

# Oregon Real Estate News-Journal

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Acting Commissioner  
Dean Owens

## Supervising Advertising

Dean Owens, Acting Real Estate Commissioner

A broker, or a property manager associated with a principal broker, must submit all advertising related to professional real estate activity to the supervising principal broker for review and approval before public release.

But what should a principal broker look for before approving advertising? [Oregon Administrative Rule \(OAR\) 863-015-0125](#) can provide

guidance, because it lists the requirements for all real estate advertising by real estate licensees.

A principal broker may want to look for the following things required by rule:

- **Is it obvious that the ad is by a real estate licensee?** All advertising should be identifiable as being from a real estate licensee.
- **Is it truthful and not deceptive or misleading?**
- **Does the licensee have the owner's permission?** The licensee should have written permission from the property's owner, or an authorized agent, before advertising any real estate.
- **If the licensee's name is on the ad, is it**

**the licensed name?** Real estate advertising does not have to have the licensee's name. But if it does, it needs to be the first and last name that is on the license. *Note: Administrative rule does allow a common derivative of the licensed first name to be used in advertising.*

- **Is the registered business name on the ad?** All advertising must have the real estate company's name as it is registered with the Agency. The business name must be prominently displayed and immediately noticeable in the ad.
- **Is there any promise of future profits?** Licensees cannot make any promise of future profits from any real estate activity.

### Online and Email Advertising

Electronic advertising, including email, web pages, social media, and blogs, must be approved just like all other advertising. But electronic advertising has other requirements found in OAR 863-015-0125(9).

In addition to checking that an electronic ad has met all the above requirements, you may *Please see **Supervising Advertising** on page 2*



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## Supervising Advertising

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want check to that it has the following on the front page:

- The licensee's licensed name.
- The real estate company's registered business name.
- A statement that the licensee is licensed in the State of Oregon.

*Note: Email communication from the licensee is exempt from these requirements as long as the initial email communication met the requirements.*

### “Group” or “Team” Advertising

Some licensees choose to advertise as a “team” or “group” to distinguish themselves. They still must meet the requirements found in OAR 863-015-0125 and [Oregon Revised Statute \(ORS\) 696.026\(9\)](#), especially regarding the prominent display of the registered

business name of your real estate company. OAR 863-015-0125(11) also requires:

- That the team or group include one real estate licensee.
- That the licensed members of the team or group are associated with the same principal broker or property manager.
- If the licensees' names are on the advertising, that each licensee's license name is used.
- If any non-licensed individuals are named in the advertising, that it is clear which individuals are real estate licensees and which are not.

Principal brokers or their companies may establish other criteria for the review and approval of advertising. The above information is provided as a place to start in meeting the principal broker's supervisory responsibility for advertising. ■

### More than 1 Principal Broker/Property Manager?

# When You Need a Written Supervisory Agreement

Written supervisory agreements are required for businesses with any combination of two or more principal brokers or licensed property managers. [Oregon Revised Statute \(ORS\) 696.310](#) specifies the content of these agreements.

### 2 or More Principal Brokers

If there are two or more principal brokers under the same registered business name, the principal brokers must execute one or more written supervisory agreements that:

- Assigns supervisory control and responsibility of the professional real estate activity of each broker in the business.
- Includes default supervisory control and responsibility for brokers who will come

to the company in the future.

- Includes default supervisory control and responsibility for brokers who are omitted from the agreement.
- Includes any supervisory control and responsibility for one principal broker over another principal broker.

Additionally, the principal brokers must:

- Update the written supervisory agreement if a principal broker leaves and it affects the supervisory control and responsibility assignments.
- Share equal supervisory control and responsibility for any brokers with the business who are not otherwise covered by the written supervisory agreement.

*Please see **Supervisory Agreements** on page 9*

# Oregon Looking for Next Real Estate Commissioner

Are you an active and passionate professional in the real estate industry? The Oregon Real Estate Agency is seeking a dynamic and collaborative Commissioner to lead the agency in navigating the on-going changes of the real estate market.

The Commissioner is responsible for ensuring that the mission of the Agency is met through strategic planning, legislative and administrative rule coordination, and oversight of all agency activities. The Commissioner represents the agency to the governor, legislature, and other state/federal/local governmental institutions, professional organizations, licensees, citizen groups, the media, and the general public.

This position is appointed by and serves at the pleasure of the Governor, upon confirmation by the Oregon State Senate, and must establish effective working relationships and communications with the Real Estate Board and the Office of the Governor.

## Minimum Qualifications

- Six years of management experience with responsibility for each of the following:
  - a. Development of program rules and policies,
  - b. Development of long- and short-range goals and plans
  - c. Program evaluation, and
  - d. Budget preparation.

**and**

- Five years' experience as a real estate broker or principal real estate broker actively engaged in business as such in this state.

## Desired Attributes

The ideal candidate will possess:

- Demonstrated ability to form collaborative and productive partnerships with a diverse set of stakeholders and staff.
- Demonstrated skill at consensus building, managing conflict and decision making.
- Strong written and oral communication skills with diverse influential audiences
- Experience in the development, implementation, and evaluation of strategic organizational goals, plans, and policies.
- Demonstrated leadership skills and experience from an executive level or senior management position.
- Experience in the support, leadership, and coordination of committees, workgroups, task forces, and project meetings.
- Experience in an executive level position that included legislative and rulemaking processes.
- Knowledge, experience and understanding of State policies, objectives, laws, rules, and regulations.
- Significant experience in the real estate industry, including supervision of multiple brokers.
- Broad understanding of partners in the field and ability to lead the organization in meeting the changes facing the real estate business.
- Established relationships with industry stakeholders and organizations such as the Oregon Association of Realtors and the Commercial Association of Brokers.

*Go to [Job Description](#) to view the qualifications and to apply for the position.*

For more information, go to <https://www.governmentjobs.com/careers/oregon/jobs/2146870/real-estate-commissioner>.

For additional information on the Real Estate Commissioner position, please contact Jill Woods, Department of Administrative Services, at (503) 378-4202 or [jill.woods@oregon.gov](mailto:jill.woods@oregon.gov).

# Enter Your Continuing Education in eLicense in Non-Renewal Months

You don't have to wait until your renewal month to add your continuing education classes to your eLicense account. Using the steps below, you can enter your continuing education information as you complete each class, or you can save multiple class certificates up and enter them at your convenience.

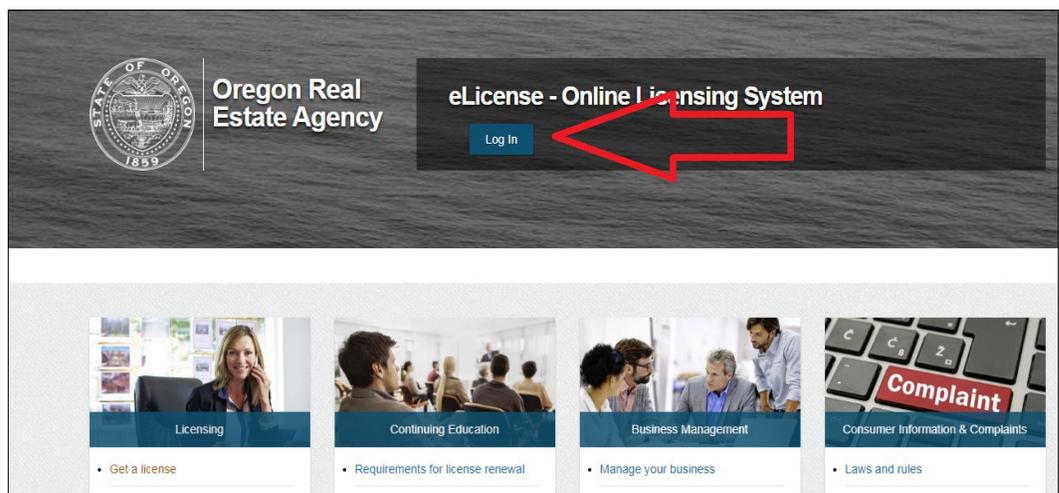
*Do not use these instructions during the month your license expires. Instead, enter your continuing education hours when you renew your license in eLicense.*

## Step 1

Gather up the certificates of attendance for the classes you want to enter into eLicense.

## Step 2

From the Agency's home page at [www.oregon.gov/rea](http://www.oregon.gov/rea), click the "Log In" button for eLicense.



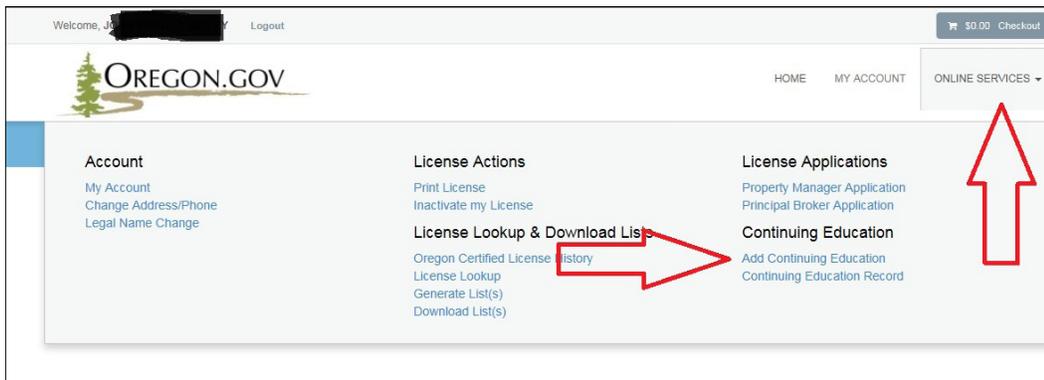
Step 2

## Step 3

Log in to eLicense with your User ID (your license number) and your password.

## Step 4

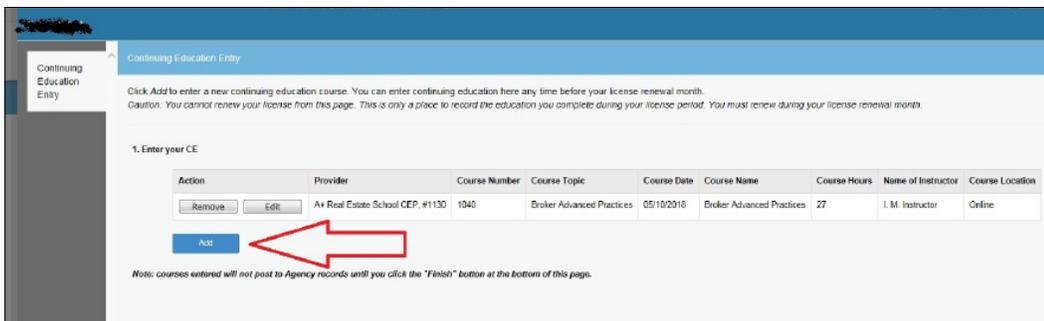
Click the Online Services drop down menu and select "Add Continuing Education."



Step 4

## Step 5

To enter a class, click the "Add" button.



Step 13

## Step 6

In the pop-up window, choose the provider from the drop down list. *Note: Look for the exact name as it is found on the certificate of attendance.*

## Step 7

Enter the Course Number found on the certificate of attendance.

## Step 8

Select the course topic from the dropdown menu.

*Note: Most courses will have the topic of "Other Eligible Course Topics" unless it is one of the following courses:*

- *Broker Advanced Practices*
- *Brokerage Administration and Sales Supervision*
- *Law and Rule Required Course*

Please see **Add CE in eLicense** on page 6

## Add CE in eLicense

Continued from page 5

### Step 9

Enter the date the course was completed.

### Step 10

Enter the name of the course as shown on the certificate of attendance.

### Step 11

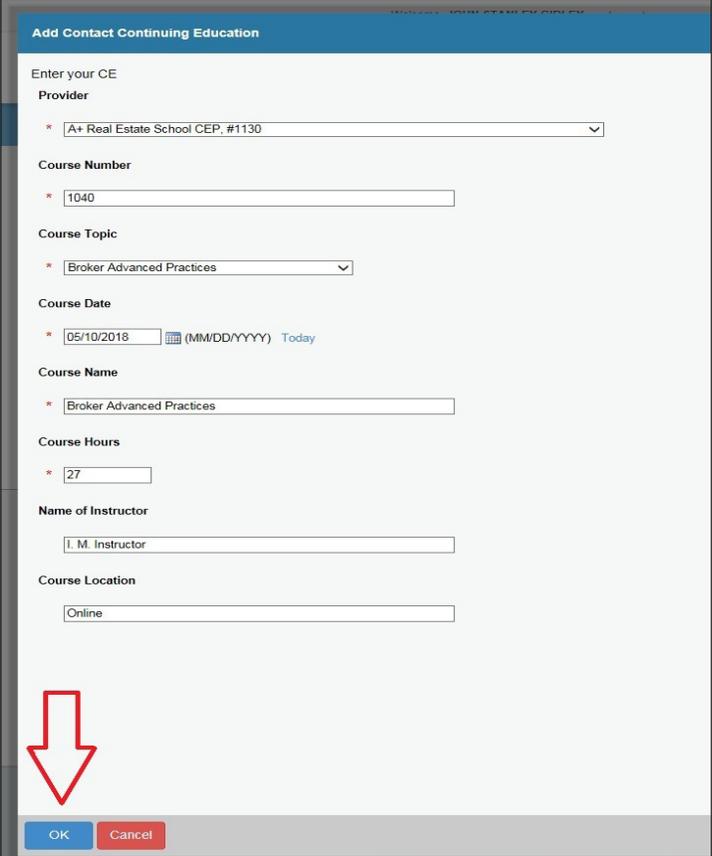
Enter the number of hours you spent taking the course. *Note: By entering the number of hours into eLicense, you are confirming that you spent the amount of time indicated to complete the course.*

### Step 12

Enter the instructor's name and the location of the class, then click "OK." This will close the pop-up window.

### Step 13

To add additional classes, repeat steps 5-12.



The screenshot shows a web form titled "Add Contact Continuing Education". The form contains the following fields:

- Provider:** A dropdown menu with "A+ Real Estate School CEP, #1130" selected.
- Course Number:** A text input field containing "1040".
- Course Topic:** A dropdown menu with "Broker Advanced Practices" selected.
- Course Date:** A date picker showing "05/10/2018" with a calendar icon and the text "(MM/DD/YYYY) Today".
- Course Name:** A text input field containing "Broker Advanced Practices".
- Course Hours:** A text input field containing "27".
- Name of Instructor:** A text input field containing "I. M. Instructor".
- Course Location:** A text input field containing "Online".

At the bottom of the form, there are two buttons: "OK" (blue) and "Cancel" (red). A large red arrow points down towards the "OK" button.

Step 12

## Step 14

When you have entered all the classes, you would like, click the "Finish" button.

Action	Provider	Course Number	Course Topic	Course Date	Course Name	Course Hours	Name of Instructor	Course Location
[Remove] [Edit]	Ar Real Estate School OEP #1158	1048	Broker Advanced Practices	05/10/2016	Broker Advanced Practices	27	I.M. Instructor	Online

Step 14

## Step 15

If you would like to see the classes you have entered, click the Online Services drop down menu and select "Continuing Education Record."

Account

- My Account
- Change Address/Phone
- Legal Name Change

License Actions

- Print License

License Applications

- Property Manager Application
- Principal Broker Application

License Lookup & Download Lists

- Oregon Certified License History
- License Lookup
- Generate List(s)
- Download List(s)

Continuing Education

- Add Continuing Education
- Continuing Education Record

Step 15

## Step 16

Enter your license number and click "Search."

Please see *Add CE in eLicense* on page 8

## Add CE in eLicense

Continued from page 7

### Step 17

The continuing education classes you have entered in eLicense for the last 3 years will display.

Reports Back to Report List

This report displays all continuing education taken and recorded within the previous three years.

Continuing Education Record

License Number:

[Search](#) [Export to Excel](#) [Print View](#)

Name of Certified Continuing Education Provider	Course Name	Course Number	Eligible Course Topic	Date of Course	Course Location	Name of Instructor	Course Hours	Course Expiration Date
ProSchools, Inc. CEP, CEP.1001	Anti-Discrimination Laws (OR)	3161	Law and Rule Required Course	06/28/2016		Gary Taylor	4.00	06/30/2016
ProSchools, Inc. CEP, CEP.1001	Ethics.Pricing offers and advertising	3521	Other Eligible Course Topic	06/27/2016			4.00	06/30/2016
ProSchools, Inc. CEP, CEP.1001	Financing Residential Real Estate (OR)	3192	Other Eligible Course Topic	06/27/2016		Gary Taylor	8.00	06/30/2016
ProSchools, Inc. CEP, CEP.1001	Minimizing Risk with Effective Practices (OR)	3221	Other Eligible Course Topic	06/28/2016		Gary Taylor	4.00	06/30/2016

Step 17

# Administrative Actions

The Oregon Real Estate Agency is required by law to publish disciplinary actions. The final order for each action can be viewed by clicking on the individual names listed below.

Please note that 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.

Stipulated settlements do not necessarily reflect all the factual violations initially alleged by the Agency. Sanctions may have been adjusted as part of the negotiation process. Such settlement may not, therefore, directly compare in severity/sanction with other cases.



## REPRIMANDED

[Eichler, Everett](#) (Applegate) Property Manager 960300224. Stipulated final order dated July 17, 2018.

# Supervisory Agreements

Continued from page 2

## Property Manager with Property Managers or Principal Brokers

When a licensed property manager works with any combination of property managers and principal brokers under the same business name, they must execute one or more written supervisory agreements that:

- Assigns supervisory control and responsibility for the management of rental real estate conducted by all principal brokers and property managers in the business.
- Includes any arrangement for supervisory control and responsibility over the management of rental real estate conducted by the property managers and principal brokers.

Additionally, the licensed property managers and principal brokers must:

- Update the written supervisory agreement if another property manager or principal broker joins the business.
- Update the written supervisory agreement if a property manager or principal broker leaves and it affects the allocation of supervisory control or responsibilities.

Property managers and principal brokers who do not exercise administrative or supervisory control over each other are responsible for their own management of rental real estate.

## Principal Broker Advanced Practices Course To Be Available Fall 2018

Principal brokers who renew an active license for the first time on or after July 1, 2019, will have to complete the 27-hour Principal Broker Advanced Practices (PBAP) course before renewal. Any principal broker whose first renewal was inactive and wants to reactivate the license for the first time on or after July 1, 2019, will also be required to take the course.

The PBAP course must be taken from a certified continuing education provider

whose course is approved by the Oregon Real Estate Agency.

The Agency has sent out the course content and learning objectives to all certified continuing education providers. We will work quickly to review course materials sent in for approval so that providers can offer classes as soon as possible.

For more information about the course requirement, see the [April and June 2018 issues](#) of the *Oregon Real Estate News-Journal*. ■

### Next Real Estate Board Meeting in Medford

Monday, October 8, 10:00 a.m.

[Rogue Regency Inn and Suites](#)

- Open to the public.
- Meet Board members and Oregon Real Estate Agency staff.
- Continuing education available; register in advance with the [Oregon Association of Realtors](#).

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David Koch, Canby

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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

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