFeber was elected Vice-Chair.
- G. Date of the Next Meeting: February 6, 2012 location to be announced.

II. PUBLIC COMMENT. None.

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. Jeff Rapp appeared and explained that USDA has been providing education to realtors, appraisers, and lenders for a number of years. He also stated the reason for the petition is based on USDA's intention to centralize operations and network as a continuing education provider and in this capacity they would be responsible for course content and the record keeping. Discussion: Mr. Hendricks explained that he supports the motion to approved USDA's petition to become certified continuing education provider based on their ability to provide information on matters that are important to licensees and consumers in the state of Oregon. Mr. LeFeber also supported the motion to approve the petition based on USDA's ability to identify several areas of acceptable course topics in there program.

MOTION TO APPROVE USDA-RURAL DEVELOPMENT'S PETITION TO QUALIFY AS A CERTIFIED CONTINUING EDUCATION BY BYRON HENDRICKS.

SECOND BY JOANN HANSEN

MOTION CARRIED BY UNANIMOUS VOTE

- B. John's Waterproofing Company (John Lombardi). John Lombardi appeared along with Debbie Hood and they explained that John's Waterproofing Company has been providing continuous education with realtors and insurance agents for a number of years. Mr. Lombardi also stated the reason for the petition is based on his desire to educate realtors about building codes, crawl space and basement leakage. Ms. Hood explained that John's Waterproofing Company's presentation falls under the real estate consumer protection acceptable course topic. Discussion: Ms. Edwards suggested that

Mr. Lombardi use a different format when speaking with principal brokers to include mold and radon topics. Mr. Hendricks explained his support of the motion to deny the petition was based on the board's previous denials of single entity petitioners. He also stated that Mr. Lombardi's program does have value and encouraged him to incorporate more acceptable course topics into his class.

**MOTION TO DENY THE PETITION TO QUALIFY AS A CERTIFIED CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER
SECOND BY BYRON HENDRICKS
MOTION CARRIED BY UNANIMOUS VOTE**

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

Commissioner Bentley proposed the following schedule:

- 2/6/12-Gresham
- 4/2/12-Bend
- 6/4/12-Grants Pass
- 8/6/12-Baker City
- 10/1/12-Brookings
- 12/3/12-Yamhill

**MOTION TO ACCEPT PROPOSED SCHEDULE BY BYRON HENDRICKS
SECOND BY MARICA EDWARDS
MOTION CARRIED BY UNANIMOUS VOTE**

VI. COMMUNICATIONS – Administrative Actions Summary. Chair Kegler clarified that once the Agency has made a decision it does become public information.

VII. REPORTS

- A. Chair Kegler. Mr. Kegler expressed his enjoyment of being a board member and wished everyone well in their future endeavors.
- B. Commissioner Gene Bentley
 1. Major Changes
 - a. eLicensing. Mr. Bentley stated the eLicense system implementation was still in progress and that Mr. Owens would give a more detailed update during his segment of the agenda.
 - b. Pre-licensing education job analysis. Mr. Bentley reported that the Agency is in the process conducting a job analysis in accordance with the new contract with our testing provider (PSI) which went into effect July 1, 2011.
 2. Legislative issues. Mr. Bentley asked the board for feedback regarding legislative concepts. Byron Hendricks responded that the broker transition issue would be worth discussing. Discussion. Lee Dunn commented that supervising principal brokers should have the ability to assign supervision, specific to a transaction, to another broker. Mr. Bentley stated his intention is to form a work group to resolve this issue. Chris Hermanski inquired about the issue of property manager endorsement legislatively. Mr. Bentley responded that in the near future post license requirement changes will address property management issues.
 3. Reciprocal License Agreements. Mr. Bentley asked the board what their consensus is regarding actively pursuing reciprocal license agreements. The consensus was to remain passive on this issue. He also inquired as to what sort of action, if any, the Agency should take when licensees fail provide current information and the general consensus was imposing a fine, then education letter, and finally a reprimand.
 4. Chair Kegler. Commissioner Bentley summarized licensing counts and mentioned that the OREA management team would be holding an off site planning meeting the following day, Tuesday, December 6, 2012. He also explained that Robert LeFeber, Lee Dunn, and Byron Hendricks have all renewed their terms on the board. Mr. Bentley presented Art Kegler and George Slape with items of recognition and introduced Jef Farley, as the newest board member, who will be replacing Art Kegler.
- C. Agency division reports-Deputy Commissioner Owens. Mr. Owens gave a brief update on the eLicensing database project and indicated that the implementation of the new system is anticipated for sometime in January of 2012.
 1. Regulation Division – Selina Barnes. Ms. Barnes stated that the Licensing and Regulation divisions have consolidated and are working through the transition period. She also explained that the Investigator 2 position that has been vacant would be going out for recruitment by end of the week.
 2. Licensing Division – Laurie Hall. Ms. Hall reported that her division is diligently working through the eLicense database project and looking forward to the efficiencies the new system will bring.

3. Education Division – Stacey Harrison. Ms. Harrison summarized the exam statistics provided in the division handout and stated that the compliance review audits are being mailed out by County in alphabetical order. She also explained that the division would be analyzing results from compliance reviews and use this information when revisiting Division 22 and a more detailed report would be provided in the future.
4. Land Development Division – Laurie Skillman. Ms. Skillman stated that her condominium filings are still at a decline. She also reported that rulemaking is in progress with the Agency in order to keep consistency with the new eLicense database.
5. Administration/Information Systems Division – Erica Kleiner. Ms. Kleiner summarized the budget information provided in the division handout. She also announced that the Agency hired Tiffani Miller on November 14, 2011 as a computer technician/computer support. Ms. Kleiner reported that the Agency will be transitioning it's to the state data center in the next six weeks, wireless internet is now available at the Agency, and a kiosk has been installed in the main reception area for customers to complete transactions.
 - a. eLicensing Demo/Anna Higley. Deputy Commissioner Owens stated that a demonstration has been rescheduled for the February, 6, 2012 meeting.

VIII. ANNOUNCEMENTS – Next board meeting February 6, 2012 location to be announced. The board meeting will be held in Gresham.

IX. ADJOURNMENT

Respectfully submitted:

GENE BENTLEY
COMMISSIONER

Respectfully submitted

BYRON HENDRICKS
BOARD CHAIR

OREGON REAL ESTATE BOARD
Petition to Qualify as a Continuing Education Provider Log
2011 - 2012

| | | | |
|---------|---|----------|--|
| 12/5/11 | USDA- Rural Development, Kate Bateman | Approved | <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>DISCUSSION: Jeff Rapp appeared and explained that USDA has been providing education to realtors, appraisers, and lenders for a number of years. He also stated the reason for the petition is based USDA's intention to centralize operations and network as a continuing education provider and in this capacity they would be responsible for course content and the record keeping. Mr. Hendricks explained that he supports the motion to approve USDA's petition to become certified continuing education provider based on their ability to provide information on matters that are important to licensees and consumers in the state of Oregon. Mr. LeFeber also supported the motion to approve the petition based on USDA's ability to identify several areas of acceptable course topics in there program.</p> <p>MOTION TO APPROVE USDA-RURAL DEVELOPMENT'S PETITION TO QUALIFY AS A CERTIFIED CONTINUING EDUCATION BY BYRON HENDRICKS.</p> <p>SECOND BY JOANN HANSEN</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p> |
| 12/5/11 | John's Waterproofing Company, John Lombardi | Denied | <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> <p>DISCUSSION: John Lombardi appeared along with Debbie Hood and they explained that John's Waterproofing Company has been providing continuous education with realtors and insurance agents for a number of years. Mr. Lombardi also stated the reason for the petition is based on his desire to educate realtors about building codes, crawl space and basement leakage. Ms. Hood explained that John's Waterproofing Company's presentation falls under the real estate consumer protection acceptable course topic. Ms. Edwards suggested that Mr. Lombardi use a different format when speaking with principal brokers to include mold and radon topics. Mr. Hendricks explained his support of the motion to deny the petition was based on the board's previous denials of single entity petitioners. He also stated that Mr. Lombardi's program does have value and encouraged him to incorporate more acceptable course topics into his class.</p> <p>MOTION TO DENY THE PETITION TO QUALIFY AS A CERTIFIED CONTINUING EDUCATION PROVIDER BY ROBERT LEFEBER</p> <p>SECOND BY BYRON HENDRICKS</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p> |
| 2012 | | | |
| 2/6/12 | ServiceMaster of Portland, Kelley Martin and Jim Grant | | <p>FACTS: ServiceMaster of Portland has been a leader in the Disaster Restoration business in the Portland area for over 50 years. ServiceMaster of Portland has been teaching Oregon and Washington State certified continuing education classes for insurance professionals since 1998.</p> |

AGENDA ITEM NO.
IV.

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



**PETITION TO QUALIFY AS A
CONTINUING EDUCATION PROVIDER**

Rev. 7/2011

Real Estate Agency
1177 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 ServiceMaster of Portland Phone Number 503-234-0707

Physical Address 4610 SE 26th Ave. Address Cont. _____

City Portland State OR Zip Code 97202 County Multnomah

E-mail kam@smptld.com

Mailing Address (if different) _____ Address Cont. _____

City _____ State _____ Zip Code _____ County _____

AUTHORIZED CONTACT PERSON

Prefix _____ First Name Kelley Last Name Martin

Phone Number 503-793-9722 E-mail kam@smptld.com

Provide the name of the individual that will appear in person on behalf of the Petitioner: Kelley Martin, Jim Grant

AGENCY USE ONLY

Approved by Board YES NO

Review Date _____

RECEIVED

JAN 09 2012

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.

see attached

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.

Kelley Martin
Printed Name of Authorized Individual

Date 1/9/12

Kelley Martin
Signature of Authorized Individual



ServiceMaster of Portland

ServiceMaster of Portland has been a leader in the Disaster Restoration business in the Portland Metropolitan area for over 50 years and is on the leading edge of industry protocols, technology and standards. We have been teaching Oregon and Washington State certified continuing education classes for insurance professionals since 1998. Our CE classes are so renown among Portland area insurance agents, that even our competitors recommend customers take classes from our organization.

It is ServiceMaster of Portland's highest priority to provide knowledgeable and competent service for all parties involved in the damage restoration process. To ensure that our team members are equipped for this challenge, we have established the following resources:

- A comprehensive company training program for cleaning technicians.
- Detailed operational procedures to ensure consistent delivery of service.
- A strategic alliance with reputable vendors and subcontractors who provide excellent services at a reasonable price.
- Standardized line item descriptions and regional pricing guidelines utilizing Xactimate, an insurance industry leader in estimating programs.

Every type of property damage, large or small, presents unique challenges in terms of recovery, clean-up and restoration. Whatever the scope of the loss, ServiceMaster of Portland offers the appropriate level of response and resources necessary to succeed. At any level, our prompt attention and trained personnel help restore the confidence of our customers that their loss will be minimized and the situation handled professionally. We deliver all our services on time with ServiceMaster identified vehicles, uniformed and well-trained employees, and quality ServiceMaster products and equipment. All restoration efforts are completed -- quickly compassionately and comprehensively. All backed by the ServiceMaster Clean guarantee: The job isn't done until the customer is satisfied.

Services offered:

- Water damage mitigation
- Smoke and soot removal
- Odor removal
- Contents packaging and storage
- Mold Remediation - Hygienist Services
- Post-disaster emergency pre-cleaning
- Commercial carpet maintenance
- OSHA and IICRC 5000 compliant
- Green product and production conscious
- EPA certified lead-safe firm

ADMINISTRATIVE ACTIONS
for OREA Board
November 24, 2011 thru January 25, 2012

REVOICATIONS

None

SUSPENSIONS

None

REPRIMANDS

None

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

Ostroff, Nicholas (Portland) Broker #780303922
Stipulated order dated January 13, 2012 with a civil penalty of \$100.

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License of

5
6 NICHOLAS A OSTROFF

7)
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STIPULATED FINAL ORDER

10 The Real Estate Agency (OREA) and Nicholas A Ostroff (Ostroff) do hereby agree and
11 stipulate to the following:

12 FINDINGS OF FACT

13 Prior to September 1, 2011, Ostroff was licensed as a Principal Broker with Realty Trust
14 Group Inc. Ostroff's license expired on August 31, 2011 and was not renewed until October 4,
15 2011. During the time Ostroff's license was expired, September 1, 2011 to October 3, 2011,
16 34 days, Ostroff continued conducting professional real estate activity as if actively licensed.

17 CONCLUSION OF LAW

18 By conducting professional real estate activity over the course of 34 days after his
19 license expired and before reactivating it, Ostroff violated ORS 696.020(2) and is subject to
20 discipline or civil penalty pursuant to ORS 696.990(4) and (9).

21 STIPULATION & WAIVER

22 I have read and reviewed the above findings of fact and conclusions of law which have
23 been submitted to me by OREA and further, the order which follows hereafter. I understand
24 that the findings of fact, conclusions of law and this stipulation and waiver embody the full and
25 complete agreement and stipulation between OREA and me. I further understand that if I do
26 not agree with this stipulation I have the right to request a hearing on this matter and to be
27 represented by legal counsel at such a hearing. Hearings are conducted in accordance with
28 the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and
29 Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily

30 ///

1 waive my rights to a hearing, to representation by legal counsel at such a hearing, and
2 to judicial review of this matter.

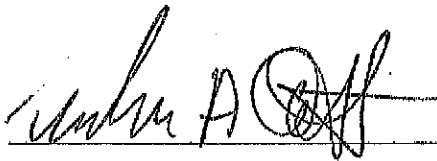
3 I hereby agree and stipulate to the above findings of fact and conclusions of law and
4 understand that the order which follows hereafter may be completed and signed by the Real
5 Estate Commissioner or may be rejected by the Real Estate Commissioner, in which case an
6 amended notice of intent may be issued in this matter. I understand that, in accordance with
7 the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real
8 Estate News Journal.

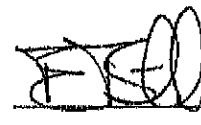
9 ORDER

10 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
11 violation set forth above, Ostroff pay a civil penalty in the sum of \$100, said penalty to be paid
12 to the General Fund of the State Treasury by paying the same to the OREA. The civil penalty
13 is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
14 unlicensed activity is considered one violation. In this instance, there was one 30-day period
15 of unlicensed activity.

16
17 IT IS SO STIPULATED:

IT IS SO ORDERED:

18
19
20 



21 NICHOLAS A OSTROFF

21 GENE BENTLEY

22 Real Estate Commissioner

23 Date 12/23/2011

23 Date 1-13-12

24
25 DATE of service: 1-17-12

**REAL ESTATE BOARD
REGULATION SECTION REPORT
February 6, 2012**

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

Administrative Specialists: Denise Lewis, Tami Schemmel
Financial Investigators: Peter Bale, Donald Barrett, Aaron Grimes, Deanna Hewitt,
Philip Johnson, Rob Pierce, one vacant position
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

| | Jan 11 | Feb 11 | Mar 11 | Apr 11 | May 11 | Jun 11 | Jul 11 | Aug 11 | Sep 11 | Oct 11 | Nov 11 | Dec 11 | | Avg |
|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--|------|
| Complaints Received | 18 | 25 | 23 | 24 | 36 | 20 | 17 | 27 | 19 | 19 | 17 | 22 | | 22.3 |
| Investigations Opened | 4 | 10 | 19 | 9 | 11 | 17 | 10 | 18 | 13 | 4 | 2 | 7 | | 10.3 |
| Inv Open at Month End | 74 | 69 | 74 | 72 | 67 | 92 | 86 | 93 | 88 | 75 | 64 | 66 | | 76.7 |
| Investigations Completed | 12 | 13 | 15 | 11 | 15 | 6 | 5 | 10 | 14 | 16 | 13 | 16 | | 12.2 |
| Admin Reviews Completed | 6 | 10 | 9 | 11 | 7 | 11 | 5 | 20 | 6 | 12 | 1 | 4 | | 8.5 |
| Hearings Held | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | | 0.33 |
| Avg Days to Complete Investigations | 201 | 214 | 182 | 185 | 233 | 181 | 311 | 197 | 254 | 204 | 239 | 303 | | 225 |
| Avg Days to Complete Admin Reviews | 21 | 18 | 115 | 11 | 17 | 26 | 134 | 74 | 24 | 17 | 0 | 293 | | 62.5 |

Gae Lynne Cooper resigned after accepting a position at another state agency. Due to the mandatory hiring freeze, the recruitment for the Investigator 2 position was withdrawn. The Agency submitted an exception request for the vacant Financial Investigator position (formerly Gae Lynne Cooper). The request was denied.

Tami Schemmel is being trained to provide administrative assistance to the Regulation Section.

Staff continues to work on the preparation and testing for the eLicense database.

REAL ESTATE BOARD
LICENSING SECTION REPORT
February 6, 2012

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 23,000 individuals and facilities throughout Oregon that are licensed and registered with the Agency. In 2011, staff members 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 83% in November and 89% in December.

Workload and Activity Indicators

NUMBER OF ACTIVE AND INACTIVE LICENSEES - 2011

| | <u>May</u> | <u>Jun</u> | <u>Jul</u> | <u>Aug</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> |
|---------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Broker - Total | 12,584 | 12,476 | 12,387 | 12,260 | 12,155 | 12,007 | 11,881 | 11,773 |
| Active | 9,836 | 9,806 | 9,774 | 9,692 | 9,629 | 9,568 | 9,465 | 9,315 |
| Inactive | 2,748 | 2,670 | 2,613 | 2,568 | 2,526 | 2,439 | 2,416 | 2,458 |
| Principal Broker - Total | 7,108 | 7,088 | 7,075 | 7,059 | 7,053 | 6,985 | 6,976 | 6,966 |
| Active | 6,584 | 6,573 | 6,561 | 6,527 | 6,514 | 6,467 | 6,445 | 6,420 |
| Inactive | 524 | 515 | 514 | 532 | 539 | 518 | 531 | 546 |
| ALL BROKERS Total | 19,692 | 19,564 | 19,462 | 19,319 | 19,208 | 18,992 | 18,857 | 18,739 |
| Active | 16,420 | 16,379 | 16,335 | 16,219 | 16,143 | 16,035 | 15,910 | 15,735 |
| Inactive | 3,272 | 3,185 | 3,127 | 3,100 | 3,065 | 2,957 | 2,947 | 3,004 |
| Property Manager - Total | 754 | 757 | 767 | 766 | 764 | 759 | 763 | 758 |
| Active | 664 | 666 | 672 | 669 | 669 | 662 | 667 | 670 |
| Inactive | 90 | 91 | 95 | 97 | 95 | 97 | 96 | 88 |

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 | 45.8 |
| Principal Broker | 31.5 | 34.9 | 26.4 | 15.7 | 311.2 | 12.4 |
| TOTAL BROKERS | 295.8 | 245.5 | 165.4 | 143.7 | 373.1 | 58.2 |
| Property Manager | 7.9 | 8.3 | 9.7 | 6.6 | 7.3 | 6.1 |
| 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 | 0.3 |
| TOTAL INDIVIDUALS | 306.8 | 255.0 | 176.9 | 151.2 | 381.3 | 65.8 |

Program Changes and Future Projects

The Licensing Division Staff continues to work to get all the paper transactions processed, and prepare for testing and training on the new licensing database, eLicense.

**REAL ESTATE BOARD
EDUCATION DIVISION REPORT
February 6, 2012**

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>Jul</u> | <u>Aug</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> |
|---------------------------|------------|------------|------------|------------|------------|------------|
| ALL LICENSING EXAMS Total | 125 | 119 | 114 | 120 | 108 | 109 |
| Broker | 89 | 88 | 82 | 76 | 66 | 73 |
| Property Manager | 14 | 10 | 10 | 21 | 13 | 10 |
| Principal Broker | 22 | 21 | 22 | 23 | 29 | 26 |

The principal broker exam was implemented in January 2011 and total of 256 principal broker exams were administered in 2011. Broker exam totals for 2011 showed a 22% decrease in the number of broker exams administered for the same period in 2010. Property manager exam totals for 2011 showed a 7% increase in the number of exams administered for the same period in 2010.

Compliance Reviews- Brokerage and Property Management

Brokerage:

- In November, 48 compliance review participation request letters were mailed to a portion of principal brokers from Lane County.

Property Management:

- In November, 39 participation request letters were mailed to a portion of property managers from Lane County.

Program Changes, Future Projects, Streamlining

The Agency is assisting PSI in conducting a job analysis of principal brokers, brokers and property managers. PSI will meet with the Agency in February to discuss the second phase of the job analysis, which is developing the job analysis survey questionnaires. The surveys will be conducted electronically and completed by a large number of licensees. Board members are invited participate in the questionnaire development meetings.

A meeting will be scheduled with the education division from the State of Washington Real Estate Program. The purpose of the meeting is to learn about real estate education processes Washington has in place that may be utilized by the Agency when revising education processes in Oregon.

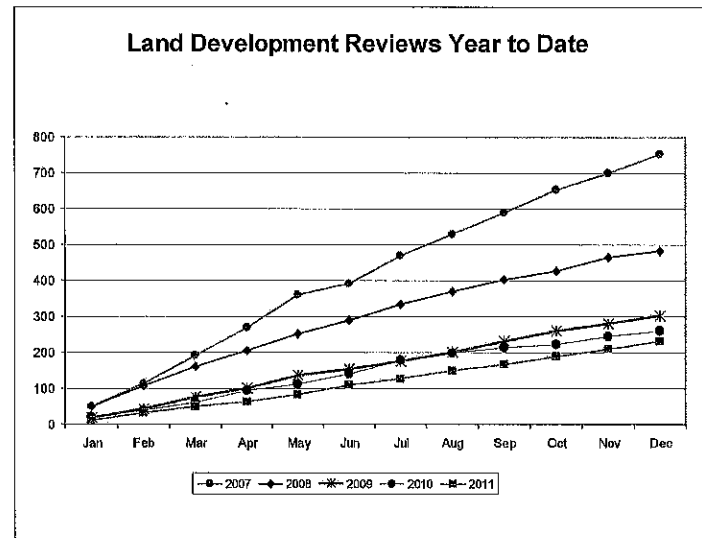
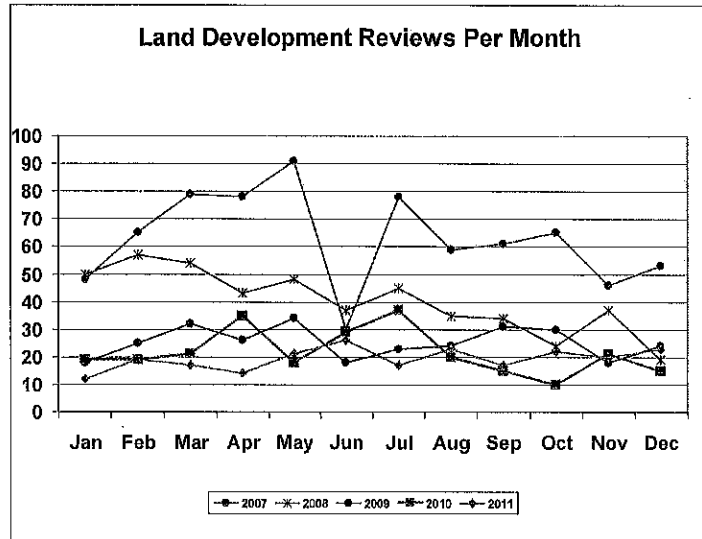
**AGENDA ITEM NO.
VI. B. 4.**

**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



Total annual filings for 2011 were 90% of the total filings for 2010. During the last quarter of 2011, the Agency processed 65 land development filings, compared to 46 filings for the same period in 2010. Comparing 4th quarter filings from 2010 to 2011, there was a 41% increase in filings. The economy and financing challenges continue to negatively impact filings.

Program Changes, Future Projects, Streamlining

No program changes since the December 2011 Board report.

**REAL ESTATE BOARD
ADMINISTRATIVE SERVICES DIVISION REPORT
February 6, 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 \$403,604 due to;

- Vacancy Savings: The Agency currently has a total of three vacant positions: one vacant Investigator position, one vacant Financial Investigator position, and is leaving the Compliance Manager position vacant on an extended basis.
- Services & Supplies: Savings of \$909,051;
- 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 \$1,312,655 of our limitation.

See budget spreadsheets for more information.

Other Projects

Information Systems:

The public Wi-Fi is now active throughout the Agency. Staff and visitors that need to access a connection to the Internet can now do so, without tapping into the Agency's network.

Statewide Projects:

The 2012 Governor's State Employees Food Drive will run this year from January 30th to March 2nd. The Agency will be collecting canned foods and dry goods. In addition, each division will be hosting a fundraising event to earn money to donate to the cause.

For more information on how to help, please access the following link or contact me if you have questions:

<http://www.oregon.gov/FOODDRIVE/>

Real Estate Agency
2011-2013 Biennium
Through December 2011

| | Legislative Approved Budget | Expected Total Expenditures for Biennium (current) | Expected Remaining Limitation at end of Biennium | Notes |
|---|-----------------------------------|--|--|---|
| Total Personal Services | 5,017,294 | 4,613,097 | 404,197 | This amount includes |
| Services & Supplies and Capital Outlay Detail: | | | | |
| Travel | 97,294 | 103,177 | (5,883) | Includes both instate & out of state travel |
| Program Related Office Expenses | 383,864 | 685,746 | 222,994 | Includes and Overprinting & Reprinting of forms, manuals, packets, and other publications and office supplies, books & other materials, subscriptions, etc. |
| Publicity & Publications | 115,996 | 36,993 | 80,003 | Includes licensing forms & packets, no longer printing Q & A books, discontinued printing of Manuals and OREN-J |
| Telephone, IT and Services Support | 74,016 | 58,262 | 15,754 | |
| Data Processing | 36,577 | 25,005 | 11,572 | Server support & data processing (ie customer service survey processing and email subscription service) |
| IT Professional Services | 70,369 | 55,219 | 15,150 | Includes all IT related equipment - including new online licensing system |
| IT Expendable Property | 645,994 | 305,000 | 341,994 | Includes DAS Assessments, Treasury charges, State Library service charges, etc... |
| State Govt Service Charge | 208,293 | 170,291 | 38,002 | |
| Attorney General Legal Fees | 266,938 | 144,473 | 122,465 | |
| Facilities Rent, Taxes & Maintenance | 400,681 | 368,067 | 32,615 | |
| Total Professional Services | 627,716 | 742,222 | 114,506 | |
| Agency Program Related S&S | 36,385 | 21,991 | 14,394 | |
| Total Services & Supplies and Capital Outlay | 2,447,139 | 1,535,088 | 909,051 | |
| Totals | 7,464,430 | 6,148,175 | 1,316,255 | |