



Oregon

John A. Kitzhaber, MD, Governor

Real Estate Agency

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OREGON REAL ESTATE BOARD

Regular Meeting Minutes

Monday, June 6, 2011

The Rogue Regency Inn

2300 Biddle Rd.

Medford, OR 97504

Members present:

Art Kegler, Chair
Byron Kegler, Vice-Chair
Chris Hermanski
George Slape
Marcia Edwards
Bob LeFeber
Lee Dunn

Members absent:

Joann Hansen, excused
Kim Medford, excused

Staff present:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Lindsey Nunes, Licensing Division
Laurie Skillman, Land Development Division Manager
Selina Barnes, Regulations Division Manager
Erica Kleiner, Administrative Services Division Manager
Leandra Hagedorn, Board Liaison

Guests present:

Sam Zell, Equity Office
David Rasmussen, Appraisal Office
Tina Grimes, Rogue Valley Association of Realtors
Jamie Patterson, Rogue Valley Association Realtors
Rick Harris, Rogue Valley Association of Realtors
Don Livingood, Rogue Valley Association of Realtors
Scott Lewis, Coldwell Banker Pro West
Colin Mullane, Southern Oregon Multiple Listing Service
Andrea Mobley, Rogue Valley Association of Realtors
Pam Lorange, Southern Oregon Multiple Listing Service
Stacey Boals, Southern Oregon Multiple Listing Service
Cerise Stephens, Rogue Valley Association of Realtors
Bryon Schlafla, Southern Oregon Multiple Listing Service



Krista Bolf, Rogue Valley Association of Realtors
Mary Van Horn, Rogue Valley Association of Realtors
John Zupan, Rogue Valley Association of Realtors
Bernard Young, Rogue Valley Association of Realtors

I. BOARD BUSINESS

- A. Call to Order. Chair Kegler called meeting to order at 10:05 a.m. and asked the members of the board to introduce themselves.
- B. Roll Call. Chair Kegler called for roll call. All board members present with the exception of Joann Hansen and Kim Medford who were both excused. Marcia Edwards arrived at 10:30 a.m.
- C. Approval of the Agenda and Order of Business. Agenda and Order of business approved as submitted.
- D. Approval of April 11, 2011, regular meeting minutes. Approved as submitted.
- E. Date of the Next Meeting: August 1, 2011 to be held at George Fox University, Portland Center, 12753 SW 68th Ave., Suite 185, Portland, OR 97223 at 10am.
- F. Meeting Process. Chair Kegler summarized the board meeting guidelines and process.

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. Rick Harris suggested that board be more involved in the development of the structure of law requirement courses. He also addressed the issue of the expediting of electronic record keeping and unregulated escrow activity and he also stated that perhaps the rule writing can focus/include what constitutes escrow activity in Oregon. Chair Kegler clarified that no action would be taken at this time. Krista Bolf addressed the issue of out-of-state escrow checks/audits and expressed concern about the time frame and that the process should be clearer. Deputy Commissioner Owens stated that the Agency would prepare an informational handout regarding this issue.

III. REQUESTS FOR WAIVERS – No change.

**IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER–
Petition Log. No petitions.**

V. BOARD ADVICE/ACTION

- A. Continuing education provider work session. Chair Kegler opened the floor for comments and discussion. Lee Dunn explained the original intent was to upgrade the contents and he also pointed out that a provider should be in the business of providing education. Bryon Hendricks agreed that the intent was to increase the quality of course content and educators should be competent in the area of providing education and he also stated there is a cost involved and a fee should be charged. Marcia Edwards expressed concern that limiting the number of resources access also be limited and suggested that an independent study be conducted. George Slape commented on the difficulty for providers to connect

with the industry and also questioned whether financial criteria should apply to petitioners. Chris Hermanski stated that although there are some issues in this process that need to be resolved, there are also classes which are very successful. Chair Kegler invited Laurie Skillman to address the board and answer questions. Bob LeFeber asked for more information about the temporary rule. Chair Kegler clarified that Ms. Skillman is an information source and not a direction source. Ms. Skillman responded that the initial rule did not address the appropriate issues, therefore the temporary rule was adopted which is more appropriate.

- B. Contents of board packet. Commissioner Bentley explained there had been some discussion regarding the content of the board packet and asked the board if they had any comments or suggestions on this issue. Byron Hendricks suggested that a current copy of Oregon Administrative Rules Chapter 863 and Oregon Revised Statutes Chapter 696 added.

VI. NEW BUSINESS

- A. Travel Policies-Erica Kleiner. Ms. Kleiner summarized the travel policies (introduced **Exhibit A., Oregon's Statewide Travel Policy**) the board is required to follow and asked that any concerns or questions be directed to her after the meeting. She also referred to the handout (**Exhibit B., Real Estate Agency Board member duties and responsibilities**) that the Agency's Assistant Attorney General, Raul Ramirez, prepared for review.

VII. COMMUNICATIONS – Administrative Actions Summary. No discussion.

VIII. REPORTS

- A. Chair Kegler. Chair Kegler stated he received a letter from Jeannie Jackson, Idaho State Real Estate Commission, requesting the board's endorsement for her to be elected as the treasurer for ARELLO and vote deferred to Commissioner Bentley.
- B. Commissioner Gene Bentley. Commissioner Bentley stated that the Agency eLicensing system project is in process and Deputy Commissioner Owens will elaborate later and he also explained that the Agency's testing provider, PSI, has made it possible to have fingerprinting done electronically at test sites, which will expedite the process.

1. Legislative Update

- SB 5544. Agency budget bill
 - February 16, 2011-Initial hearing before Ways and Means Sub-Committee on Transportation and Economic Development
 - May 23, 2011-Passed out of the House
 - May 26, 2011-Signed by Senate President and the Co-Speakers of the house
 - June 2, 2011-Governor signed it into law
- SB 156. Agency Housekeeping bill
 - March 28, 2011- Heard on Senate side
 - April 14, 2011-Passed out of the Senate
 - May 16, 2011- Passed out of the House
 - May 27, 2011 – Governor signed it into law

- SB 485. Cease and desist orders
 - May 2011- Work session
 - Expected to pass House side in the near future

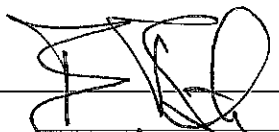
C. Agency division reports-Deputy Commissioner Dean Owens

1. eLicensing update – Dean Owens. Mr. Owens reported that the database conversion will enhance the Agency’s ability to process transactions.
2. Regulation Division – Selina Barnes. Ms. Barnes summarized the function of the Regulations Division and the statistics provided in the handout. Judith Parker retired recently, Michael Thornicroft resigned and two new Financial Investigator/Auditors have been hired.
3. Licensing Division – Lindsey Nunes. Ms. Nunes indicated that she was present in Laurie Hall’s absence. Ms. Nunes summarized the function of the Licensing Division. Chair Kegler reviewed the statistics provided in the handout.
4. Education Division – Stacey Harrison. Deputy Commissioner Owens summarized this report in Stacey Harrison’s absence and also reviewed the division statistics provided in the handout.
5. Land Development Division – Laurie Skillman. Ms. Skillman summarized the function of the Land Development Division (introduced **Exhibit C, Summary and Section by Section Analysis of Senate Bill 156**) and also reviewed the division statistics provided in the handout.
6. Administrative Services Division – Erica Kleiner. Ms. Kleiner summarized the function of the Administrative Services Division, reviewed division statistics provided in handout, and presented a brief budget update.

IX. ANNOUNCEMENTS – Next board meeting: August 1, 2011 to be held at George Fox University, Portland Center, 12753 SW 68th Ave., Suite 185, Portland, OR 97223 at 10am.

X. ADJOURNMENT. Chair Kegler adjourned the meeting at 2:19 p.m.

Respectfully submitted:



GENE BENTLEY
COMMISSIONER

Respectfully submitted:



ARTHUR KEGLER
BOARD CHAIR