



Oregon

John A. Kitzhaber, MD, Governor

Real Estate Agency

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AGENDA ITEM NO.

I. E.

OREGON REAL ESTATE BOARD

Regular Draft Meeting Minutes

Monday, August 1, 2011

George Fox University, Portland Center

12753 SW 68th Ave.

Tigard, OR 97223

MEMBERS PRESENT: Art Kegler, Chair
Byron Hendricks, Vice-chair
Marcia Edwards
Chris Hermanski
George Slape
Joann Hansen
Warren (Lee) Dunn

STAFF MEMBERS

PRESENT:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Erica Kleiner, Administrative Services Division Manager
Stacey Harrison, Education Division Manager
Selina Barnes, Regulations Division Manager
Leandra Hagedorn, Board Liaison

GUESTS PRESENT:

Elissa Gavette, Portland Metro Association of Realtors
Wilma Caplan, Portland Metro Association of Realtors
Diana Emami, Barrington Management
Dan Lumley, Dan Lumley Real Estate
Jan Cullivan, Portland Metro Association of Realtors
Richard Caplan, Portland Metro Association of Realtors
Cheryle Cluess, Portland Metro Association of Realtors
Tim Kalborg, Perkins & Co. P.C.
Trent Baeck, Perkins & Co.
Dora Alexander, Ball Janik LLP
Jeff Wirm, Portland Metro Association of Realtors



Doris Cherachanko, Portland Metro Association of Realtors
Deanna Doney, Portland Metro Association of Realtors
Nicole Cecchini, Porter Works, Inc.
Debi Laue, Portland Metro Association of Realtors
Drew Coleman, Portland Metro Association of Realtors
Heather Benjamin, Portland Metro Association of Realtors
David Sly, Portland Metro Association of Realtors
Judy Adler, Portland Metro Association of Realtors
Ernest Coufil, Portland Metro Association of Realtors
Troy Wilkerson, Portland Metro Association of Realtors

I. BOARD BUSINESS

- A. Call to Order. Chair Kegler called the meeting to order at 10:00 a.m.
- B. Roll Call. All members present with the exception of Robert LeFeber who was excused.
- C. Meeting Process. Chair Kegler gave an overview of the meeting process and asked each board member for a self introduction.
- D. Approval of the Agenda and Order of Business. Agenda and Order of Business approved as submitted
- E. Approval of June 6, 2011, regular meeting minutes. June 6, 2011 regular meeting minutes approved as submitted.
- F. Date of the Next Meeting: October 3, 2011, in Cannon Beach, Oregon at the Tolovana Inn, 3400 S. Hemlock, Oregon 97145 at 10 a.m.

II. PUBLIC COMMENT. None.

III. BOARD ADVICE/ACTION

- A. Request for Waivers – Waiver request log. None.
- B. Petitions to Qualify as Continuing Education Provider – Petition Log
 1. Perkins & Company. Tim Kalberg appeared and stated that Perkins & Company is the largest locally owned accounting firm in the Portland/Vancouver area and has created a technical course series with which cover topics such as financial statement reporting, tax and accounting, business energy credits.

MOTION TO APPROVE PETITION TO QUALIFY AS CERTIFIED EDUCATION PROVIDER BY BYRON HENDRICKS.

SECOND BY MARCIA EDWARDS

MOTION CARRIED BY UNANIMOUS VOTE

2. Ball & Janik LLP. Dina Alexander appeared and explained Ball Janik has been providing educational courses to real estate licensees and other real estate professionals since the founding of the firm in 1982. She also stated the primary reason that Ball & Janik is seeking to become a certified continuing education provider is because they provide an annual client seminar on real estate and land use matters which draws an attendance of between two to three hundred people. Ms. Alexander explained that the seminars covers topics such as real estate development, commercial

licensing and leasing, brokerage licensing, property management, environmental, insurance, equity, a variety of debt and financing.

**MOTION TO APPROVE PETITION TO QUALIFY AS CERTIFIED EDUCATION PROVIDER BY BYRON HENDRICKS
SECOND BY GEORGE SLAPE
MOTION CARRIED BY UNANIMOUS VOTE**

3. Porterworks, Inc. Nicole Cecchini appeared and explained that Porterworks, Inc. is based out of the Puget Sound area and she works on behalf of the Northwest Energy Star homes program, which is an energy efficiency green building program in the Northwest. Ms. Cecchini stated that Northwest Energy Star Home Program has been partnering with Porterworks for over four years. She also stated that Porterworks, Inc. has been delivering continuing education classes for over twenty years covering topics such as energy efficiency, and building processes technology with energy efficient homes.

**MOTION TO APPROVE PETITION TO QUALIFY AS CERTIFIED EDUCATION PROVIDER BY BYRON HENDRICKS
SECOND BY MARCIA EDWARDS
MOTION CARRIED BY UNANIMOUS VOTE**

- C. Permanent Rulemaking-Laurie Skillman. Deputy Commissioner Owens handled this agenda item in Ms. Skillman's absence. Mr. Owens stated the Agency must consider any recommendations that the board, by majority vote, makes concerning the proposed rules and he also respectfully requested that the board recommend that the Agency adopt the following rules:
 - Division 14 and 24
 - These rules will align the license application process with the Agency's new eLicense System (electronic license system) and also establish new requirements for a licensee's to file name changes
 - Division 22
 - Establishes new requirements of the pre-license education providers to certify course completion to the examination services provider
 - Division 1
 - Establishes the Real Estate Agency's primary method for accepting electronic payment for licensing transactions
- Hearing on this rule is set for Monday, August 15, 2011

**MOTION TO RECOMMEND THE AGENCY ADOPT THE RULES FOR DIVISION 1, 14, 24, AND 22 BY MARCIA EDWARDS
SECOND BY JOANN HANSEN
MOTION CARRIED BY UNANIMOUS VOTE**

IV. COMMUNICATIONS – Administrative Actions Summary. No discussion.

V. REPORTS

A. Chair Kegler

1. Online Education. Mr. Kegler requested that the Agency evaluate the quality of continuing education that is provided online. He also referred back to the June 6, 2011 board meeting minutes and inquired as to the status of two action items:
 - Krista Bolf's request for more clarification regarding out of state escrow checks. Mr. Owens responded that the Agency is in the process of preparing a handout that will address these issues.
 - Byron Hendrick's request for board members to be provided with current copies of Oregon Administrative Rules Chapter 863 and Oregon Revised Statutes Chapter 696. Ms. Hagedorn responded that she would provide these documents to the board members in the October 3, 2011 board packet.

B. Commissioner Gene Bentley

1. OAR/OREA Education Forum. Mr. Bentley announced that the Agency would be presenting an educational event, hosted by the Oregon Association of Realtors, which will be held at the Convention Center in Portland. He also stated that the three hours of continuing education credits would be given for attendance at this presentation.
2. LARRC. Mr. Bentley explained that the Agency will be forming work groups to meet regarding the update/revision of the mandatory continuing education course known as LARRC or the Law And Rule Required Course. The target date for the approved course to be approved by the beginning of November or end of October.
3. License Statistics. Mr. Bentley summarized the statistical information he provided in *Exhibit A, 2010 License Type Totals report, introduced*
4. Vacant board seat. Kimberly Medford has resigned from the OREA board effective June 28, 2011.

Commissioner Bentley announced that the board packets will no longer be provided in paper form via regular mail effective immediately and a hard copy of the agenda will be provided at future meetings.

C. Agency division reports - Deputy Commissioner Dean Owens. Mr. Owens

reported that the Agency is about thirty-eight days away from launching its new eLicense system.

1. Regulation Division – Selina Barnes. Ms. Barnes reported that staffing levels have changed in regulation with the hire of two new investigators, Peter Bale and Philip Johnson she also stated that recruitment for the vacant Investigator 2 position will be opening soon. She also stated that all of the OREA investigators are attending the ARELLO Investigator Workshop in Washington this week. Ms. Barnes explained that the new eLicense system will allow complaints to be submitted online.
2. Licensing Division – Laurie Hall. Mr. Owens asked Ms. Barnes to give this report in Ms. Hall's absence. Ms. Barnes reviewed the statistics in the

handout provided and also stated that the division is very involved with preparation for new eLicense system.

3. Education Division – Stacey Harrison. Ms. Harrison reviewed the statistics provided in the handout and she reported that a new Compliance Specialist has been hired; Carolyn Foster will join the Agency this week. Ms. Harrison also mentioned that a petitioner from Sacramento, CA has asked to be excused from appearing at the next meeting in Cannon Beach due to the distance and the Board agrees to a telephone appearance.
4. Land Development Division – Laurie Skillman. Mr. Owens reported in Ms. Skillman's absence. Mr. Owens stated that condominium filings are very light and Ms. Skillman has been very involved in rulemaking.
5. Administration/Information Systems Division – Erica Kleiner. Ms. Kleiner reviewed the statistics and budget information provided in the handout. She stated that the Agency has decided to make structural changes in the information technology division which will save the Agency costs.

VI. ANNOUNCEMENTS – Next board meeting October 3, 2011 at the Tolovana Inn, 3400 S. Hemlock, Cannon Beach, Oregon 97145 at 10 a.m.

VII. ADJOURNMENT (12:04 pm)

Respectfully submitted:



GENE BENTLEY
COMMISSIONER

Respectfully submitted:



ARTHUR KEGLER
BOARD CHAIR