

# Oregon Real Estate News-Journal

Official Publication of the Oregon Real Estate Agency

Volume 68, Number 4, September 2014



Commissioner  
Gene Bentley

## Coming Soon

# Report Your Continuing Education Anytime

*Gene Bentley, Real Estate Commissioner*

As part of the active license renewal process in eLicense, you must enter specific information for each continuing education course you took. You also must show that you completed at least 30 hours from certified continuing education providers, including the 3-hour Law and Rule Required Course (LARRC).

Currently, you are limited to entering this information only during your license renewal month. But some licensees have expressed an interest in entering continuing education information anytime during their license term, not just during their renewal month.

The Oregon Real Estate Agency has been hard at work with the developers of eLicense to make “anytime continuing education reporting” available this fall. This will allow you to add, edit, or remove courses in eLicense at any time during your

license term.

More information on the timeline and “how-to” resources for “anytime continuing education reporting” will be made available in the next *Oregon Real Estate News-Journal* and other Agency communications. ■

## **Self-Reporting Your Continuing Education**

**Currently**, you must input information about your continuing education into eLicense during your license renewal month. (This is the same month in which your birthday falls.)

For more information on this requirement, please visit [Continuing Education FAQs](#) on the Agency’s website.

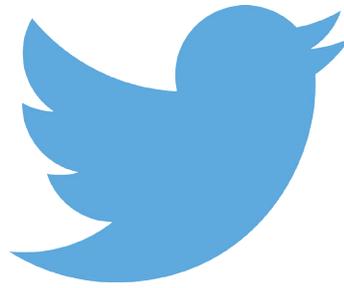


Oregon Real Estate Agency  
1177 Center St. NE  
Salem, OR 97301  
(503) 378-4170  
(503) 378-3256 Fax  
[www.rea.state.or.us](http://www.rea.state.or.us)

## **IN THIS ISSUE**

Coming Soon: Report Your Continuing Education Anytime .....	1
Sign up to Receive Alerts on New Scams .....	2
Oregon Real Estate Board Meeting in Roseburg.....	2
Agency Randomly Audits Clients’ Trust Accounts .....	3

You’ve Got Mail. But Are You Getting Mail from the Agency? .....	4
Advanced Practices: Who Needs It? ....	5
Administrative Actions .....	6
Licensee Honored for Assisting at Accident Scene .....	7
How Is the Agency Doing? .....	7



# Sign Up to Recieve Alerts on New Scams

Receive e-mail or Twitter alerts with important consumer information from the Oregon Department of Justice.

The Oregon Scam Alert Network was developed to let the public know about emerging predatory scams. The network was created in cooperation with Oregon Department of Justice, the Department of Consumer and Business Services, Oregon District Attorneys' Association, Oregon State Sheriffs' Association, Oregon Association of Police Chiefs, AARP and Elders in Action.

To be notified of emerging scams, fraud and other consumer threats, [sign up to receive e-mail alerts](#) or follow [@oregonscamalert](#) on Twitter. ■

## Great reasons to attend the

# ***Oregon Real Estate Board Meeting in Roseburg***

*October 6, 2014, 10:00 a.m.*

[Event Center on Edenbower](#)

- **MEET** the Board and learn how they work with the Oregon Real Estate Agency.
- **LEARN** how the Agency operates.
- **TALK** with Agency staff and get your questions answered.

Visit the [Real Estate Board webpage](#) for more infomation

# Agency Randomly Audits Clients' Trust Accounts

***Principal brokers and property managers must reconcile clients' trust accounts accounts monthly.***

The Oregon Real Estate Agency randomly selects clients' trust accounts to audit. It is looking to see that accounts are being maintained correctly under Oregon Real Estate License Law and the applicable rules.

## **When do you need a clients' trust account?**

*Property managers* must have at least one clients' trust account opened and maintained in Oregon. If they keep tenant security deposits, property managers must open and maintain at least one separate account for security deposits.

*Principal brokers* must have a clients' trust account if they conduct property management. For sales transactions, principal brokers are required to have a clients' trust account if they do not deposit earnest money directly into a neutral escrow account per ORS 696.241.

## **Properly maintained trust accounts protect your clients' funds.**

If you have clients' trust accounts or security deposit accounts, maintaining them is an important part of your job. You are tasked with protecting your clients' funds. One of the ways you do this is by conducting a required three-way reconciliation for each account each month.

## **Monthly reconciliations make finding mistakes easier. And it's required by law.**

Failure to reconcile accounts and resolve any discrepancies each month makes it

harder to find where a mistake, if any, was made.

If the Agency discovers that a licensee failed to reconcile a clients' trust account bank statement with the check register and the owner ledgers (or tenant ledgers, for security deposit accounts), the licensee could be at risk for disciplinary action.

## **Notify the Agency of changes to clients' trust accounts.**

The Agency must be notified every time you open, move or close a clients' trust account. Notification is done by logging in to your personal eLicense account and updating the list of trust accounts.

## **Keep your reconciliation records available in case you are audited.**

Monthly reconciliations must be maintained as part of your complete records of professional real estate activity.

If you are selected for a random clients' trust account audit, you must provide the requested month's reconciliation and respond to any other requests from the Agency. Failure to do so may result in disciplinary action against your license.

## **Where to find additional information.**

- Oregon Revised Statutes (ORS) 696.241
- Oregon Administrative Rules (OAR) 863-015-0255 and 863-025-0025 through 863-025-0040
- The Agency's website at [www.oregon.gov/rea](http://www.oregon.gov/rea). ■

# You've Got Mail. But Are You Getting Mail from the Agency?

***Failing to update your e-mail address in eLicense can result in missed notices — and is against the law.***

E-mail is the main way the Oregon Real Estate Agency communicates with you. This includes eLicense activity verifications, transfer notices, and, most importantly, license renewal notices.

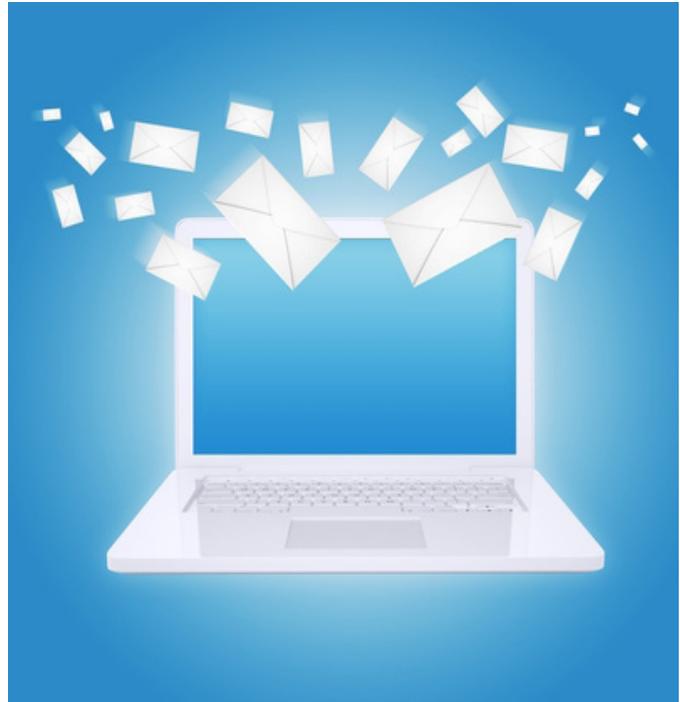
## **Report E-Mail Address Changes in 10 Days**

In the course of life, events may take place that could result in a new e-mail address. License law requires you to notify the Agency within 10 calendar days of any e-mail or mailing address changes. Notification is done through eLicense.

## **Not Receiving Renewal E-mail Is Not an Excuse for Not Renewing**

The most common problem caused by not keeping an updated e-mail address with the Agency is that the licensee doesn't receive a license renewal notice. The license expires, but the licensee doesn't know. The licensee continues to conduct professional real estate activity, which violates the law.

Oregon Real Estate License law allows the Agency to impose a fine on licensees who do not renew their license on time but continue to work. Civil penalties range from \$100 to \$500 for the first 30 days and \$500 to \$1000 for each additional 30-day period. So far this year, the Agency has taken administrative action on 32 licensees, issuing over \$33,000 in fines.



Here are two ideas for keeping your e-mail address with the Agency up-to-date.

## **Confirm Your E-mail Regularly**

Log in to your eLicense account to check that the e-mail address on file is correct. Access to eLicense can be found at the Agency's home page. Log in with your license number and your password. Then review your e-mail and mailing address. If it's not correct, you can edit it right there in eLicense.

## **Be Aware of Events that Result in E-mail Changes**

E-mail addresses changes can occur because you change employers, you move, or you just don't like your current e-mail service provide anymore.

In any case, it is **your responsibility** to make sure you are receiving communications sent by the Agency. ■

# ADVANCED PRACTICES

## WHO NEEDS IT?



### New Brokers

Renewing Active For 1st Time



### New Property Managers

Renewing Active For 1st Time

#### NEW BROKERS

You must take:

- The 27-hour Advanced Real Estate Practices course
- The 3-hour LARRC

#### NEW PROPERTY MANAGERS

You must take:

- The 27-hour Property Manager Advanced Practices course
- The 3-hour LARRC

#### ALL LICENSES

You must take the 3-hour Law and Rule Required Course course from a certified provider for *every license renewal*.

### Continuing Education Reporting at License Renewal

All licensees must enter continuing education course information into eLicense at license renewal. This includes information from your Advanced Practices and LARRC certificates.

Be prepared for license renewal by gathering up all your certificates and entering them into the Continuing Education Record form before before you log in to eLicense.

#### You are **NOT** required to take an Advanced Practices course if:

- You are a principal broker.
- You are a broker who has renewed an active license at least once.
- You are a property manager who has renewed an active license at least once.
- You are renewing your license inactive.

# Administrative Actions

May 15, 2014 through July 22, 2014

*The Agency is required by Oregon Real Estate License Law to publish disciplinary actions. A list of those actions are listed below. The final order for each action can be viewed by clicking on the named individual.*

*Please note, there are individuals with real estate licenses that may have similar or the same names as those listed below, even in the same market area. If you are in doubt if an individual listed here is someone you know or with whom you are working, please contact the Agency for verification.*

*Finally, please note that stipulated settlements do not necessarily reflect all the factual violations initially alleged by the Agency, and the sanction(s) may have been adjusted as part of the negotiation process. Such settlements may not, therefore, directly compare in severity/sanction with other cases.*



## SUSPENSIONS

[Fitzgerald, Gerard](#) (Grants Pass) Principal Broker 891200245. Default Order dated June 24, 2014, issuing an immediate suspension.

[Christianson, Mark](#) (Beaverton) Principal Broker 891000114. Stipulated Order dated July 9, 2014, issuing a six-month suspension.

## CIVIL PENALTIES

### Expired - Late Renewals

*Civil penalties for late renewals 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)*

[Erickson, Diana](#) (Portland) Broker, 199910014. Stipulated Order dated May 28, 2014, issuing a \$1100 Civil Penalty.

[Roberts, Antoinette](#) (Ashland) Broker 780900035. Stipulated order dated May 28, 2014, issuing a \$600 Civil Penalty.

[Baratta, Michaeline](#) (Lake Oswego) Broker 890500065. Stipulated order dated May 28, 2014, issuing a \$600 Civil Penalty.

[Like, Leslie](#) (Hillsboro) Broker 821000051. Stipulated order dated June 10, 2014 issuing a \$100 Civil Penalty.

[Healy, Jeanine](#) (Jacksonville) Broker 200311176, Stipulated order dated June 16, 2014 issuing a \$1050 Civil Penalty.

[Dunlap, Gregory](#) (Portland) Principal Broker 960900082. Stipulated order dated June 23, 2014 Issuing a \$1600 Civil Penalty.

### Unlicensed Activity

[Porter, Matthew](#) (Molalla) Property Manager 201207843. Stipulated order dated June 10, 2014 issuing a \$250 Civil Penalty. ■

# Licensee Honored for Assisting at Accident Scene

Real estate broker Sunny Freeman was awarded the Chief's Coin for Outstanding Service by Lake Oswego Police Chief Don Johnson.

On June 30, 2014, Ms. Freeman witnessed a motorcycle accident that sent the 4-year-old rear passenger into the air. The girl hit her head on the pavement before coming to a rest in the street. Ms. Freeman stopped her vehicle and ran to protect the child from oncoming traffic until emergency responders could arrive.

The child is recovering from her injuries. ■



## How Is the Agency Doing?

**Share your customer service experience and help us improve.**

The Oregon Real Estate Agency is conducting a customer service survey to find out how we are doing and where we can improve.

To participate, please go to <https://www.surveymonkey.com/s/3XSB8Q6>, or visit the Agency's website at [www.oregon.gov/rea](http://www.oregon.gov/rea). ■

OREGON REAL ESTATE  
NEWS-JOURNAL

Official Publication

Oregon Real Estate Agency

1177 Center St. N.E.

Salem, Oregon 97301-2505

Telephone: (503) 378-4170

Facsimile:

(503) 378-3256 Licensing

(503) 373-7153 Regulation

(503) 378-2491 Administration

Web Page:

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

OREGON REAL ESTATE  
AGENCY

John Kitzhaber, Governor

Gene Bentley, Commissioner

REAL ESTATE BOARD

Byron Hendricks, Chairperson,

Salem

Robert LeFeber, Vice Chairperson,

Lake Oswego

Warren L. "Lee" Dunn,

Portland

Marcia Edwards, Eugene

Diana Emami, West Linn

James E. "Jef" Farley,

Pendleton

Joann Hansen, Coos Bay

Christopher Hermanski,

Tualatin

Coni Rathbone, Lake Oswego

The Oregon Real Estate News-Journal is published by the Oregon Real Estate Agency as an educational service to all real estate licensees in the state under the provisions of Section 696.445 of the Oregon Revised Statutes.

Mesheal Heyman, Editor

Vol. 68, No. 4

September 2014

