



Oregon

Kate Brown, Governor

AGENDA ITEM NO.

I.C.

Real Estate Agency

Equitable Center

530 Center St. NE, Suite 100

Salem, Oregon 97301-2505

Phone: (503) 378-4170

Regulations Fax: (503) 373-7153

Admin. Fax: (503) 378-2491

www.oregon.gov/rea

Notice of Agenda

OREGON REAL ESTATE BOARD

Regular Meeting Agenda - via Zoom videoconference

April 4, 2022

I. BOARD BUSINESS - Chair Ihnat

- A. Call to Order
- B. Chair Ihnat comments/Roll Call
- C. Approval of the Agenda and Order of Business
- D. Approval of 02.07.22, regular meeting minutes
- E. Date of the Next Meeting: 06.06.22 to begin at 10am and platform to be announced.

II. PUBLIC COMMENT - Chair Ihnat

- 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 - Chair Ihnat. Waiver request log.

- A. Dana McNeil requests an Experience Waiver to become a principal broker.

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER - Chair Ihnat - Approval of petition log.

- A. Rogue Inspection Services, Brandi Verkempinck to appear.

V. BOARD ADVICE/ACTION - Commissioner Strode. None

VI. NEW BUSINESS - Commissioner Strode

VII. COMMUNICATIONS - ADMINISTRATIVE ACTIONS SUMMARY - Chair Ihnat

VIII. REPORTS - Chair Ihnat

- A. Commissioner Strode
- B. Agency division reports-Deputy Commissioner Higley
 1. Regulations, Elli Kataura
 2. Land Development Division, Michael Hanifin
 3. Administrative Services, Mesheal Heyman
 4. Licensing and Education, Maddy Alvarado
 5. Compliance Division, Liz Hayes

IX. ANNOUNCEMENTS - Chair Ihnat. Next board meeting: 06.06.22 to begin at 10am and platform to be determined.

X. ADJOURNMENT - Chair Ihnat

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 – via Zoom

Oregon Real Estate Agency
Salem, OR 97301

Monday, February 7, 2022

BOARD MEMBERS PRESENT: Marie Due
Debra Gisriel, Vice Chair
Susan Glen
Jose Gonzalez
Dave Hamilton
Kim Hedding
Lawnae Hunter
Pat Ihnat, Chair

BOARD MEMBERS ABSENT: Alex MacLean, excused

OREA STAFF PRESENT: Steve Strobe, Commissioner
Anna Higley, Deputy Commissioner
Elli Kataura, Regulations Division Manager
Mesheal Heyman, Administrative Services Manager
Michael Hanifin, Land Development Manager
Leandra Borstelman, Board Liaison

GUESTS PRESENT: Barbara Geyer, Barbara Geyer Real Estate

I. BOARD BUSINESS - Chair Ihnat

- A. Call to Order. Chair Ihnat called the meeting to order at 10am.
- B. Chair Ihnat comments/Roll Call. Chair Ihnat explains the role/function of the board and asked board members to introduce themselves and provide an industry update.
- C. Approval of the Agenda and Order of Business.
- D. Approval of 12.06.21 regular meeting minutes.

MOTION TO APPROVE 12.06.21 REGULAR MEETING MINUTES AS SUBMITTED BY DAVE HAMILTON

SECOND BY MARIE DUE

MOTION CARRIED BY UNANIMOUS VOTE

- E. Date of the Next Meeting: 04.04.22, to begin at 10am and location to be determined.

II. PUBLIC COMMENT – Chair Ihnat. None.

- 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. REQUEST FOR WAIVERS – Chair Ihnat. Log. None.

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER - Chair Ihnat. None.

V. BOARD ADVICE/ACTION – Commissioner Strobe.

- A. Law and Rule Required Course (LARRC) 2021-2022 - make recommendation for agency to adopt amended outline as submitted. Commissioner Strobe clarified the amendments as follows:
 - 1. Amend the prior 2020-2021 course outline to include a Fair Housing component to comply with HB2703. This amended portion will be identical to the Fair Housing portion approved by the Board for the 22-23 LARRC.
 - 2. Approve this amended component be a stand-alone course, to be taken by licensees who renew on after July 1st, 2022 and are using the 2020-2021 LARRC to satisfy renewal requirements.

MOTION TO APPROVE THE AMENDED 2021-2022 LARRC OUTLINE AS SUBMITTED BY MARIE DUE

SECOND BY KIM HEDDINGER

MOTION CARRIED BY UNANIMOUS VOTE

VI. NEW BUSINESS - Commissioner Strode.

- A. Workday process for board members to apply or re-apply for board positions. Commissioner Strode explained that any board members or other industry members interested in applying for a board seat needed to contact Leandra Borstelman, Board Liaison.
- B. 2022 Governor's State Employees Food Drive. Commissioner Strode referred board members to the food drive information included in the board packet.

VII. COMMUNICATIONS - ADMINISTRATIVE ACTIONS SUMMARY - Chair Ihnat

VIII. REPORTS – Chair Ihnat.

- A. Commissioner Strode
 - Presentation of recognition certificate from Governor Brown to board member Dave Hamilton as his term expired.
- B. Agency Division Reports - Deputy Commissioner Higley
 - eLicense system update project is in early stages and Agency has hired Jaden Hurtienne as the project manager. The Agency will be putting together a steering committee to provide feedback on this project with a launch date in 2024.
 - The Agency has created a new Compliance and Audit Division. The division will be led by Liz Hayes and will soon be joined by another Financial Investigator.
 - 1. Regulations Division, Elli Kataura
 - Staffing: Liz Hayes has promoted to lead in the new Compliance and Audit Division and new Financial Investigator Frank Leonard is transitioning very well. Lisa Montellano has moved on to another Agency.
 - Summary of division stats & information provided in written report
 - 2. Education and Licensing Division, Mesheal Heyman
 - Staffing: Currently recruiting for an Administrative Specialist 2 position
 - Summary of division stats and information provided in the written report
 - 3. Administrative Services Division, Mesheal Heyman
 - Budget update
 - DAS conducted a cyber security assessment and per the report provided, the Agency is taking actions to comply.
 - 4. Land Development Division, Michael Hanifin
 - Summary of division stats and information provided in the written report

IX. RULEMAKING REVISIONS, HOUSEKEEPING - Michael Hanifin. Refer to information provided in the board packet for detailed information.

X. ANNOUNCEMENTS – Chair Ihnat. Next board meeting: 04.04.22 to begin at 10am and location to be determined.

XI. ADJOURNMENT – Chair Ihnat

Respectfully submitted,

STEVE STRODE, COMMISSIONER

Respectfully submitted,

PAT IHNAT, BOARD VICE CHAIR

OREGON REAL ESTATE AGENCY – Experience Requirement Waiver Request Log (2018-2021)

<p>AGENDA ITEM NO. III.</p>
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DATE	NAME	LICENSE TYPE	APPROVED/DENIED	FACTS AND BOARD DISCUSSION
04.02.18	Ross Kelley	PB	Denied	<p>FACTS: Ross Kelley requests a waiver of experience to become a principal broker. Mr. Kelley explained his request was based on his legal experience on both residential and commercial real estate and also that his business model would be a small scale of commercial properties. Dave Koch asked Mr. Kelley about his attitude towards managing and Mr. Kelley responded that his goal would be to provide exemplary service and he has reviewed ORS Chapter 696. Mr. Koch asked Mr. Kelley if he had supervisory experience and Mr. Kelley responded that has supervised paralegals, attorneys and in his current position as well. Alex MacLean asked Mr. Kelley if he has had any experience with day to day transaction activity and Mr. Kelley responded he has worked with many brokers as well as buyers and sellers.</p> <p>MOTION TO DENY MR. KELLEY’S REQUEST FOR WAIVER OF EXPERIENCE AND RECOMMEND MR. KELLEY MAKE HIS REQUEST AFTER ONE YEAR OF EXPERIENCE BY DAVE KOCH SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOUS VOTE</p>
06.04.18	Ryan McGraw	PB	Approved	<p>FACTS: Ryan McGraw requests experience waiver to become principal broker. Mr. McGraw appeared and explained the basis for his request for waiver was that he has practiced real estate law in some form for 9 years. He also explained that for the past 2 years he has been the equivalent to a principal broker in California, however, he relocated to Oregon and did not build the business in California. Mr. McGraw obtained his broker license in Oregon about a year ago and has handled some transactions but his goal was to build a residential property management business while continuing to sell homes. Dave Koch asked Mr. McGraw what supervisory experience he had. Mr. McGraw responded that for the last 6 years he has been responsible for supervising 22 staff in his current role. Dave Hamilton asked Mr. McGraw if he was operating as both realtor with a company and also the energy company. Mr. McGraw responded that he was operating as both. Commissioner Bentley clarified the area of concern for board members was Mr. McGraw his lack of experience in supervising new licensees and Mr. McGraw responded that he agreed with that concern and would only take on licensees that are fully experienced. Discussion: Alex MacLean stated although Mr. McGraw’s lack of experience with supervision was a concern Mr. MacLean was in support of approval of this motion. Mr. Koch asked Mr. McGraw to expand on his management process/experience and Mr. McGraw described how he has handled various personnel issues as a manager/supervisor. Jose Gonzalez also expressed his support for approval of this motion. Pat Ihnat asked Mr. McGraw how he handled lease negotiations and Mr. McGraw responded that he has been involved as supervising and also has used brokers.</p> <p>MOTION TO APPROVE RYAN MCGRAW’S REQUEST FOR WAIVER OF EXPERIENCE BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOUS VOTE</p>
12.10.18	Joseph Edwards	PB	Withdrawn	<p>Joseph Edwards requests an experience waiver, Mr. Edwards contacted the agency to cancel his appearance due to unsafe road conditions.</p>
04.01.19	Ross Kelley	PB	Denied	<p>Ross Kelley requests experience requirement waiver. Chair Farley asked Mr. Kelley to expand on the basis of his request for a waiver. Mr. Kelley explained that since his appearance before the board about a year ago he had completed two transactions and had a listing pending. Mr. Kelley stated that becoming a principal broker would allow him to provide quality service to his clients and also open his own real estate brokerage firm. DISCUSSION: Alex MacLean expressed his appreciation to Mr. Kelley for appearing before the board for a second time and also encouraged him to continue gaining the required experience to become a principal broker. Jose Gonzalez explained that his personal experience of learning from principal brokers was instrumental for him in becoming a principal broker.</p> <p>MOTION TO DENY ROSS KELLEY’S REQUEST FOR WAIVER BY DEBRA GISRIEL SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
6.3.19	Ruth Howard	PB	Approved	<p>Ruth Howard requested a waiver of experience to become a principal broker. Howard appeared in person. Howard explained the basis for her request. Worked in real estate as a secretary for an office in 1980. Over the years she owned a small business and leased homes for a retirement community, She then got her real estate license. She was asked by the outgoing principal broker and the president of her current company to become the principal broker despite not having the required experience. Dave Koch asked if Laurie Thiel had comments. Thiel spoke on Howard’s behalf. Koch recused himself from the vote, but recommended approval comments. Thiel spoke on Howard's behalf, Koch recused himself from the vote, but recommended approval of the request. Pat Ihnat commented that Koch is usually is the one that questions experience waiver requests) and that Koch's support is uncharacteristic. Howard explained how her leasing experience helped her in professional real estate. Lawnae commented favorable on 1-Howard's background, Ihnat asked how many are in the office now. Howard responded 20. Lawnae asked about trust accounting experience. Debra Gisriel asked if there is another principal broker</p>

				<p>in the office who can step in, Thiel stated that there are licensees that who could meet the requirements but no one with the desire or skills to manage. Gisriel suggested that Howard take the Principal Broker Advanced Practices course and the Principal Broker Academy right away. Dave Hamilton asked question about transaction issues. Alex MacLean inquired about time line for Bill (current PB in the office) to mentor, number of deals occurring in office and experience of brokers in office. MacLean also asked how many RE/MAX offices are in Portland, where are management meetings held, if other RE/MAX management is available to her as a resource, and what her plans are for growing office. Koch commented on history of office. MacLean confirmed Bill is retiring from management of office, not from real estate business, and asked about Dave Koch's relationship with the office and RE/MAX. Ihnat commented when Howard obtains a principal broker license, she could leave RE/MAX and open her own office. Jef Farley commented on the shortcomings of the law requiring only three years of active licensed experience to obtain a principal broker license.</p> <p>DISCUSSION: Dave Hamilton commented he considers Dave Koch's recommendation. Lawnae agreed. Pat said leasing experience similar. Susan commented on past leasing experience and number of transactions completed.</p> <p>MOTION TO APPROVE RUTH HOWARD'S REQUEST FOR WAIVER OF EXPERIENCE BY PAT IHNAT. SECOND BY DEBRA GISRIEL.</p>
2.3.20	Christopher Ambrose	PB	Approved	<p>Christopher Ambrose, Mr. Ambrose explained that he had been practicing attorney with Ambrose Law Group and an active attorney for approximately 30 years. He also stated that he was one of three owners of Total Real Estate Group LLC, which is a residential brokerage based out of Bend and his waiver request is based on his hands on experience as well as working very closely with the principal broker employed at Total Real Estate Group. Mr. Ambrose reported his company closed approximately 70 ns last year, bringing in 55 million in sales and that he had worked with and assisted in the selection of software. Alex MacLean asked Mr. Ambrose how his becoming a principal broker would affect the current principal broker at the company. Mr. Ambrose explained that he would continue to work closely with the principal broker but focus on managing the office and allocating duties while principal broker would continue to produce. Dave Hamilton asked Mr. Ambrose is the current principal broker was a principal in the company and Mr. Ambrose stated current principal broker is not a principal in the company. Discussion: Pat Ihnat, Dave Hamilton and Kim Heddingger all stated that they advocated the approval of the Mr. Ambrose's waiver request based on his experience in both the legal and real estate industry. Ms. Heddingger asked Mr. Ambrose if his intention was to continue to practice law and Mr. Ambrose affirmed.</p> <p>MOTION TO APPROVE CHRISTOPHER AMBROSE'S WAIVER REQUEST BY ALEX MACLEAN SECOND BY PAT IHNAT</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
12.07.20	Jerry Jones	PB	DENIED	<p>Chair Hunter asked Mr Jones to explain the basis for his waiver request and he responded that he had held various business roles in the real estate industry, such as development projects, commercial management firm. He also explained that he wanted to expand to a brokerage firm and that having the principal broker designation would be a tremendous professional benefit. Susan Glen asked Mr Jones if he was aware of the 3 year requirement previously and re responded that he was aware of the requirement. Marie Due asked Mr. Jones if he had management experience. Mr. Jones explained that he had managed teams of 2 to 3 brokers and upwards of 20. Pat Ihnat stated that managing brokers requires dealing with substantive issues rather than broad management. Jose Gonzalez asked Mr. Jones what options were available to him if his waiver request were to be denied and Mr. Jones replied that the principal broker who plans on retiring would postpone his retirement if necessary.</p> <p>MOTION TO DENY JERRY JONES'S 3 YEAR EXPERIENCE WAIVER REQUEST BY ALEX MACLEAN SECOND BY MARIE DUE</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
12.07.20	Eric Zechnelly	PB		<p>Chair Hunter asked Mr. Zechnelly to explain the basis for his waiver request and he responded that his family owns and operates multiple businesses relating to various areas of real estate, which he has been involved in since he was in high school. He also explained that he received a Master Degree in Real Estate Development from Portland State University. Alex MacLean asked Mr. Zechnelly who he would be managing and what type of business and he responded that the business was a manufactured home company involving commercial real estate transactions and he would be managing a couple of brokers. Pat Ihnat asked Mr. Zechnelly how he believed his degree weighed in on answering questions from brokers and he replied that many of the courses he took covered law/rule content along with transaction processes. DISCUSSION: Pat Ihnat stated although Mr. Zechnelly's experience was with manufactured homes, his course study and degree were impressive. Alex MacLean stated Mr. Zechnelly's would benefit from more management experience.</p> <p>MOTION TO DENY ERIC ZECHNELLEY'S 3 YEAR EXPERIENCE WAIVER REQUEST BY ALEX MACLEAN SECOND BY DAVE HAMILTON</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
02.01.21	Robert Tessmer	PB	MOTION FAILED – TIE VOTE	<p>Chair MacLean asked Mr. Tessmer to explain the basis for his waiver request and he responded that his career had consisted of property searches, purchasing, rebuilding, and renovating. He also explained that as a veteran his goals were to work with</p>

				<p>disabled veterans and assist them with finding homes. Pat Ihnat asked Mr. Tessmer to explain how his experience met with the waiver request requirements and he explained that he his experience included lease negotiations, writing leases, and contract management. Vice Chair Ihnat asked Mr. Tessmer if he planned to employ brokers and he responded that at some point he would be employing brokers. Lawnae Hunter asked Mr. Tessmer to provide a summary of his supervisory experience and he responded that he had vast experience with contract management and managing people with setting their career enhancement guidelines. Lawnae Hunter also asked Mr. Tessmer if he was familiar with the financial responsibilities required of a principal broker. Mr. Tessmer explained that he was familiar with the financial responsibilities. Dave Hamilton asked Mr. Tessmer what experience he had with overseeing several brokers and ensuring that they follow proper guidelines and he responded he would have a business plan in place to facilitate proper supervision. Discussion: Chair MacLean asked Mr. Tessmer to elaborate on his connection to Mr. Larkin. Mr. Tessmer explained that his relationship with Mr. Larkin was as a mentor and seeking his advice/input on certain situations. Susan Glen asked Mr. Tessmer if he had considered working under the supervision of a principal broker for a period of time and he responded that he would not work well in that type of setting or environment.</p> <p>MOTION TO APPROVE ROBERT TESSMER'S EXPERIENCE WAIVER REQUEST BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION FAILS BY TIE VOTE (AYES: LAWNAE HUNTER, SUSAN GLEN, PAT IHNAT, ALEX MACLEAN. NAYS: MARIE DUE, DEBRA GISRIEL, KIM HEDDINGER, DAVE HAMILTON)</p>
02.01.21	Eric Zechenelly	PB	APPROVED	<p>Eric Zechnelley - Mr. Zechenelly asked Chair MacLean the reason the board denied his previous waiver request on 12.7.20 and both Chair MacLean and Dave Hamilton responded that the reason for the denial was lack his of experience. Vice Chair Ihnat stated that she would be inclined to support Mr Zechenelly's waiver request based on his college degree. David Malcolm, attorney for Mr. Zechenelly, explained that he reviewed the last 5 years of waiver requests and board meeting minutes and determined that Mr. Zechenelly has met the requirements for to qualify for a waiver request.</p> <p>MOTION TO APPROVE ERIC ZECHNELLEY'S WAIVER REQUEST BY PAT IHNAT SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE</p>
04.05.21	Robert Tessmer	PB	APPROVED	<p>Robert Tessmer - David Malcolm, attorney for Mr. Tessmer explained Mr. Tessmer's qualifications qualifying him for the waiver request. Alex MacLean asked Mr. Malcolm to explain Mr. Tessmer's anticipated supervisory duties would be and Mr. Malcolm responded that Mr. Tessmer had no plans to hire brokers. Pat Ihnat summarized Mr. Tessmer's business plan as a sole proprietor shop, assisting buyers to find property. Debra Gisriel asked Mr. Tessmer is he currently held a brokers' license or taken the principal broker's course work and Mr. Malcolm responded that Mr. Tessmer did not hold a broker's license or taken the principal broker's coursework.</p> <p>MOTION TO APPROVE ROBERT TESSMER'S EXPERIENCE WAIVER REQUIREMENT REQUEST BY LAWNAE HUNTER SECOND BY PAT IHNAT MOTION CARRIED BY 6 AYES (ALEX MACLEAN, PAT IHNAT, MARIE DUE, KIM HEDDINGER, JOSE GONZALEZ, AND LAWNAE HUNTER) AND 3 NAYS (DAVID HAMILTON, SUSAN GLEN, AND DEBRA GISRIEL)</p>
06.07.21	Michael Paluska	PB	APPROVED	<p>Michael Paluska explained his background as an attorney he did not practice litigation and had over 25 years of experience in real estate law. Chair MacLean asked Mr. Paluska what experience he had with continuing education and Mr. Paluska responded that he had provided continuing education for the commercial industry members and for attorneys. Lawnae Hunter asked Mr. Paluska if he intended to operate a traditional brokerage, which would include supervising other brokers and he indicated that was his intention. Chair MacLean asked Mr. Paluska to elaborate on his current supervisory role and he explained that his practice consisted of one attorney and his management experience has been managing staff at various companies that he has owned. Dave Hamilton asked if he intended to continue to run his law firm and Mr. Paluska responded that he would.</p> <p>MOTION TO APPROVE MICHAEL PALUSKA'S REQUEST FOR EXPERIENCE WAIVER BY PAT IHNAT SECOND BY KIM HEDDINGER MOTION CARRIED BY 8 YES VOTES (ALEX MACLEAN, PAT IHNAT, MARIE DUE, JOSE GONZALEZ, DEBRA GISRIEL, LAWNAE HUNTER, SUSAN GLEN, AND KIM HEDDINGER) ONE NO (DAVE HAMILTON)</p>
04.04.22	Dana McNeil	PB		

Oregon Real Estate Board Experience Requirement Waiver Request

Date: 3/22/2022

Name: Dana McNeil

Address: 21372 S Richard Court

Daytime Phone Number: (303) 250-3091 **Oregon License Number:** 201239433

GENERAL INFORMATION AND DOCUMENTATION

1. **I am seeking an experience requirement waiver to become a real estate PRINCIPAL BROKER. (ORS 696.022 and OAR 863-014-0040)**
2. **I am currently licensed as a real estate broker in Oregon: Yes**
If yes, please state the dates for which you held an Oregon real estate license: 12/11/2020 to Present
Was your Oregon license obtained through a reciprocal agreement with another state? No
3. **I am currently licensed or have held a real estate license in another state that was issued by ~~the state's licensing authority~~ the authority of the Federal Government: Yes X Indicate the following**

Type of License	State Issued	Dates Active License Held	
Warrant	Federal Government	From: April 2017 (Apprx three years)	To April 2020
Warrant	Federal Government	From: Dec 2010 (Apprx two years)	To Dec 2012

4. **Per OAR 863-014-0040 and OAR 863-014-0042, I have:**

	Yes	No	Date Completed	Additional Required Information	Agency Use Only
Completed the "Broker Administration and Sales Supervision" course for principal real estate brokers. Must be completed PRIOR to waiver request.	X;		3/17/2022	Attach original course certificate.	
Submitted the Real Estate License Application for Principal Broker license and \$300 fee. Must be completed PRIOR to waiver request.	X;		3/8/2022	Attach copy of confirmation letter from Agency.	
Successfully passed the Oregon Principal Broker exam. Must be completed PRIOR to waiver request.	X;		3/20/2022	National Score: 80% State Score: 78%	
Graduated from a four-year college or university with a degree in real estate curriculum approved by the Commissioner.(863-014-0042)	X;		3/1/2007	Attach official transcript to request, if any.	
Graduated with a two-year community college associates degree in real estate curriculum approved by the Commissioner. (863-014-0042)	N/A			Attach official transcript, if any.	

	Yes	No	Date Completed	Additional Required Information	Agency Use Only
Substantial real estate-related experience equivalent to at least 3 years active licensed experience. Include any real estate designations achieved. (OAR 863-014-0042)	X; Exhibit D Warrant, LEED AP, PMP		3/22/2022	Attach a written details about your additional real estate experience that would assist in the Board's consideration of your waiver request.	
Included the number and type of real estate transactions (listings and transactions that were closed) I have completed while holding a real estate license in Oregon or in another state.	X; Exhibit A		3/22/2022	Attach a document showing the number and types of transactions you have completed while licensed, if any.	

REQUIRED DOCUMENTS

Listed below are the required documents to be included in the request for an experience waiver.

1. Your letter requesting a waiver of the three year active licensed experience. This letter should:
 - o State the reason for the request, including the compelling reason why you cannot wait to complete the three years of active licensed experience.
 - o Indicate the real estate experience you have that would be an acceptable substitute for the three years of required experience.
 - o Explain how you obtained the knowledge and expertise to adequately manage a real estate business, which includes supervising Oregon real estate licensees and handling clients' trust accounts.
2. Required documentation listed above in the General Information and Documentation section #4.

HELPFUL DOCUMENTS

The following information is helpful, but not required, for the Board to thoroughly evaluate your request:

- o Letters of reference pertaining to your real estate experience
- o Letters of reference from current or past supervising principal brokers
- o Supervisory experience
- o Familiarity and experience in other related industries: escrow, title, mortgage, etc.

OTHER REQUIREMENTS

- **You will be required to attend the Oregon Real Estate Board meeting when this waiver is discussed. The Board schedule will be communicated in follow-up correspondence upon receipt of your documents.**
- **Be prepared to answer questions from the Board to support your request.**
- **Waiver requests must be received at the agency no less than 21 days before the board meets.**
- **You must email all documents, including this completed and signed "Experience Requirement Waiver Request," to madeline.c.alvarado@oregon.gov.**

IMPORTANT NOTE: All documents submitted become part of the Board Packet and, therefore, public record. The Agency highly recommends that you remove/redact any confidential information on your documents, such as your social security number, date of birth, and credit card information. Please do not put the packet into any type of folder or binding.

Please direct any questions to Madeline Alvarado at 971-719-3406 or madeline.c.alvarado@oregon.gov.

I certify that the above information is true to the best of my knowledge.

Signature of Waiver Applicant

Date

2021 BOARD MEETING DATES

MEETING DATE
February 1, 2021

LOCATION
Videoconference

WAIVER PACKET DUE DATE
January 11, 2021

April 5, 2021
June 7, 2021
August 2, 2021
October 4, 2021
December 6, 2021

Videoconference
Videoconference
Videoconference
Videoconference
Videoconference

March 15, 2021
May 17, 2021
July 12, 2021
September 13, 2021
November 15, 2021

March 22, 2022

RE: Experience Waiver Request

Dear State of Oregon Real Estate Board,

I am seeking an exception to the three year requirement of active licensure so that I may obtain the designation of principal broker and run my own real estate consulting business for leases specific to the US Government's tenancy. The reason for this request is as follows;

- 1) I greatly exceed the three year requirement for licensed experience when considering the prior jurisdiction I operated within (Federal leases are exempt from State licensure)
- 2) I have significantly more than three years of experience in supervising teams performing commercial real estate actions in the same work I plan on continuing in
- 3) No client funds will ever be held by my firm.
- 4) Waiting for the full three years is unlikely to bring additional benefits as I am performing the training, not the recipient of it, given the unique nature of this business.

The niche industry I operate in is performing commercial tenant representation services for the US Government. In my 15 year career in this space I have represented the US Government both; a) directly as a warranted officer in lease negotiations as well as b) supported the US Government as an Oregon licensed private sector broker.

Just as a salaried employee of the State of Oregon is not required to be licensed to practice real estate, this same structure exists on the Federal level. Federal leases are exempt from State licensure. To negotiate real estate contracts personnel hold a "warrant" not a State "license." These warrants allow select Federal employees to directly negotiate, supervise, advise, and sign commercial leases on behalf of the US Government in place of a commercial broker. I have been a warranted leasing officer for approximately five years in the past 15, including directly preceding my role as an Oregon licensee.

A requirement of receiving these warrants is multi-year long education series (*see Exhibit D*) and training under the supervision of another warranted officer; akin to the broker / principal broker relationship required by the State of Oregon. Of note, I am also a LEED AP, PMP, and a member of CREW (Commercial Real Estate Women). These organizations, and positions, also have their own requirements for ethical behavior and standards of conduct which I have always happily complied with.

While the basic concepts in Federal leasing remain the same as one would experience in traditional commercial real estate, the due diligence requirements are typically higher and the lease contracts are longer and more complex. There are typically higher standards pertaining to; zoning, environmental reviews, pricing analysis, ownership structure review, etc... The size of these contracts can be extremely large and have long terms. The types of commercial spaces I am experienced in working in include commercial office, warehouse, flex, and land. I have

experience in navigating various conflict of interest issues and issues of dual agency. I have won both National and Regional awards for my work in this field and am widely sought after as an expert Nationwide.

I am presently employed with Cushman & Wakefield as a licensed commercial broker in this field of work. Cushman & Wakefield holds a contract for Tenant Representation on these types of projects as the prime contractor. In this role, I am not presently mentored – I perform the mentoring. I have a formal relationship where I oversee the work of another small consulting firm's development. I also have experience in supervising real estate negotiations from my time at the US Forest Service where I managed a team of 5 and an annual budget of \$19M.

With the permission and concurrence of Cushman & Wakefield I am opening my own real estate consulting firm and I will be subcontracting to Cushman & Wakefield moving forward. Cushman and Wakefield, as the prime contractor, will continue to be the broker of record and accept commissions directly. However, I will be providing my real estate expertise in the form of transaction management and negotiation assistance be paid both a fee and a portion of the commissions as a result.

I do not intend to supervise others nor practice outside of this niche area I am already an expert in. I will never be involved in client trust accounts or financials of clients in any capacity, at any time. I will never operate in residential real estate or property management. I simply would like to open my consulting business related to this specific expertise I have. Finally, I have attached copies of additional materials the board may want to review in support of this request. I am confident upon review of the materials the board will be able to approve this experience in lieu of the full three year experience requirement.

As I am already educating others, and my experience level in this field is high, from my perspective waiting the full three year cycle will have limited continued benefits to my development. Hiring an experienced principal to supervise my licensed business activity would be challenging as all firms are inherently inexperienced in this specialty work due to the warranted nature.

Respectfully,

Dana McNeil

Dana McNeil

Attachments:

Exhibit A – Resume

Exhibit B – Letters of Reference (Present and Prior Employer)

Exhibit C – Warrants

Exhibit D – Evidence of Additional Education

Exhibit E – Payment & Testing

The following is a small sampling of projects I have completed while holding either a license in Oregon, or a warrant through the Federal Government.

It would not be possible for me to list every transaction I have assisted on or supervised – it would be in the hundreds. All projects are commercial leases with the Government as the occupier:

- Project management and landlord concession negotiation for a 126,000 RSF office lease in Portland, OR
- Lease negotiations for 400,000 RSF of office and data center space for the National Business Center in Lakewood, CO
- Strategic portfolio planning and lease negotiations for the Environmental Protection Agency in Seattle, WA of 150,000 RSF of office space
- 10,000 RSF ground up aviation/on-airport development project for the United States Forest Service in both Prineville, OR and La Grande, OR
- Lease negotiation of a complete rehabilitation project of a historic building for office use by the Social Security Administration in San Francisco, CA
- Lease negotiation of a complete rehabilitation project of a historic building for office use by the Social Security Administration in Campbell, CA
 - I have completed approximately 20 lease negotiation and relocation efforts for the Social Security Administration

FEDERAL REAL ESTATE LEADER

LEASE AND PROJECT MANAGEMENT

**More than 15 Years of Experience Leading
Large-Scale Federal Leasing Projects and Teams**

Regional and National award-winning leasing professional who regularly received acclaim for consistently exceeding business metrics for even complex, high-risk initiatives. Deep experience in both lease contract acquisition and post-award construction management. Sought after as a subject matter expert on all facets of Federal Real Property Leasing and asset management.

Training & Coaching • Construction Project Management • Lease Procurement • Program Development • Reporting
Strategic Planning & Execution • Federal Leasing Policies & Processes • Compliance • Budgeting & Financial Oversight

PROFESSIONAL EXPERIENCE

CUSHMAN AND WAKEFIELD – GSA Account • Portland, OR • April 2020 – Present**Senior Transaction Manager** (40 hours per week)

Licensed OR Broker, 201239433

- Developed Microsoft Project schedule templates and provided team training on Federal lease scheduling.
- Performed “cradle to grave” transaction management for the US General Services Administration (GSA).
- Prepared lease documents for award and submitted draft Lease contracts to the General Services Administration for review and execute.

U.S. FOREST SERVICE – Pacific Northwest Region • Portland, OR • 2017 – 2020**Regional Leasing Officer** (40 hours per week)

Level II 1170 Contracting Warrant, Level II FAC-COR Certification

\$20M annual real estate operating budget • 5 direct reports

Elevated the efficiency and visibility of a real estate acquisition program. Led a team of leasing professionals in executing complex lease delivery projects both through direct partnership with the General Services Administration as well as utilizing delegated and independent leasing authorities. Negotiated and signed hundreds of real estate contract actions up to \$10M annual rent.

- Developed, marketed, and implemented a Region wide decision-making board (*Regional Investment Board*) to escalate the importance of Lease strategy decisions to the Forest Service executive leadership.
- Via the *Regional Investment Board* moved the agency from a reactive to a proactive portfolio management position by instituting a multi-year strategic plan on all lease contracts, immediately saving the agency \$12M in rent expenditures.
- Oversaw the procurement and construction of several On-Airport New Construction lease projects benefiting Forest Service fire suppression readiness.
- Earned accolades from the Regional Forester for instituting “*transformative business practices.*” Noted as a driving force of change within the agency and received highest performance reviews awarded.
- Implemented workload management tools, schedule management tools, Tenant Improvement change order processes, and lease close-out processes for use by subordinate lease contracting specialists and project managers.
- Received a satisfactory “*green*” audit rating from USDA lease contract auditors two years in a row
- Instituted a digital contract file organization schema to align with United States Department of Agriculture requirements and promote team collaboration at remote locations.

- Clarified lanes of project management and lease contracting by developing and training on a Roles and Responsibility (RACI) Matrix for approximately 100 Forest Service employees contributing to reduced project risk and overall success

U.S. GENERAL SERVICES ADMINISTRATION – Public Building Service • Portland / Denver • 2007–2017

Project Manager (2011-2017) • Interim Team Lead (2013) – Portland, OR (40 hours per week)

Successfully managed multiple high-risk real estate projects. Planned and executed projects in Oregon, Washington, Idaho, and Alaska to meet customer space and cost requirements, including project planning, programming, budgeting, design and construction, contract evaluation, and technical contract administration. Selected for interim leadership position supervising a team of contractors and government employees in pre-award project management and post-occupancy client services.

- Led the project team awarded with one of GSA’s highest National awards “*Leased Prospectus Project of the Year*” in 2017; this high-risk, multi-year initiative included a \$10M budget, 8 construction phases with swing space planning, and required cross-functional facilitation and management of several sub-teams.
- Served as the Social Security Administration’s Projects Planning Manager (PPM) directing the analysis and evaluation of projects and driving effectiveness of operational procedures, structures, and work flow.
- Received a Regional award from the Seattle Federal Executive Board for “*Innovation in Government*” for development of a customer focused Request for Lease Proposal and Lease for the Social Security Administration
- Led and directed a group of 40+ colleagues and leaders on the regional implementation of a complex commercial lighting upgrade for the Social Security Administration, Office of Disability Adjudication and Review. Successfully managed the budget, schedule, and project scope, and reported status updates to National office partners.
- Partnered on the transition of Region 10’s largest leased asset (\$8.1 million annual rent and 300,000+ square feet of space) from a master lease to individual leases and Federal tenancy, immediately changing budget forecasts for the next four fiscal years. Leveraged expertise in ANSI/BOMA standards and financial reporting to assist customers with a smooth transition to the new structure.
- Mentored colleagues via formal and on the job training sessions on technical subjects including scheduling methodologies, change order management, and furniture procurement options.

Leasing Contracting Officer (2007-2011) – Denver, CO (40 hours per week)

Exceeded project expectations for costs and customer satisfaction. Partnered with lessors, construction management teams, architects, engineers, and safety experts to complete projects of varying scope across Colorado. Contracted and directed private sector brokers under National Broker Contract awards.

- Won recognition with 2010 Region 8 “*All Star Award*” for top performance in the realty community and 2008 Region 8 Award for negotiating a real estate contract 17% below market rates.
- Received recognition for effort lauded as one of client’s “*best run ARRA projects.*” Completed \$1.2M swing space project ahead of schedule and under budget at \$960,000 despite heavy security needs for multiple Federal agencies being moved to Denver Customs House.
- Spearheaded requirements development of a \$32M renovation / LEED-certified new lease construction project for National Business Center, a prospectus project with estimated \$49M build out and annual rent of \$10.3M.
- Shortly after coming on board, entrusted with a prospectus project, a complex assignment usually given to experienced associates. Rapidly earned credibility through the management of complex work assignments.
- Tapped for leadership positions including Region 8 Co-Chair of Real Estate Steering Committee.

- Deepened knowledge of leasing best practices among team members as co-instructor of annual Region 8 “Leasing 101” class and as mentor to Leasing Specialist intern.

EDUCATION

Bachelor of Arts: Spanish & International Studies, (Minor: Leadership Studies), UNIVERSITY OF DENVER – Denver, CO, 2007

PROFESSIONAL DEVELOPMENT

LEADERSHIP PROGRAMS AND CERTIFICATIONS

Graduate, Executive Leadership Program, Graduate School USA – Competitive 9-month leadership program for promising Federal Government leaders (GS-13 Level)

Accredited, Project Management Professional (PMP)

Accredited, Leadership in Energy and Environmental Design (LEED)

Appointed/Expired, Contracting Officers Representative, Level II (Expired 2020)

Appointed/Expired, Warranted Leasing Contracting Officer, Level II (Expired 2020)

TRAINING & PRESENTATIONS

1102 Contracting for Leasing Actions • The Government Lease Prospectus Process • Project Scheduling Methodologies
Commercial Lighting Options • Construction Change Orders • Portfolio Planning

Exhibit B – Letters of Reference

March 14, 2022

Subject: Letter of Reference for Dana McNeil – Ron Feist

Dear Oregon Real Estate Board,

I am writing in support of Dana McNeil and to attest to her leadership and management capabilities. I am writing as Dana's former mentee and subordinate from the US Forest Service. Dana supervised me for several years and always displayed the highest level of professionalism and ethical behavior. After her departure from the US Forest Service I assumed her leadership position within the organization.

I witnessed Dana successfully negotiate numerous real estate transactions throughout Alaska, Idaho, Oregon, and Washington. Of note specifically to Oregon were the following lease transactions Dana led:

- United States Forest Service, Hood River, OR, 14,000 RSF Office
- United States Forest Service, John Day, OR, 33,000 RSF Office
- United States Forest Service, Lakeview, OR, 30,000 RSF

I am confident in her ability to operate at the highest moral standards meeting the State of Oregon requirements to be a Principal Broker. Her understanding of negotiation techniques are outstanding. Further, she is fully committed to developing teams and is capable of navigating extremely complex compliance requirements.

Sincerely,

RONALD FEIST

Digitally signed by RONALD
FEIST

Date: 2022.03.14 07:36:01 -07'00'

Ronald Feist

United States Forest Service

Regional Lease Contracting Officer

Exhibit B – Letters of Reference


March 11, 2022

Subject: Letter of Reference for Dana McNeil – Kristen Yee

Dear Oregon Real Estate Board,

I am writing in support of Dana McNeil's quality of character and to affirm her expertise in the field of Federal real estate. I am presently Dana's supervisor at Cushman & Wakefield. Dana is widely known as an expert in the field of Federal real estate she intends to practice in. She serves as a mentor to newer associates on my team. She has a very strong working knowledge of real estate concepts, requisite laws, and best practices. I am confident in her ability to operate at the highest ethical standards meeting the State of Oregon requirements to be a Principal Broker.

Sincerely,

DocuSigned by:

5F10F385E600474...

Kristen Yee

Cushman & Wakefield

Account Director, General Services Administration

Certificate of Appointment

Under authority vested in the undersigned and in conformance with Subpart 1.6 of the Federal Acquisition Regulation

NOTE - This warrant was held with the US Forest Service. for approximatley 3 years. With this warrant I executed office, warehouse, and land lease on behalf of the USFS largely n Oregon, Washington, Idaho, and Alaska.

Dana McNeil

Is appointed

Real Property Lease Contracting Officer Intermediate Level II

Unless sooner terminated, this appointment is effective as long as the appointee meets requirements and is assigned to:

United States Department of Agriculture

Award and administer real estate contracts, where individual contract actions do not exceed \$10,000,000 total lease value (TLV), for advertising, the acquisition of leasehold interest in real property, space alteration, when acquired from lessor, not exceeding \$10M, adjustment for operating costs, real estate tax, rents, change of ownership not exceeding \$10M TLV

U.S. Department of Agriculture Property Management Regulations and Departmental Regulations

Leasing Certification Program Certification: April 28, 2017



A handwritten signature in blue ink, appearing to read "Dana McNeil", written over a horizontal line.

USDA Appointing Official, Director OPFM

Date: March 4, 2020

Warrant Number USDA LCO-346



United States
Department of
Agriculture

March 4, 2020

Office of the
Assistant Secretary
For Administration

Office of Property
and Fleet
Management

1400 Independence
Avenue Southwest
Room 1575
Mail Stop 9304

Washington, DC
20250

TO: George Sears
Director, Acquisition Management
Forest Service

FROM: Debra L. Kerr *Debra L. Kerr*
USDA Real Property Leasing Officer Program Manager

SUBJECT: D. McNeil, Certificate of Appointment Intermediate LCO Warrant
Re-Issuance with name change

This memo acknowledges Dana L. Beckwith notified Department of name change due to marriage. She has maintained the requirements of General Service Administration's (GSA) Leasing Certificating Program (LCP) for Level II. She is being issued an Intermediate, Level II Lease Contracting Warrant for USDA under the name **Dana McNeil**. As an LCO, Mrs. McNeil is an exclusive agent of the Department of Agriculture to enter into, administer, and terminate leasehold contracts on the behalf of the Government; obligate Government funds, and commit the Government to contractual terms and conditions.

The appointment to "Award and administer real estate contracts, where individual contract actions do not exceed \$10,000,000 total lease value (TLV), for advertising, the acquisition of leasehold interest in real property, space alteration, when acquired from lessor, not exceeding \$10M, adjustment for operating costs, real estate tax, rents, change of ownership not exceeding \$10M TLV."

A copy of this memo and a copy of the lease contracting warrant must be uploaded into the GSA Real Estate Exchange, GREX for any projects requesting lease delegation authority and to update universal profile. Active warrants (copies of LCP renewals with LCO warrant) must be maintained in GREX to be able to receive leasing delegation approval.

The certificate of appointment should be displayed in Mrs. McNeil's work area and a copy made available upon request electronically. A copy of this memo acknowledging meeting the LCP requirements should be kept with the warrant.

Mrs. McNeil's Leasing Certification Date starts the warrant maintenance period. Continuing education requirements of 80 Continuous Learning Points (CLPs) must be met within two years of the Certification Date from GSA's Leasing Certification Program (LCP). The new two-year warrant maintenance period is between the dates April 28, 2018 through April 27, 2020. The FAITAS Leasing Certification Module will be used to track warrant maintenance.

The FAC-COR certification is connected to the leasing certification and must not lapse, or the warrant authority will lapse and become void. Her FAC- COR Certification is effective between dates: May 22, 2018, through May 21, 2020. FAC-COR has training requirements to be met. The CLPs earned for COR maintenance will be applied to the 80 CLP requirement of the LCO warrant.

If you have any questions, please feel free to contact me on 202-720-8873 or by email debra.kerr@usda.gov .

cc:

Anne Anderson, DA
Sandi Sanders, FS
Wendy Castineira, FS
Dana McNeil, FS

Certification of Appointment

Under authority vested in the undersigned and in conformance with Subpart 1.6 of the Federal Acquisition Regulation

DANA L. BECKWITZ

is appointed

Contracting Officer

for the

United States of America

NOTE - This leasing warrant was held for approximative three years. With this warrant I directly negotiated office, warehouse, and land leases for the US General Services administration.

Subject to the limitations contained in the Federal Acquisition Regulation and to the following:

Awarding and administering contracts for (1) the advertising of proposed real estate transactions in newspapers, (2) the acquisition of leasehold interests in real property provided the dollar value of individual contract actions do not exceed the simplified acquisition threshold average net annual rent, and (3) the alteration of space in buildings which GSA has leased provided the alterations do not exceed the simplified acquisition threshold and are acquired from the lessor.

Unless sooner terminated, this appointment is effective as long as the appointee is assigned to:

Public Building Service, Rocky Mountain Region
(Organization)

General Services Administration (GSA)
(Agency/Department)



Paul F. Prouty, Regional Commissioner, Rocky Mt. Region
(Signature and Title)

12/3/00
(Date)

R8572
(No.)



CERTIFICATE of ACHIEVEMENT

This is to certify that

Dana McNeil

has completed the course

Oregon Deluxe BASS Pre License (40Hrs)

March 16, 2022

Credit Hours: 40


MMcNEIL





Display Transcript

871138344 Dana L. Beckwith
Jan 22, 2012 11:47 pm

 This is NOT an official transcript. Courses which are in progress may also be included on this transcript.

[Transfer Credit](#) [Institution Credit](#) [Transcript Totals](#)

Transcript Data

STUDENT INFORMATION

Name : Dana L. Beckwith
Birth Date: 29-SEP

This is NOT an Official Transcript

DEGREE AWARDED:

Awarded: Bachelor of Arts **Degree Date:** Mar 17, 2007

Curriculum Information

Major: International Studies
Minor: Leadership Studies

Major: Spanish

TRANSFER CREDIT ACCEPTED BY INSTITUTION [-Top-](#)

..: Advanced Placement

Subject	Course	Title	Grade	Credit Hours	Quality Points	R	
COEL	1XXX	AP-European Hist	TR	4.000		0.00	
		Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Current Term:		0.000	0.000	4.000	0.000	0.00	0.00

Unofficial Transcript

INSTITUTION CREDIT [-Top-](#)

Term: Autumn Quarter 2003

Subject	Course Level	Title	Grade	Credit Hours	Quality Points	R
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ENGG	1111	UG	Critical Reading and Writing	A-	4.000	14.80
LDRS	2017	UG	The Leadership Process	A-	2.000	7.40
NATS	1218	UG	Our Dynamic Earth	B-	4.000	10.80
SPAN	2001	UG	Intermediate Spanish	B	4.000	12.00
UDCC	1050	UG	American Youth Violence	A	4.000	16.00

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	18.000	18.000	18.000	18.000	61.00	3.38

Unofficial Transcript

Term: Winter Quarter 2004

Subject	Course	Level	Title	Grade	Credit Hours	Quality R Points
CREX	1214	UG	Speaking Out: World Affairs	B+	4.000	13.20
ENGG	1122	UG	Argument and Research	A-	4.000	14.80
LDRS	2018	UG	Self as a Leader	A	2.000	8.00
NATS	1217	UG	Our Dynamic Earth	A	4.000	16.00
SPAN	2002	UG	Intermediate Spanish	B	4.000	12.00

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	36.000	36.000	36.000	36.000	125.00	3.47

Unofficial Transcript

Term: Spring Quarter 2004

Subject	Course	Level	Title	Grade	Credit Hours	Quality R Points
ENGG	1133	UG	Reading and Writing about Lit	A-	4.000	14.80
LDRS	2019	UG	Leading Teams	A	2.000	8.00
NATS	1216	UG	Our Dynamic Earth	B-	4.000	10.80
SOCS	1310	UG	Economics: Wealth & Poverty	B+	4.000	13.20
SPAN	2003	UG	Intermediate Spanish	B	4.000	12.00

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	54.000	54.000	54.000	54.000	183.80	3.40

Unofficial Transcript

Term: Autumn Quarter 2004

Subject	Course Level	Title	Grade	Credit Hours	Quality R Points
AHUM	1216	UG Hist: Europe Bourgeois Age	B-	4.000	10.80
LDRS	2040	UG Leading Community Change	A	4.000	16.00
SOCS	1510	UG Global Conflict & Cooperation	B+	4.000	13.20
SPAN	2100	UG Conversation and Composition	B+	4.000	13.20

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	70.000	70.000	70.000	70.000	237.00	3.38

Unofficial Transcript

Term: Winter Quarter 2005

Subject	Course Level	Title	Grade	Credit Hours	Quality R Points
CORE	2418	UG Great Environmental Debates	A-	4.000	14.80
HCOM	2050	UG Collab Service Learning I	A	2.000	8.00
INTS	1500	UG Contmp Issues Global Economy	A-	5.000	18.50
SPAN	2300	UG Iberian Cult & Civilization I	B+	4.000	13.20

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	85.000	85.000	85.000	85.000	291.50	3.42

Unofficial Transcript

Term: Spring Quarter 2005

Subject	Course Level	Title	Grade	Credit Hours	Quality R Points
CORE	2537	UG Art/Politics of Disappearance	A	4.000	16.00

HCOM	2060	UG	Collab Service Learning II	A	2.000	8.00
INTS	1700	UG	Intro International Politics	B+	5.000	16.50
INTS	2080	UG	News of the World	A-	5.000	18.50

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA Points
Cumulative:	101.000	101.000	101.000	101.000	350.50	3.47

Unofficial Transcript

Term: Autumn Quarter 2005**Term Comments:** Univ Nacional Autonoma, Costa Rica 07/05-12/05

Subject	Course	Level	Title	Grade	Credit Hours	Quality Points	R
ABRD	9442	UG	U Nacional Autonoma Costa Rica	P	0.000	0.00	
ABRE	2988	UG	Introduction to Engraving II	A*	3.000	0.00	I
ABRE	2988	UG	Social History of Costa Rica	B+*	4.500	0.00	I
ABRE	2988	UG	Social Communication	B*	4.500	0.00	I
ABRE	2988	UG	Intro to International Law	B*	4.500	0.00	I
ABRE	3988	UG	Advanced Spanish	A-*	6.000	0.00	

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA Points
Cumulative:	123.500	101.000	123.500	101.000	350.50	3.47

Unofficial Transcript

Term: Winter Quarter 2006**Additional Standing:** Dean's List

Subject	Course	Level	Title	Grade	Credit Hours	Quality Points	R
CORE	2633	UG	Shamanism,Racism,Hip Hop Cult	A	4.000	16.00	
INTS	3165	UG	Communism to Capitalism	A	5.000	20.00	
MATC	1150	UG	Found Math Sem: Cryptography	A	4.000	16.00	
SPAN	3702	UG	Tpc: Spanish Theatre	B+	4.000	13.20	I

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	140.500	118.000	140.500	118.000	415.70	3.52

Unofficial Transcript

Term: Spring Quarter 2006

Subject	Course	Level	Title	Grade	Credit Hours	Quality R Points
AHUM	1610	UG	Discovering Philosophy	A-	4.000	14.80
INTS	3720	UG	Politics & Cult Latin America	A	5.000	20.00
INTS	3850	UG	Third World Debt Relief	A-	5.000	18.50
SPAN	3010	UG	Hispanic Presence in the U.S	B	4.000	12.00

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	158.500	136.000	158.500	136.000	481.00	3.53

Unofficial Transcript

Term: Autumn Quarter 2006

Subject	Course	Level	Title	Grade	Credit Hours	Quality R Points
COMN	3995	UG	Internship in Communication	A	2.000	8.00
INTS	3755	UG	Political Islam	B+	5.000	16.50
INTS	3980	UG	Internships in Int'l Studies	A	5.000	20.00
SPAN	3702	UG	Tpc:Bunuel, Lorca y Dali	B+	4.000	13.20 ^I

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	174.500	152.000	174.500	152.000	538.70	3.54

Unofficial Transcript

Term: Winter Quarter 2007

Subject	Course	Level	Title	Grade	Credit Hours	Quality R Points
INTS	3701	UG	Political Economy of EU	B	5.000	15.00
INTS	3820	UG	UN: Collct Intervention/Peace	B+	5.000	16.50

LDRS	3000	UG	Leadership Capstone	B+	4.000	13.20
SPAN	3990	UG	Senior Seminar:	C+	4.000	9.20

Term Totals (Undergraduate)

	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Cumulative:	192.500	170.000	192.500	170.000	592.60	3.48

Unofficial Transcript

TRANSCRIPT TOTALS (UNDERGRADUATE) -Top-

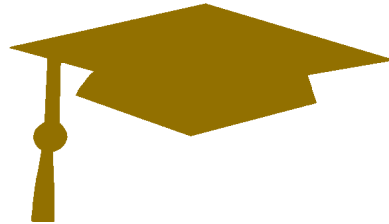
	Attempt Hours	Passed Hours	Earned Hours	GPA Hours	Quality Points	GPA
Total Institution:	192.500	170.000	192.500	170.000	592.60	3.48
Total Transfer:	0.000	0.000	4.000	0.000	0.00	0.00
Overall:	192.500	170.000	196.500	170.000	592.60	3.48

Unofficial Transcript

RELEASE: 8.4.1

JACK DONOVAN SEMINARS

Certificate of Achievement



AWARDED TO

Dana Beckwith

**IN RECOGNITION OF PROFESSIONAL ACHIEVEMENT
BY SUCCESSFUL COMPLETION OF THE SEMINAR**

*Techniques of Negotiating Real Property Leases
July 20-24, 2009 (40 CLPs)*


JACK DONOVAN, PRESIDENT

**JACK DONOVAN SEMINARS
23868 SAMUEL ADAMS CIRCLE
MILLSBORO, DE 19966**



The George Washington University

School of Business

certifies that

Dana L. Beckwith

has successfully completed

Leading Federal Government Project Managers (FPM 314)

June 14, 2016 through June 15, 2016

Auburn, Washington

and is awarded 1.60 continuing education units



Washington, D.C

Linda A. Livingstone

*Dean, School of Business
The George Washington University*



REAL ESTATE CONTINUING EDUCATION CERTIFICATE

This letter serves as official verification that

Dana Beckwith
GSA
PBS Building 41 Federal Center
Denver, CO 80225

has completed 40 **Clock Hours** in the following CCIM Institute real estate course:

CI 102: MARKET ANALYSIS FOR COMMERCIAL INVESTMENT REAL ESTATE

LAS VEGAS, NV
8/29-9/2/2011

A handwritten signature in black ink, which appears to read 'Madeline A. C. Williams', is positioned above a horizontal line.

Madeline A. C. Williams
Continuing Education Director

Issue Date: January 9, 2012

Certificate of Completion

Dana L. Beckwith

HAS SUCCESSFULLY COMPLETED

Cost and Price Analysis of Lease Proposals

Location: Washington, DC **Dates:** 8/24/2009-8/28/2009 **Hours Attended:** 40 **Delivery Method:** Group Live


CEU: 3.2 **NASBA CPE:** 40.0 **Field of Study:** Finance

NASBA Sponsor Number 103278

In accordance with the standards of the
National Registry of CPE Sponsors, CPE Credits
have been granted based on 50-minute hour.


MANAGEMENT
CONCEPTS

8230 Leesburg Pike | Tysons Corner, VA 22182



Thomas Dungan III, Management Concepts CEO

CERTIFICATE OF COMPLETION

Congratulations!

You have successfully completed the Harvard ManageMentor topic

Customer Focus

Completed on 3/31/2017

Content provided by:



Certificate of Completion

Dana L. Beckwith
HAS SUCCESSFULLY COMPLETED
Federal Real Property Leasing

Location: Denver, CO **Dates:** 9/20/2010-9/24/2010 **Hours Attended:** 40 **Delivery Method:** Group Live

CEU: 3.2 **NASBA CPE:** 40.0 **Field of Study:** Finance

NASBA Sponsor Number 103278
In accordance with the standards of the
National Registry of CPE Sponsors, CPE Credits
have been granted based on 50-minute hour.


MANAGEMENT
CONCEPTS

8230 Leesburg Pike | Tysons Corner, VA 22182



Thomas Dungan III, Management Concepts CEO



Certificate of Completion

*Thirty-two (32) Continuous Learning Points have been
awarded to:*

Dana Beckwith

For attending Lease Acquisition Training

April 17-20, 2012 in Auburn, WA



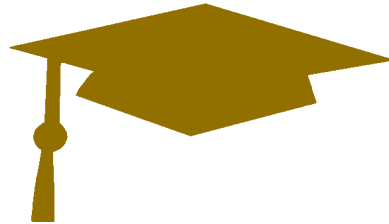
A handwritten signature in black ink, appearing to read "Chris Wisner".

Chris Wisner, Assistant Commissioner

June 20, 2012

JACK DONOVAN SEMINARS

Certificate of Achievement



AWARDED TO

Dana Beckwith

**IN RECOGNITION OF PROFESSIONAL ACHIEVEMENT
BY SUCCESSFUL COMPLETION OF THE SEMINAR**

*Federal Real Property Lease Law
December 3-7, 2007 (40 CLPs)*


JACK DONOVAN, PRESIDENT

**JACK DONOVAN SEMINARS
23868 SAMUEL ADAMS CIRCLE
MILLSBORO, DE 19966**





PennState
College of Engineering

**FACILITIES
ENGINEERING
INSTITUTE**

This certifies that

Dana Beckwith

has completed

Facility Infrastructure Fundamentals Training

consisting of

**Twenty hours of instruction
2 CEUs**

Awarded

May 23, 2013

GSA Northwest/Arctic Region
Seattle, Washington

William D. Lash, P.E.
Education Program Manager

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Cost Estimating

CLM016 Section 893

on

04/14/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith".

President Defense Acquisition University

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Shaping Smart Business Arrangements

CON100 Section 307

on

04/01/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith", is written over a thin horizontal line.

President Defense Acquisition University

FEDERAL
ACQUISITION
INSTITUTE



Certificate of

TRAINING COMPLETION

Dana Louise Beckwith

has successfully completed

FAC 043 (FED)

ETHICS & PROCUREMENT INTEGRITY FOR THE AWF

March 28, 2017

Class Number: 2017-17D

CLPs: 1.00

Jeffrey B. Birch
Director (Acting)
Federal Acquisition Institute



FEDERAL
ACQUISITION
INSTITUTE

Award of

CONTINUOUS LEARNING POINTS

Dana Beckwith

has successfully completed

Small Business Programs

FAC031 Section 892

on

03/15/2017

CLPs: 1

Jeff Birch
Director
Federal Acquisition Institute

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Negotiating

HBS428 Section 893

on

03/15/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith", is written over a horizontal line.

President Defense Acquisition University

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Contract Negotiation Techniques

CLC047 Section 894

on

03/29/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith", is written over the name of the President.

President Defense Acquisition University



FEDERAL
ACQUISITION
INSTITUTE

Award of

CONTINUOUS LEARNING POINTS

Dana Beckwith

has successfully completed

How to Integrate Green into Acquisition

FAC038 Section 896

on

03/29/2017

CLPs: 2

Jeff Birch
Director
Federal Acquisition Institute

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Market Research

CLC004 Section 893

on

03/30/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith".

President Defense Acquisition University

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Market Research

CLC004 Section 893

on

03/30/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith".

President Defense Acquisition University



FEDERAL
ACQUISITION
INSTITUTE

Award of

CONTINUOUS LEARNING POINTS

Dana Beckwith

has successfully completed
Price Analysis

FAC021 Section 893

on

03/30/2017

CLPs: 4

Jeff Birch
Director
Federal Acquisition Institute

CERTIFICATE OF COMPLETION

Congratulations!

You have successfully completed the Harvard ManageMentor topic

Marketing Essentials

Completed on 4/15/2017

Content provided by:





FEDERAL
ACQUISITION
INSTITUTE

Award of

CONTINUOUS LEARNING POINTS

Dana Beckwith

has successfully completed
Cost Analysis

FAC026 Section 889

on

04/15/2017

CLPs: 4

Jeff Birch
Director
Federal Acquisition Institute

The George Washington University

School of Business

certifies that

Dana L. Beckwith

has successfully completed

Advanced Earned Value for Federal Government Project Managers (FPM 313)

May 3, 2016 through May 5, 2016

Auburn, Washington

and is awarded 2.40 continuing education units



Washington, D.C

Linda A. Livingstone

*Dean, School of Business
The George Washington University*

Certificate of Completion

Dana L. Beckwith
HAS SUCCESSFULLY COMPLETED
Appropriations Law Seminar

Location: Auburn, WA **Dates:** 9/10/2012-9/13/2012 **Hours Attended:** 32 **Delivery Method:** Group Live

CEU: 2.5 **NASBA CPE:** 32.0 **Field of Study:** Business Law

NASBA Sponsor Number 103278
In accordance with the standards of the
National Registry of CPE Sponsors, CPE Credits
have been granted based on 50-minute hour.


MANAGEMENT
CONCEPTS

8230 Leesburg Pike | Tysons Corner, VA 22182



Thomas Dungan III, Management Concepts CEO

Defense Acquisition University



This certifies that

Dana Beckwith

has successfully completed

Analyzing Contract Costs

CLC056 Section 890

on

04/15/2017

A handwritten signature in black ink, appearing to read "Dana Beckwith".

President Defense Acquisition University

The George Washington University

School of Business

certifies that

Dana L. Beckwith

has successfully completed

Applied Project Management for the Federal Government (FPM 211)

August 20, 2013 through August 23, 2013

Auburn, Washington

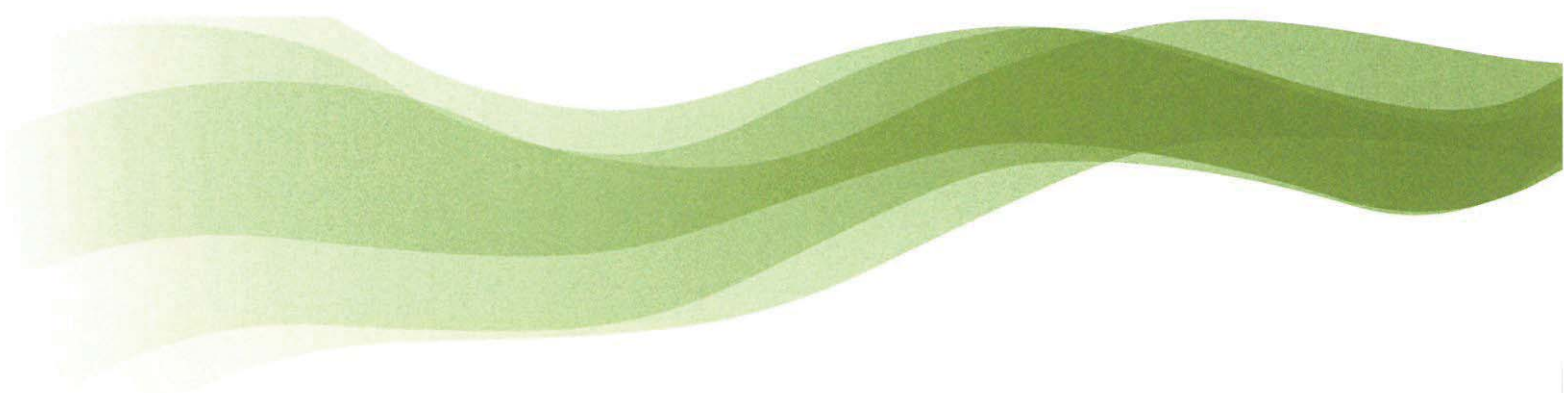
and is awarded 3.20 continuing education units



Washington, D.C

Linda A. Livingstone

*Dean, School of Business
The George Washington University*



Center for Executive and Professional Education

presents this certificate to

Dana Beckwith

for successfully completing

PMP® Exam Prep

Date: July 18 & 25, 2012
Time: 8:30 am – 4:30 pm
CEUs: 1.4

Nichelle Giromanni
DIRECTOR



Center for Executive
and Professional Education
PORTLAND STATE UNIVERSITY

The George Washington University

School of Business

certifies that

Dana L. Beckwith

has successfully completed

Applied Project Management for the Federal Government (FPM 211)

August 20, 2013 through August 23, 2013

Auburn, Washington

and is awarded 3.20 continuing education units



Washington, D.C

Linda A. Livingstone

*Dean, School of Business
The George Washington University*

Oregon Real Estate Agency

OR Principal Broker - National

McNeil, Dana
21372 S Richard Court
Oregon City, OR 97217
USA

CANDIDATE ID NUMBER: *****9433
EXAMINATION DATE: 03/18/2022
CONTROL ID: 501114870
BOOKING ID: UKJJQCQP

Congratulations. You have **passed** this examination. Your score is **80**.
The passing score is **60**.

Content Area	Your Score	Max Score
Property ownership	8	8
Land use controls and regulations	3	3
Valuation and market analysis	6	6
Financing	6	6
General principles of agency	10	10
Property disclosures	6	6
Contracts	14	14
Leasing and Property Management	4	4
Transfer of title	6	6
Practice of real estate	11	11
Real estate calculations	6	6
TOTAL	80	80

THIS IS NOT A LICENSE. Do not conduct professional real estate activity until you are notified by the Oregon Real Estate Agency that you are licensed.

- Your fingerprint results can take up to 4 weeks to reach the Agency.
- The Agency will receive your exam scores in 3 business days.
- Check the status of your license application by logging in to your eLicense account at <https://orea.elicense.irondata.com>.
- Passing exam scores and background clearances are good for 1 year. The Agency can only issue a license while your scores and background clearance are valid.
- The requirements for your specific license can be found via the "Get a License" link at www.oregon.gov/rea.
- Once all license requirements are completed, including association to a registered business name (RBN), the Agency will issue a license.

Oregon Real Estate Agency

OR Principal Broker - State

McNeil, Dana
21372 S Richard Court
Oregon City, OR 97217
USA

CANDIDATE ID NUMBER: *****9433
EXAMINATION DATE: 03/20/2022
CONTROL ID: 501120055
BOOKING ID: LAYY7X42

Congratulations. You have **passed** this examination. Your score is [REDACTED]
The passing score is 38.

Content Area	Your Score	Max Score
License Law and Disciplinary Measures	[REDACTED]	7
Handling of Clients' Funds	[REDACTED]	5
Agency Law and Rules	[REDACTED]	5
Regulation of Broker Activities	[REDACTED]	8
Document Handling and Recordkeeping	[REDACTED]	4
Property Management	[REDACTED]	6
Oregon Real Estate Related Statutes	[REDACTED]	15
TOTAL	[REDACTED]	50

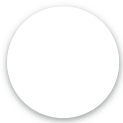
THIS IS NOT A LICENSE. Do not conduct professional real estate activity until you are notified by the Oregon Real Estate Agency that you are licensed.

- Your fingerprint results can take up to 4 weeks to reach the Agency.
- The Agency will receive your exam scores in 3 business days.
- Check the status of your license application by logging in to your eLicense account at <https://orea.elicense.irondata.com>.
- Passing exam scores and background clearances are good for 1 year. The Agency can only issue a license while your scores and background clearance are valid.
- The requirements for your specific license can be found via the "Get a License" link at www.oregon.gov/rea.
- Once all license requirements are completed, including association to a registered business name (RBN), the Agency will issue a license.

This score report is provided as a record of your scores. Do not send it to the Real Estate Agency.



Principal Broker



4

Oregon Real Estate Principal Broker Application Received Co



Oregon Real Estate Agency noreply_rea@rea.state.or.us via amazonses.com

to me

Dear Dana Louise Beckwith McNeil,

The Oregon Real Estate Agency has received your principal real estate broker license application. You r

- Your applicant ID number is #201239433. Please keep this number for future use when contac
- Check your application status by logging into your eLicense account at <https://orea.elicense.mi>
- Agency records show that you must complete the following education from approved course pi
 - The 40-hour Brokerage Administration and Sales Supervision course.course.
- For more information on license requirements, please visit [Principal Broker License Requirem](#)

IMPORTANT NOTE: You are NOT actively licensed as a principal broker at this time. You cannot condu

Oregon Real Estate Agency
 530 Center St. NE Ste. 100
 Salem, OR 97301
 (503) 378-4170
<http://www.oregon.gov/rea>
orea.info@rea.oregon.gov



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Search \$300.00



4

Payment Confirmation for E-Payments

Inbox x



Oregon Real Estate Agency <epaynoreply@usbank.com>

to me

*** PLEASE DO NOT RESPOND TO THIS EMAIL ***

Thank you for your payment.

This email is to confirm your payment submitted on Mar-08-2022 for E-Payments.

Confirmation Number: ORREAB000208380

Payment Amount: \$300.00

Scheduled Payment Date: Mar-08-2022

Amount Due: \$300.00

Payer Name: Dana McNeil

Credit Card Number: *1573

Credit Card Type: VISA

Approval Code: 02561C

Merchant: REAL ESTATE EPAY

Website: <https://orea.elicense.irondata.com/>

If you have questions about this payment or need assistance, please view the payment online at <https://>

Thank you for using the Real Estate Agency electronic payment system.

U.S. BANCORP made the following annotations

Electronic Privacy Notice. This e-mail, and any attachments, contains information that is, or may be, cov
using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply

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**AGENDA ITEM NO.
IV.**

OREGON REAL ESTATE BOARD - CEP LOG (2017-2022)

02.06.17	Systems Effect LLC	APPROVED	FACTS: Mr. Jordan appeared by phone and explained that Systems Effect LLC is a distance learning company that has been in business since 2008 and is currently approved to provide real estate continuing education courses in Arizona, Kansas, Minnesota, Missouri, and Ohio. He also stated that the courses offered cover the following acceptable topics: Principal broker record keeping and supervision, trust accounts, agency relationships, misrepresentation, disclosure, contracts, appraisal, fair housing, risk management, water rights, environmental protection, land use, real estate law, negotiation, and others. Dave Koch asked Mr. Jordan if a tracking device was in place to monitor class time and he responded that there is a timer in place to verify that students meet the required course time. Alex MacLean asked Mr. Jordan if there is a resource for student assistance with questions they might have and Mr. Jordan responded that there is a FAQ information, email system, and staff available for students.
02.06.17	American Dream Real Estate School LLC	APPROVED	FACTS: Herbert Nagamatsu appeared by phone and explained that American Dream Real Estate School created, administered and delivered online courses and training programs to students since 2005. He also stated that the courses offered cover the following acceptable topics: Contracts, Risk Management, and real estate finance. Dave Koch asked Mr. Nagamatsu how he derived the questions for the courses and he responded that the topics covered meet with rule and law. Alex MacLean asked Mr. Nagamatsu how students communicate with instructors he responded that contact information for instructors is posted online for students. Mr. Koch asked Mr. Nagamatsu how class time was tracked and he responded timing mechanisms were in place behind the scenes. Mr. Koch also asked Mr. Nagamatsu to explain his record keeping process and he responded records are kept for minimum of 3 years and backup for seven years.
02.06.17	Asset Preservation Inc.	APPROVED	FACTS: Elisa Mas appeared by phone and explained that Asset Preservation, Inc. has provided 1031 exchange courses for continuing education to real estate professionals all over the nation for over 25 years and was also approved to teach continuing education courses in Texas, New York, Florida, Colorado, Washington, Oklahoma, New Jersey, and Arizona as well as Oregon, previously. She also stated that the courses offered cover the following acceptable topics: Real estate taxation and Real Estate Finance. Alex MacLean asked Ms. Mas when her company was certified and she responded approximately one year ago. Mr. MacLean also asked Ms. Mas if her company was currently certified and if not, to explain the gap in time. Ms. Mas explained the previous administrator was expired and now they want to be certified again.
02.06.17	Military Mortgage Boot Camp	APPROVED	FACTS: Mike Fischer appeared by phone and explained the current class offered is a 2 or 3 hour version which covers appraisal, VA assistance, and transaction coordination. Chair Edwards asked Mr. Fischer which acceptable topics were covered in the courses offered and he responded that consumer protection was the topic covered. Dave Hamilton stated he would like to see Oregon's program incorporated in the course and Mr. Fischer responded they could incorporate Oregon's program. Chair Edwards clarified that although, incorporating Oregon's program was not a requirement or contingency, it was encouraged.
02.06.17	Fairway Independent Mortgage Corp.	APPROVED	FACTS: Kate Myers appeared before the board and explained Fairway Independent Mortgage Corp. was one of the mortgage companies that is allowed to handle VA loans. Chair Edwards asked Ms. Myers which acceptable course topics are covered in their courses and she responded that real estate finance was the topic offered. Dave Koch asked Ms. Myers if there was a record keeping mechanism in place and she responded there is an administrator who would be assigned the record keeping duties.
04.03.17	Envoy	APPROVED	FACTS: Mr. Varcak appeared by phone and explained he has taught first time home buyers courses and facilitated other trainings. He also said he teaches courses covering the topic of Real Estate Finance, which is an acceptable course topic. Mr. Varcak indicated that his goal was to provide a more structured training program through Envoy. Coni Rathbone asked Mr. Varcak if he has kept track of continuing education credits and he responded that although he had not kept track of credits in the past, he did review all the record keeping requirements and was prepared to follow them. Dave Koch of he intended to use instructors to provide variety of topics and Mr. Varcak responded that he did intend to utilize other instructors. Commissioner Bentley asked Mr. Varcak if he had considered being an instructor rather than a provider and Mr. Varcak responded that his company wanted to provide their own coursework.
04.03.17	Oregon Rental Housing Association Education Inc.	APPROVED	FACTS: Ms. Pate appeared and explained ORHA Education Inc. is seeking a grant to provide supplemental education to landlords, tenants, and public education. Chair Edwards asked Ms. Pate which location records would be kept and she responded that she believed the Salem office located on Commercial St. would house the records. Commissioner Bentley asked Ms. Pate to clarify the topics that would be offered and she explained she intended to offer courses covering the following topics: Property management, advertising, any type of fair housing issue, real contracts, business ethics, and dispute resolution, which are all acceptable course topics.
06.05.17	Mason McDuffie Mortgage Corp.	APPROVED	FACTS: Mason McDuffie Mortgage Corp., Jesse Rivera appeared by phone and explained that he used his experience as a former real estate agent and high school teacher as a way to build good relationships. Mr. Rivera also explained that he would be teaching the following topics during his classes: Real estate finance, contracts, advertising, how to manage brokers, and business ethics, which are acceptable course topics.
8.7.17	Real Estate Training Institute, a division of Certified Training Institution	APPROVED	FACTS: Real Estate Training Institute, a division of Certified Training Institution, Ms. Teri Francis and Jenny MacDowel appeared by phone and explained that CTI is a distance learning provider with a total of 16 real estate courses approved by ARELLO and cover the following topics: principal broker supervision responsibilities, agency relationships and responsibilities for broker, principal brokers, or property managers, disclosure requirements, consumer protection, real estate contracts, real estate taxation, fair housing laws or policy, business ethics, risk management, real estate finance, and environmental protection issues, which are acceptable course topics.
10.02.17	Housing and Community Services Agency of Lane County	APPROVED	Mr. Baker explained he is the landlord liaison at HACSA and is in charge of maintaining the line of communication with landlords. He also stated that HACSA manages the section 8 program for all of Lane County. Mr. Baker explained the courses he offers cover the following topics: fair housing laws and policies, risk management, & advertising regulations, which are acceptable course topics. Chair Edwards asked Mr. Baker if he was familiar with the recordkeeping requirements for continuing education providers. Mr. Baker responded based on the recordkeeping requirements HACSA intends to maintain records both electronically and paper. Farley: Have you been offering courses both and working under a provider? Baker-currently we are partnering with the rental owners association of Lane Co who is a licensed provider-the reason we are asking for our agency is basically not being able to offer classes to the public at large being able to only offer classes to members of the association as well as property managers having to pay for those credits-we want to offer those credits for free. Edwards: excellent resource in Lane County I appreciate your outreach efforts.
10.02.17	Lumos Academy	APPROVED	Ms. Mueller explained Lumos is designed to provide exemplary real estate education and our goal is really to do our best to raise the competency level of the brokers throughout the State-better educated broker is better for the client-currently we have 3 instructors. Ms. Mueller explained that the courses offered by Lumos cover the following course topics: principal real estate broker supervision responsibilities, agency relationship and responsibilities, misrepresentation in real estate transactions, advertising regulations, real estate disclosure requirements, real estate consumer protection, fair housing, business ethics, risk management, dispute resolution, real estate escrow, real estate economics, real estate law and regulations, and negotiation, which are considered acceptable course topics.
12.04.17	Jesse Rivera	APPROVED	Jesse Rivera appeared in person and explained that he has extensive experience as an instructor and the courses he currently offers include the following course topics: Contracts, compliance with social media, real estate finance, real estate valuation, & negotiation, which are considered acceptable course topics. Ms. Rathbone asked Mr. Rivera what other topics he would be offering and he responded that he planned on giving instruction on advertising.
12.04.17	Carl W. Salvo	APPROVED	Carl Salvo appeared by phone. Mr. Salvo explained that he had been in the industry since 1997 and has been asked by several industry members to teach classes. Chair Edwards asked Mr. Salvo if he was familiar with the record keeping requirements as a certified continuing education provider and he responded that he was familiar with the record keeping requirements. He also explained the courses he offered cover the following course topics: how rates are determined, loan estimation, & appraisals, which are acceptable course topics.

04.02.18	Stephanie Shapiro	APPROVED	<p>FACTS: Ms. Shapiro explained she has been involved in some capacity of teaching since 2007. She also explained she has been teaching home energy classes and would like to expand her courses. Chair Farley asked Ms. Shapiro if her company provided services to real estate brokers and Ms. Shapiro indicated that she does provide services to real estate industry. Ms. Shapiro has taught courses under the following topics: consumer protection, disclosure requirements, and real estate law/regulation, which are acceptable course topics.</p> <p>MOTION TO APPROVE MS. SHAPIRO'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE HAMILTON SECOND BY ALEX MACLEAN MOTION CARRIED BY UNANIMOUS VOTE</p>
04.02.18	Sirmon Training & Consulting Group – Jason Sirmon	APPROVED	<p>FACTS: Sirmon Training & Consulting Group, Jason Sirmon will appear by phone. Mr. Sirmon explained that his goal was to educate licensees about veterans who are currently on active duty or recently discharged. Chair Farley asked Mr. Sirmon if he was aware he could provide courses as an instructor rather than a continuing education provider and Mr. Sirmon responded that his reason for his petition was based on his approval in 20 different states as a provider and since he is not an instructor it is difficult to manage out of state instructors. Mr. Sirmon offers courses that cover the following topics: NC Mandaotry Update, NC Broker-in-Charge Update, REBAC-Green and Sustainable Housing, REBAC-Short Sales and Foreclosures, Client-Level Negotiation, Commercial and Investment Real Estate, and Ethics in Today's Real Estate, which are acceptable course topics.</p> <p>MOTION TO APPROVE SIRMON TRAINING & CONSULTING GROUP'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY CONI RATHBONE SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
6.4.18	Finance of America Mortgage	APPROVED	<p>FACTS: Finance of America Mortgage, Austin Strode will appear in person. Christina Danish appeared by phone and explained the petition was based on the company specializing in reverse mortgages. She also explained that the company is responsible for educating the real estate professionals about reverse mortgage/home equity mortgage process. Chair Farley asked Ms. Danish if she was aware that her company could provide education in Oregon as an instructor and Ms. Danish responded she was not aware of this process. Ms. Danish explained the courses FAR offers cover the following topics: reverse mortgage and finance, which are considered acceptable course topics.</p> <p>MOTION TO APPROVE FINANCE OF AMERICA MORTGAGE'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY PAT IHNAT SECOND BY DEBRA GISRIEL MOTION CARRIED BY UNANIMOUS VOTE</p>
10.8.18	Lumen Mortgage Corporation	APPROVED	<p>FACTS: Lumen Mortgage Corporation, David Blackmon will appear by phone. Mr. Blackmon explained that he was the President of Lumen Mortgage Corporation and his company partners with title and escrow companies to provide continuing education courses specific to condominium financing options as well as investment properties. He also explained that the courses offered include the following topics: Real estate finance; Condominiums; and Unit Owner Associations. Chair Farley asked Mr. Blackmon if the classes he offers are through another continuing education provider and Mr. Blackmon responded confirmed. Chair Farley inquired as to the length and level of experience in providing education. Mr. Blackmon explained he had been offering condominium for the last year and prior to that he provided education regarding condominium financing and unit owner association for 10 years. Dave Koch asked Mr. Blackmon what resources he draws in order to teach classes regarding condominium and unit owner associations and he responded that the structure of the courses is shaped through condominium financing eligibility. Debra Gisriel asked Mr. Blackmon if he was familiar with the record keeping requirements required for continuing education providers and confirmed he was familiar with these requirements.</p> <p>MOTION TO APPROVE LUMEN MORTGAGE CORPORATION'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE HAMILTON SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE</p>
10.8.18	HD home Inspections LLC	APPROVED	<p>HD home Inspections LLC, Russell Lucas will appear by phone. Mr. Lucas explained he provides education regarding building components and inspection issues and the acceptable course topic falls under Real estate property valuation, appraisal, or valuation and Real estate law or valuation. Pat Ihnat asked Mr. Lucas if he was familiar with the requirements involved in being a continuing education provider and he responded that he was familiar with the all requirements including recordkeeping. Dave Koch asked Mr. Lucas how many photos are involved in the inspections portion of the classes offered and Mr. Lucas responded he uses approximately 50 slides during his presentation. Jose Gonzalez asked Mr. Lucas to describe his interaction with first time buyers and Mr. Lucas explained that as an inspector he provides practical guidance and clarity for home buyers.</p> <p>MOTION TO APPROVE HD HOME INSPECTION'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY PAT IHNAT SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
10.8.18	Scott Harris	APPROVED	<p>Scott Harris will appear by phone. Mr. Harris explained he is a home inspector and engineer for many years. He also stated that he offers classes which include the following topics: Commercial real estate; Real estate property evaluation, appraisal, or valuation; Risk management; Real estate finance; Real estate development; and Real estate economics, which are all considered acceptable course topics. Mr. Koch asked Mr. Harris to give a brief profile of what the risk management course looked like and Mr. Harris responded this classes include information on how to find out about potential risks involved with properties. Mr. Koch also asked if Mr. Harris was aware of the recordkeeping requirements involved as a continuing education provider and Mr. Harris confirmed his awareness.</p> <p>DISCUSSION: Mr. Owens added that it is critical for licensees to consult with experts regarding home inspections.</p> <p>MOTION TO APPROVE SCOTT HARRIS'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE</p>
12.10.18	Julia Felsman	APPROVED	<p>Julia L. Felsman, Ms. Felsman explained she offers courses which include the following topics: Real estate taxation, real estate escrows, appraisals, real estate finance, RESPA, TILA, TRID, Condominium conversions, real estate investing, investment property analysis, economic trends, financial markets, and managing transactions, which are considered acceptable course topics. She also stated that she is very familiar with the record keeping requirements involved in being a continuing education provider.</p> <p>MOTION TO APPROVE JULIA FELSMAN'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY PAT IHNAT SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
12.10.18	Chris Jacobsen	CONTINUED	<p>Chris Jacobsen will appear by phone. Mr. Jacobsen explained offers courses that include the following topics: loan information, reverse mortgage, down payment assistance, home purchases, and rehabilitation loans. Chair Farley asked Mr. Jacobsen if he familiarized himself with the record keeping requirements associated with being a continuing education provider and Mr. Jacobsen responded that he had not reviewed the requirements. Lawnae Hunter suggested that Mr. Jacobsen's petition be revisited at the next board meeting. Chair Farley also recommended that Mr. Jacobsen's petition be continued to the 2.4.19 meeting agenda to allow him to review ORS Chapter 696 and OAR Chapter</p>

			863 regarding continuing education provider requirements.
12.10.18	Paul Davis	APPROVED	Paul Davis, Julie Peck will appear by phone. Ms. Peck explained she offers courses that include the following topics: property management, risk management, and commercial real estate, which are considered acceptable course topics. Chair Farley asked Ms. Peck if she was with the record keeping requirements associated with being a continuing education provider and she responded that she was very familiar with the requirements. MOTION TO APPROVE PAUL DAVIS'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY LAWNAE HUNTER SECOND BY DAVE KOCH MOTION CARRIED BY UNANIMOUS VOTE
02.04.19	Matt Fellman	APPROVED	Matt Fellman. Mr. Fellman appeared before the board and explained that he offers the following topics in his classes: Consumer Protection, Real Estate Contracts, and Dispute Resolution, which are all considered acceptable course topics. MOTION TO APPROVED MATT FELLMAN'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY PAT IHNAT MOTION PASSED BY UNANIMOUS VOTE
02.04.19	Chris Jacobsen	APPROVED	Chris Jacobsen continued from 12.10.18 board meeting to allow Mr. Jacobsen to research ORS Chapter 696 and OAR Chapter 863 regarding CEP responsibilities. Mr. Jacobsen appeared by phone and explained that he had reviewed the rules and laws regarding provider responsibilities. DISCUSSION: Dave Hamilton stated that the board needed to be more selective in approving continuing education provider petitions. Debra Gisriel indicated she was not able to find a reason to deny Mr. Jacobsen's petition. Mr. Owens clarified that as industry practitioners, the board uses their knowledge and discretion to make these decisions. MOTION TO APPROVE CHRIS JACOBSEN'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY DEBRA GISRIEL MOTION CARRIED BY SEVEN AYES (JEF FARLEY, DEBRA GISRIEL, SUSAN GLEN, JOSE GONZALEZ, DAVE KOCH, PAT IHNAT, AND ALEX MACLEAN) AND ONE NAY (DAVE HAMILTON)
02.04.19	Kathy Kemper-Zanck	APPROVED	Kathy Kemper-Zanck. Ms. Kemper-Zanck appeared by phone and explained she had 11 years of experience as a mortgage broker and 3 as an educator. She also explained the primary course she offers covers the topic of Real Estate Finance, which is considered an acceptable course topic. Ms. Kemper indicated she could provide education on the following topics in the future: Advertising Regulations, Real Estate Contracts, Real Estate Property Evaluation, Appraisal or Valuation, Real Estate Title, Real Estate Escrows, and Condominiums, which are all considered acceptable course topics. MOTION TO APPROVE KATHY KEMPER-ZANCK'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY ALEX MACLEAN MOTION CARRIED BY UNANIMOUS VOTE
6.3.19	Old Republic Exchange Company, Ashley Stefan	APPROVED	Ashley Stefan appeared by phone. Pat Ihnat commented on Old Republic Title Company being a sister company in Portland Metro area. Dave Koch asked since it is an exchange company would classes be exchange-related. Ihnat asked who the instructor is, if they are an employee of the exchange company, and if classes would be live. Susan Glen asked about other classes and if they would offer classes besides 1031 exchange courses. DISCUSSION: Debra Gisriel asked question about criteria for approval. Jef Farley responded it changes depending on board members, explained history and considerations. Gisriel commented historically seem market driven. Pat Ihnat said if course quality poor, brokers will say so. Lawnae Hunter said she wrestled with this also. Agrees with Ihnat that it is self-regulating. Steve Strode commented we approve providers, not instructors. Will convene continuing education workgroup later this year. Hunter said wants to be on workgroup and commented on other states requirements. Commented on requirement to be timed online for CE. Strode said good conversations to have at workgroup. Jose Gonzalez commented if someone calls his office to teach, can tell right away if it is for marketing. Asked to keep in mind availability for small office. Dave Koch said he inquires whether applicants understand record keeping requirements and if instructor is qualified. Ihnat said live instruction is so much better. MOTION TO APPROVE OLD REPUBLIC EXCHANGE COMPANY'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE
10.7.19	Nonprofit Home Inspections	APPROVED	Nonprofit Home Inspections, Charles Lewis to appear in person. Mr. Lewis appeared in person and explained that Nonprofit Home Inspections is a nonprofit 501(c) (3) organization with the goal of making home inspections and the benefits of home inspections available to all. He also stated that another component to the organization is home inspector training. Chair Farley asked Mr. Lewis what the qualifications are for someone to be eligible for a home inspection. Mr. Lewis responded it is based on income. Ms. Gisriel asked Mr. Lewis if he was familiar with the recordkeeping requirements for certified education providers and Mr. Lewis responded that he was familiar with the requirements. Vice Chair Hunter asked Mr. Lewis if his organization has a board of directors and he responded that they did. Mr. Hamilton asked Mr. Lewis where the organization receives funding from and he responded the majority of funding comes from the fees for services. Ms. Ihnat asked Mr. Lewis if he would be the instructor providing the continuing education and he indicated that he would be one of the instructors. Nonprofit Home Inspections offer courses that include the following topics: Real estate property evaluation, appraisal, or valuation, and environmental protection issues in real estate, which are all considered acceptable course topics. MOTION TO APPROVE NONPROFIT HOME INSPECTIONS'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE
10.07.19	Andrew Varcak	APPROVED	Andrew Varcak, Mr. Varcak to appear by phone. Mr. Varcak appeared by phone and explained that he has been in the mortgage business for over 15 years, previously approved through another company, and had since become an independent instructor. Chair Farley asked Mr. Varcak if he was familiar with the recordkeeping requirements for certified education providers and he responded that he was familiar with the requirements. Ms. Ihnat asked Mr. Varcak if he was responsible for recordkeeping at his previous company and he responded that he was responsible for recordkeeping and turned all those records over to the regional manager with the understanding that the records must be maintained. Mr. Varcak offers courses that include the following topics: Real estate property evaluation, appraisal, or valuation, which are considered acceptable course topics. MOTION TO APPROVE ANDERW VARCAK'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE
10.07.19	Green Training USA	APPROVED	Green Training USA, Kelly Caplenas to appear by phone. Ms. Caplenas appeared by phone and explained Green Training USA has focused on making home owners and agents aware of the importance of energy efficiency, clean air, and healthy homes. Chair Farley asked Ms. Caplenas if she was familiar with the recordkeeping requirements for certified education providers and she responded that her staff is familiar with the recordkeeping requirements. Chair Farley also asked Ms. Caplenas if her company was

			<p>strictly an online provider and she responded that the company was not strictly an online provider. Mr. Koch asked Ms. Caplenas if her company had a timing system in place to track student activity and she responded that a system was in place to track student activity. Vice Chair Hunter asked Ms. Caplenas what type of training Green Training USA provided other than continuing education and Ms. Caplenas responded that the company has provided training on various energy efficiency measures. Green Training USA offers courses that include the following topics: Real estate property evaluation, appraisal, or valuation, and environmental protection issues in real estate, which are considered acceptable course topics. Ms. Higley and Ms. Alvarado stated that the Agency would provide an updated draft of the petition to include more information for petitioners to consider at the 12.2.19 board meeting for the board to review. DISCUSSION: Mr. Koch stated the energy audit requirement in Portland makes this topic very relevant. He also explained that Ms. Caplenas has shown a clear understanding of and has a system in place for recordkeeping.</p> <p>MOTION TO APPROVE GREEN TRAINING USA'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH SECOND BY PAT IHNAT MOTION CARRIED BY 6 AYES (JEF FARLEY, LAWNAE HUNTER, PAT IHNAT, DEBRA GISRIEL, DAVE KOCH, AND JOSE GONZALEZ) AND 1 ABSENTIA (DAVE HAMILTON)</p>
10.07.19	Oregon State Credit Union	APPROVED	<p>Oregon State Credit Union, Lyndora Taylor to appear by phone. Ms. Taylor appeared by phone and explained that OSCU has been providing community education for more than 15 years. Chair Farley asked Ms. Taylor if OSCU has been actively teaching classes under other certified education providers and she responded that they have not. He also asked if the courses would be live courses with instructors and Ms. Taylor responded that the courses would be live with instructors. Mr. Koch asked Ms. Taylor if she was prepared to meet the recordkeeping requirements for certified education providers and she said that she is familiar with the recordkeeping requirements. He also asked if the courses that will be offered were already offered for the benefit of consumers and she responded that the courses will be specifically for realtors. Mr. Farley asked if Ms. Taylor would be personally instructing the courses and she responded that she along with other staff members would be instructing. OSCU will offer courses that include the following topics: Real estate finance, real estate property evaluation, appraisal, or valuation, which are all considered acceptable course topics.</p> <p>MOTION TO APPROVE OREGON STATE CREDIT UNION'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY JOSE GONZALEZ SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
12.2.19	Alethea "Tia" Politi	APPROVED	<p>Alethea "Tia" Politi to appear in person. Ms. Politi explained her background included property management, rental owner, and president of the Rental Owners Association of Lane County, Board Secretary for the Oregon Rental Housing Association as well as a non-profit called ORHA Education Inc. Chair Hunter asked Ms. Politi if she was familiar with the guidelines for continuing education providers and asked her to give a brief overview of her classes. Ms. Politi responded that her the classes she was currently teaching related to property management, ethics, conflict resolution, record keeping, fair housing laws/rules, and renters rehab. Chair Hunter also asked Ms. Politi if she was aware of the record keeping requirements for continuing education providers and Ms. Politi responded that she was aware. Mr. Hamilton asked Ms. Politi if she worked with several other organizations as an instructor and why she wanted to become a provider. Ms. Politi responded that she had been working with other organizations and becoming a provider would allow her to provide continuing education credit for the associations that were not providers. She also stated that she intended on establishing a business and offer customized trainings for property management and real estate companies. Mr. MacLean asked Ms. Politi if she offered her classes online or in person and she responded that her classes are in person. Ms. Politi offers classes that cover principal broker or property manager record-keeping and property management, which are considered acceptable course topics. Ms. Barnes asked Ms. Politi if she planned on becoming a CEP as an individual or a LLC and Ms. Politi responded her preference would be a LLC. DISCUSSION: Mr. MacLean stated that Ms. Politi demonstrated that she is well qualified to become a certified education provider. Ms. Glen stated continuing education for property managers is much needed.</p> <p>MOTION TO APPROVE ALETHEA "TIA" POLITI'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ALEX MACLEAN SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE</p>
12.2.19	Richard Gann	APPROVED	<p>Richard Gann to appear by phone. Mr. Gann explained that his business relies heavily on referrals from real estate agents/brokers, accountants, and other professionals. He also stated that his goal is to provide continuing education to the real estate community in particular with regard to commercial real estate and taxation. Ms. Gisriel asked Mr. Gann to provide specific learning objectives included in his classes that would fall under the acceptable course topics and also if he was familiar with the record keeping requirements for continuing education providers. Mr. Gann responded that he had extensive experience with continuing education record keeping. Mr. Hamilton asked Mr. Gann if he was currently working with real estate organizations that provide similar courses to licensees and Mr. Gann said the content he provided was not the same but unique. Ms. Barnes asked Mr. Gann if he planned on becoming a continuing education provider as an individual or as a business and he responded that he would be providing continuing education as an individual. Ms. Glen asked Mr. Gann what format he offered his classes through and he responded his content was totally educational. Mr. Gann offers classes that cover the following topics: Real estate taxation, real estate economics, and real estate law or regulation, which are considered acceptable course topics. DISCUSSION: Ms. Gisriel stated the motivation for becoming continuing education provider should be education rather than business development.</p> <p>MOTION TO APPROVE RICHARD GANN'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY ALEX MACLEAN SECOND BY SUSAN GLEN MOTION CARRIED BY 7 AYES (MARIE DUE, DEBRA GISRIEL, JOSE GONZALEZ, KIM HEDDINGER, LAWNAE HUNTER, AND ALEX MACLEAN) AND 1 NAY (DAVE HAMILTON)</p>
02.03.20	Bernard Black	APPROVED	<p>Bernard Black, B.C.E., will appear in person. Mr. Black explained he had over 35 years of experience in the pest management field, a board certified entomologist, provided education on pest control to Oregon Real Estate Inspection Association, and wishes to offer a course to real estate agents familiarizing them with pest control related to sale of homes. Mr. Black will offer courses covering the following topics: Property management, real estate consumer protection, commercial real estate, and risk management, which are all considered acceptable course topics.</p> <p>MOTION TO APPROVE BERNARD BLACK'S PETITION TO QUALIFY A CONTINUING EDUCATION PROVIDER BY DAVE HAMILTON SECOND BY JOSE GONZALEZ MOTION CARRIED BY UNANIMOUS VOTE</p>
06.01.20	Columbia Drain Company	APPROVED	<p>Mr. Peschka appeared by phone and explained the course he provides covers the Property Management and Environmental Protection, which are acceptable course topics. Chair Hunter asked Mr. Peschka if he was familiar with the recordkeeping rules required for a continuing education provider and he responded that he was familiar. Mr. Hamilton asked Mr. Peschka if his class audience would be primarily commercial industry members and Mr. Peschka responded that residential side would eventually be included. Ms. Glen asked Mr. Peschka if he was marketing HOAs and he responded that he intends to in the future.</p> <p>MOTION TO APPROVE COLUMBIA DRAIN COMPANY'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE HAMILTON SECOND BY PAT IHNAT MOTION CARRIED BY UNANIMOUS VOTE</p>

08.03.20	Evergreen Capital	APPROVED	Evergreen Capital, Trevor Calton to appear. Mr. Calton explained that in 2012 the board approved his petition to qualify as a continuing education provider under a different company and was familiar with the rules/laws relating to continuing education providers. He also stated the topics he provides through his course are Real Estate Finance and Commercial Real Estate, which are acceptable course topics. MOTION TO APPROVE EVERGREEN CAPITAL'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY PAT IHNAT SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE
08.02.21	Real Estate and Property Management LLC	APPROVED	Real Estate and Property Management Education LLC (DBA RPM Education LLC), Christian Bryant appearing. Mr. Bryant explained his background/experience and basis for his petition he also stated that he was familiar with the record keeping requirements for CEPs and offers the following acceptable course topics in his classes: FAIR Housing, Property Management Eviction Law, Laws and best practices when selling a rental unit, habitability standards/laws, record keeping, supervision responsibilities, Clients' trust accounts, Agency relationships, Advertising and RE Disclosures. MOTION TO APPROVE RPM'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY PAT IHNAT SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE
10.04.21	Northwest School of Real Estate Paul Frink		Cont'd to 12.06.21
10.04.21	Lawrence Belland		No appearance
12.06.21	Northwest School of Real Estate Paul Frink	APPROVED	Northwest School of Real Estate, Paul Frink to appear. Mr. Frink explained his background/experience and basis for his petition. He also stated that he was familiar with the record keeping requirements for CEPs and offers the following course topics: Forms, DISC, Comparative Market Analysis, Agency, Best Practices, New Agent Introduction. Mr. Frink understood that some of the classes did not qualify for Continuing Education Credits under OAR 863-020-0035, however, upon approval, additional acceptable content would be included. MOTION TO APPROVE NORTHWEST SCHOOL OF REAL ESTATE'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY LAWNAE HUNTER SECOND BY KIM HEDDINGER MOTION CARRIED BY UNANIMOUS VOTE
12.06.21	Rogue Inspection Services, Sara Derek	DENIED	Sara Derek and Brandi Verkempinck explained their background/experience and basis for their petition. Discussion: Marie Due suggested that Rogue Inspection Services reappear at the 2.7.22 board meeting to provide updated information regarding acceptable course topics. MOTION TO DENY ROGUE INSPECTION SERVICE'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY MARIE DUE SECOND BY DAVE HAMILTON MOTION CARRIED BY UNANIMOUS VOTE
04.04.22	Rogue Inspection Services, Brandi Verkempinck		

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

Real Estate Agency
530 Centennial St Ste 100
Salem OR 97301
Phone (503) 338-4170

Form 15-01

AGENDA ITEM NO. IV.A.

Rev. 11/2009

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 by e-mail to madeline.c.alvarado@oregon.gov a least 21 days before the next scheduled Board meeting which the applicant wishes the Board to act.

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. This may be done in person or by phone. 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.
- ▶ Please do not submit any class or course information as the Oregon Real Estate Agency Board is unable to review or consider this information.

If the Board approves this petition, the Agency will mail a letter to the petitioner, confirming the Board's approval. The petitioner may then apply for certification as a continuing education provider under OAR 863-020-0030.

PETITIONER

Name: Rogue Inspection Services Phone Number: 541-507-7674

Physical Address: 305A Shafer Ln Address: Cont

City: Jacksonville State: OR Zip Code: 97301 County: Jackson

E-mail: brandi@rogueinspection.com

Mailing Address (if different): _____ Address Cont: _____

City: _____ State: _____ Zip Code: _____ County: _____

AUTHORIZED CONTACT PERSON

Prefix _____ First Name: Brandi Last Name: Verkempinck

Phone Number: 541-507-7674 E-mail: brandi@rogueinspection.com

Indicate who will appear before the board on behalf of the Petitioner: Brandi Verkempinck

AGENCY USE ONLY

Approved by Board: YES NO

Review Date: _____

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.

Rogue Inspection Services has been in business in Oregon for over three years. We employ 6 OHCI licensed inspectors who inspect all over Oregon. Prior to starting Rogue, the owner was licensed and did home inspections in NB for three years. We are passionate about performing the highest quality home inspections and partnering with others in the industry to educate and elevate the field. I would like to teach continuing education courses on behalf of our company. I am the Director of Growth and Development for RIS with over seven years of experience in marketing, business development and public speaking. The two courses I have readily available, and have expertise in are: Environmental Safety: Protection Issues In Real Estate, and Environmental Safety: Firewise for Residential and Rural Homes. I have had training in Environmental Safety, Proactive Maintenance and Firewise Safety for home owners and have given these presentations on these topics.

Each of these classes are a minimum of one hour and can be offered in person or online over zoom. I also have prepared sign up sheets to keep track of my attendees, along with course certification attendance.

Rogue Inspection is also a trade association in a related field - 9863-020-0020 (e) Home Inspectors.

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued

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 certify 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.

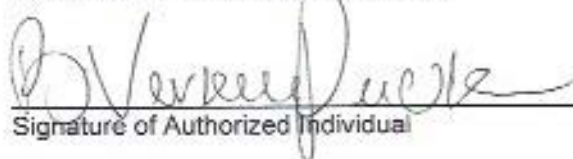
I UNDERSTAND:

	Initials	Date Completed	Agency Use Only
I will complete the Continuing Education Provider Application and will pay the \$300 fee upon Board approval.	BV	11/21	
I understand the requirements of an education provider as outlined in Oregon Administrative Rules (OAR) Chapter 863, Division 20.	BV	11/21	
Petitioner has demonstrated their experience and expertise in two or more course topics eligible for continuing education credit as listed in OAR 863-020-0035.	BV	11/21	
Petitioner has demonstrated their experience in providing educational courses to real estate licensees.	BV	11/21	

Brandi Verkempinck

Date: 1/26/22

Printed Name of Authorized Individual



Signature of Authorized Individual

ADMINISTRATIVE ACTIONS for OREA Board
1/19/22 through 3/15/22
(Corresponding orders are attached)

REVOCATIONS

None.

SUSPENSIONS

None.

REPRIMANDS

Mitchell, Tina Janell (Albany), Property Manager 201236906, Stipulated Final Order dated February 8, 2022, issuing a reprimand.

Brown, Earlene S. (North Bend) Principal Broker 920400010, Stipulated Final Order dated February 8, 2022, issuing a reprimand.

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

Clark, Corey Joseph, Broker 200506069, Stipulated Final Order dated March 2, 2022, issuing a \$500.00 civil penalty.

UNLICENSED ACTIVITY

Miller, Shirley (Lebanon), Property Manager 201204544, Stipulated Final Order dated February 4, 2022, issuing a \$3,100.00 civil penalty.

Reynolds, Michael Wayne, Unlicensed, Final Order by Default dated February 8, 2022, issuing a \$3,500.00 civil penalty.

Brewer, Kaslynn Katheel, Property Manager 201243397, Stipulated Final Order dated March 8, 2022, issuing a \$1,500.00 civil penalty.

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of)
TINA JANELL MITCHELL) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Tina Janell Mitchell (Mitchell) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW
AND
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

First Findings of Fact:

1.1 At all times mentioned herein, Mitchell was licensed as a property manager doing business under the registered business name of All-4-U Property Management.

1.2 On June 9, 2021, Shirley Miller (Miller) submitted a complaint against Mitchell on behalf of owner Stephen White (White) and the Agency opened an investigation.

1.3 Mitchell purchased All-4-U Property Management (APM) from Miller in August 2020. Miller managed 8 properties for White.

1.4 Mitchell said she had a problem with her accounting software; she couldn't send owner distributions over \$5,000 and had to send White multiple payments.

1.5 When she was completing her 2020 year-end accounting, Mitchell said she discovered several of White's owner distributions bounced, and White was owed \$936.06. On December 31, 2020, Mitchell wrote White a check for the discrepancy.

1.6 When asked for an accounting of how she determined the amount owed to

1 White, Mitchell provided handwritten notes for transactions occurring between August and
2 December 2020, with no clear explanation of when the distribution to White bounced.

3 **First Statement of Law:** ORS 696.301(3) authorizes the Commissioner to reprimand a
4 licensee's real estate license who has disregarded or violated any provision of ORS 659A.421,
5 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the
6 Agency. ORS 696.301(3) is implemented in part by ORS 696.890(4)(c),(d), and (e). ORS
7 696.890(4)(c),(d), and (e) (2019 Edition) states: (4) a real estate property manager owes the
8 property owner the following affirmative duties: (c) to exercise reasonable care and diligence;
9 (d) to account in a timely manner for all funds received from or on behalf of the owner; and (e)
10 to act in a fiduciary manner in all matters relating to trust funds.

11 **First Conclusion of Law:** When completing the year-end accounting Mitchell found
12 White's owner distributions had bounced, and he was owed \$936.66. When asked for an
13 accounting of how she determined the amount owed, Mitchell provided handwritten notes for
14 transactions occurring between August and December 2020, with no clear explanation of when
15 the distribution bounced, in violation of ORS 696.301(3) and its implementing statute ORS
16 696.890(4)(c),(d), and (e) (2019 Edition).

17 **Second Findings of Fact:**

18 1.7 By her admission, Mitchell failed to provide monthly owner statements to White.

19 **Second Statement of Law:** ORS 696.301(3) authorizes the Commissioner to
20 reprimand a licensee's real estate license who has disregarded or violated any provision of
21 ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or
22 any rule of the Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR
23 863-025-0055(4) (1-1-2020 and 1-1-2021 Editions). OAR 863-025-0055(4) (01/01/2020 and
24 01/01/2021 Editions), states a property manager must report in writing to each owner any
25 change in the owner's ledger. A monthly report, showing all receipts and disbursements for the
26 account is sufficient under this section. A copy of such report must be preserved and filed in
27 the property manager's records. If an annual reports contains information not required to be
28 provided by the property manager under these rules, the property manager must set forth such
29 information separately.

30 **Second Conclusion of Law:** Mitchell failed to ensure Stephen White received his

1 monthly owner statements in violation of ORS 696.301(3) and its implementing rule OAR 863-
2 025-0055(4) (01/01/2020 and 01/01/2021 Editions).

3 **Third Findings of Fact**

4 1.8 On March 24, 2021 Mitchell emailed White a 30- day notice of termination. The
5 same day Mitchell forwarded White copies of 8 rental agreements.

6 1.9 On April 23, 2021, the effective termination date of the property management
7 agreement, White informed Mitchell that all records closing out his property management
8 should be forwarded to Miller.

9 1.10 On May 26, 2021, White emailed Mitchell instruction to forward all outstanding
10 records and funds to Miller.

11 1.11 In the complaint, Miller included 8 separate "Account Ledgers" for White's
12 properties that were provided by Mitchell. The ledgers contained transactions between August
13 1, 2020, and June 9, 2021. It is unclear when Miller received these ledgers. The "Account
14 Ledgers" appear to be an owner ledger and included a record of when rents were received,
15 management fees, owner disbursements and other expenses. These records failed to
16 include the following details required for an owner ledger; purpose of the funds received, the
17 check number or cash receipt number for funds received, the check number or bank generated
18 electronic tracking number for disbursements, and the purpose of the disbursement.

19 1.12 The ledgers included the checks Mitchell wrote to Miller between May 27, 2021,
20 and June 9, 2021, for White's owner reserves and held security deposits.

21 **Third Statement of Law** ORS 696.301(3) authorizes the Commissioner to reprimand a
22 licensee's real estate license who has disregarded or violated any provision of ORS 659A.421,
23 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the
24 Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR 863-025-
25 0055(3)(b)(B),(C),(c)(C), and (E) (01/01/2020, and 01/01/2021 Editions). OAR 863-025-
26 0055(3)(b)(B),(C),(c)(C), and (E) states: (3) all owner ledgers must contain at least the
27 following information: (b) for each deposit of funds: (B) the purpose of the funds and identity of
28 the person who tendered the funds; (C) the check number, cash receipt number or a unique
29 series of letters and/or numbers that established an audit trail to the receipt of funds; (c) for
30 each disbursement of funds: (C) the check number or bank generated electronic tracking

1 number; (E) the purpose of the disbursement.

2 **Third Conclusion of Law:** By failing to include all the required elements on the owners
3 ledger Mitchell violated ORS 696.301(3) and its implementing rule OAR 863-025-
4 0055(3)(b)(B),(C), (c)(C), and (E) (01/01/2020, and 01/01/2021 Editions).

5 **Fourth Findings of Fact**

6 1.13 The account ledgers note multiple instances of disbursements made when there
7 were insufficient funds to do so. The following instances were noted:

- 8 • Account ledger “#23-B 1860 S 7 St. Unit B” had insufficient funds
9 for disbursements made on December 28, 2020, and February 19, 2021, through
10 February 20, 2021.
- 11 • Account ledger “023-D 1860 S 7th Street #D” had insufficient funds for the
12 disbursement made on October 21, 2020.
- 13 • Account ledger “023-B S 7th St. Unit B” had insufficient funds for disbursements
14 made between February 19, 2021, and February 20, 2021.
- 15 • Account ledger “024-1 1275 Stonefield Ct-1” had insufficient funds for the
16 disbursement made on February 21, 2021.
- 17 • Account ledger “042-2 1277 Stonefield Court -2” had insufficient funds for the
18 disbursement made on September 10, 2020.

19 1.14 Based on the provided documents it appears funds were transferred between
20 White’s ledger accounts. Per White’s property management agreement, there is nothing noted
21 in the terms that allows funds to be transferred between the separate ledger accounts.

22 **Fourth Statement of Law:** ORS 696.301(3) authorizes the Commissioner to reprimand
23 a licensee’s real estate license who has disregarded or violated any provision of ORS
24 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any
25 rule of the Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR 863-
26 025-0027(3) and (5)(a) (01/01/2020 and 01/01/2021 Editions), which states (3) a property
27 manager must not disburse funds from a clients' trust account or security deposits account
28 unless there are sufficient funds, as defined in OAR 863-025-0010, in the ledger account
29 against which the disbursement is made, (5) a property manager may only transfer funds
30 between two or more owner ledger accounts maintained for the same owner if: (a) the owner

1 has given the property manager prior written approval in the property management agreement
2 or in an addendum to the agreement.

3 **Fourth Conclusion of Law:** Mitchell made multiple disbursements out of the clients'
4 trust account when there were insufficient funds in the ledger account to do so (see above).
5 Additionally, Mitchell transferred funds between White's owner ledgers when nothing was
6 noted in the property management agreement allowing the transfers. Mitchell violated ORS
7 696.301(3) and its implementing rule OAR 863-025-0027(3) and (5)(a) (01/01/2020 and
8 01/01/2021 Editions).

9 **Fifth, Sixth, and Seventh Findings of Fact:**

10 1.15 On September 28, 2021, Agency Financial Investigator/Auditor Liz Hayes
11 emailed Mitchell requesting records, including Mitchell's reconciliation records for May and
12 June 2021 for account ending in #3269.

13 1.16 On November 2, 2021, Mitchell forwarded copies of the requested records, but
14 failed to provide the reconciliation records. Hayes followed up the same day requesting the
15 reconciliation records.

16 1.17 On November 3, 2021, Hayes spoke with Mitchell who disclosed that she had not
17 reconciled the clients trust accounts. Mitchell said she hired a bookkeeper toward the end of
18 2020 to assist with the books and complete White's final accounting. While there was no
19 record of receipts of disbursements provided by Mitchell, Mitchell submitted multiple account
20 records that noted rent funds were deposited into the correct clients' trust account and when
21 owner disbursements were made.

22 1.18 Mitchell was asked if she believed she had all the records required to complete a
23 three-way reconciliation. Mitchell said she thought she did. In November 2021, Mitchell hired
24 another bookkeeper to help recreate her accounting from when she took over the business.

25 **Fifth Statement of Law:** ORS 696.301(3) authorizes the Commissioner to reprimand a
26 licensee's real estate license who has disregarded or violated any provision of ORS 659A.421,
27 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the
28 Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR 863-025-
29 0028(2)(a) (01/01/2020 and 01/01/2021 Editions), which states (2) a property manager must
30 reconcile each clients' trust account within 30 calendar days of the date of the bank statement

1 pursuant to the requirements contained in this section, (a) the reconciliation must have three
2 components that are contained in a single reconciliation document.

3 **Fifth Conclusion of Law:** By failing reconcile her clients' trust accounts monthly,
4 Mitchell violated ORS 696.301(3) and its implementing rule OAR 863-025-0028(2)(a)
5 (01/01/2020 and 01/01/2021 Editions).

6 **Sixth Statement of Law:** ORS 696.301(3) authorizes the Commissioner to reprimand a
7 licensee's real estate license who has disregarded or violated any provision of ORS 659A.421,
8 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or any rule of the
9 Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR 863-025-
10 0035(1)(b) and (j) (01/01/2020 and 01/01/2021 Editions), which states (1) the property
11 manager's records of the management of rental real estate are "complete and adequate" as
12 required under ORS 696.280 if the records contain, at least, the following: (b) clients' trust
13 account and security deposit account records required by OAR 863-025-0000 to 863-025-0080
14 and ORS Chapter 696; and (j) records of the reconciliation of each clients' trust account and
15 security deposits account, including the reconciliation document.

16 **Sixth Conclusion of Law:** By failing to reconcile her clients' trust accounts monthly,
17 Mitchell violated ORS 696.301(3) and its implementing rule OAR 863-025-0035(1)(b) and (j)
18 (01/01/2020 and 01/01/2021 Editions).

19 **Seventh Statement of Law:** ORS 696.301(3) authorizes the Commissioner to
20 reprimand a licensee's real estate license who has disregarded or violated any provision of
21 ORS 659A.421, 696.010 to 696.495, 696.600 to 696.785, 696.800 to 696.870 and 696.890 or
22 any rule of the Real Estate Agency. Implementation of ORS 696.301(3) is made through OAR
23 863-025-0035(3)(b) (01/01/2021 Edition) which states (3) if a property manager uses a
24 computerized system for creating, maintaining and producing required records and reports: (b)
25 posting of owner ledgers, record of receipts and disbursements, tenant ledgers and
26 manipulation of information and documents must be maintained in a format that will readily
27 enable tracking and reconciliation.

28 **Seventh Conclusion of Law:** By failing to retain records of receipts and disbursements
29 in a format that readily enables tracking and reconciliation Mitchell violated ORS 696.301(3)
30 and its implementing rule OAR 863-025-0035(3)(b) (01/01/2021 Edition).

1 of a court of law, or the inactive status of the license, or voluntary surrender of the license by
2 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with
3 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;
4 (3) Take action against a licensee, including assessment of a civil penalty against the licensee
5 for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or
6 revoking a license.

7 3.

8 The Agency reserves the right to investigate and pursue additional complaints that may
9 be received in the future regarding this licensee.

10 4.

11 STIPULATION AND WAIVER

12 I, Tina Janell Mitchell, have read and reviewed this Stipulated Final Order and its
13 Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings
14 of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full
15 and complete agreement and stipulation between the Agency and me. I further understand
16 that if I do not agree with this stipulation I have the right to request a Hearing on this matter
17 and to be represented by legal counsel at such a Hearing. I also understand that any Hearing
18 would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in
19 accordance with the Rules of Practice and Procedure adopted by the Attorney General of the
20 State of Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights
21 to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this
22 matter.

23 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and
24 understand that the Order which follows hereafter, which I have also read and understand,
25 may be completed and signed by the Real Estate Commissioner or may be rejected by the
26 Real Estate Commissioner. I further understand that, in accordance with the provisions of
27 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
28 Journal.

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1 In addition to all of the above, I agree that once the Commissioner executes this
2 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby
3 waive the right to challenge the validity of service.

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5 ORDER
6 IT IS HEREBY ORDERED that Tina Janell Mitchell's property manager license be, and
7 hereby is reprimanded.

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10 IT IS SO STIPULATED:

IT IS SO ORDERED:



11
12 DocuSigned by:
13 *Tina Janell Mitchell*
14 6CE378782ED548E...

DocuSigned by:
Steven Strode
E2C2D0097AD8471...

15 TINA JANELL MITCHELL

STEVEN STRODE

Real Estate Commissioner

16 Date 2/7/2022 | 10:12 AM PST

Date 2/8/2022 | 7:51 AM PST

Date of Service: 02/08/2022

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REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Real Estate License of
EARLENE S. BROWN)
STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Earlene S. Brown (Brown) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW
AND
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

First Findings of Fact:

1.1 At all times mentioned herein, Brown was licensed as a principal broker with EXP Realty, LLC.

1.2 On September 8, 2021, the Agency received a complaint from Michael McHugill (McHugill) against Brown and the Agency opened an investigation.

1.3 On August 8, 2021, Brown took her client, Denton Coetzee (Coetzee), to view the property located at 66679 Quail Road in Coos Bay (subject property). The subject property is owned by McHugill and is situated directly behind the property of Nancy Sappington (Sappington). McHugill has an easement agreement with Sappington and accesses his property using a gravel driveway which runs along the right side of Sappington's property.

1.4 Sappington witnessed Brown and Coetzee walking around McHugill's property and approached them.

1.5 Brown stated while she was out showing properties to Coetzee, she received a

1 phone call from a business contact who indicated McHugill wanted to list his house for sale.
2 Brown stated she and Coetzee drove to McHugill's home to view it.

3 1.6 At the time, Brown knew the subject property was not listed for sale. Brown did
4 not have permission from McHugill to enter the subject property or residence.

5 1.7 Brown stated McHugill's garage door was open about 18 inches and while she
6 was talking to Sappington, Coetzee pushed open the door further and entered. She said she
7 yelled at Coetzee to get out, but he didn't hear her, so she walked under the door, entered the
8 garage, and saw he was walking up the stairs to the inside of the house.

9 **First Statement of Law:** According to ORS 696.301(12) and (15) a licensee's real
10 estate license may be disciplined if they have: (12) demonstrated incompetence or
11 untrustworthiness in performing any act for which the real estate licensee is required to hold a
12 license, (15) engaged in any conduct that is below the standard of care for the practice of
13 professional real estate activity in Oregon as established by the community of individuals
14 engaged in the practice of professional real estate activity in Oregon.

15 **First Conclusion of Law:** Brown and her client Coetzee entered McHugill's property
16 and residence without the knowledge or consent of the property owner in violation of ORS
17 696.301(12) and (15) (2021 Edition).

18 **Second Conclusion of Law:** The forgoing violation is grounds for discipline pursuant to
19 ORS 696.301(12) and (15). Based on this violation a reprimand is appropriate for violations of
20 ORS 696.301(12) and (15).

21 2.

22 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real
23 estate license, whether by operation of law, order of the Real Estate Commissioner or decision
24 of a court of law, or the inactive status of the license, or voluntary surrender of the license by
25 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with
26 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;
27 (3) Take action against a licensee, including assessment of a civil penalty against the licensee
28 for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or
29 revoking a license.

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3.

The Agency reserves the right to investigate and pursue additional complaints that may be received in the future regarding this licensee.

4.

STIPULATION AND WAIVER

I, Earlene S. Brown, have read and reviewed this Stipulated Final Order and its Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full and complete agreement and stipulation between the Agency and me. I further understand that if I do not agree with this stipulation I have the right to request a Hearing on this matter and to be represented by legal counsel at such a Hearing. I also understand that any Hearing would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and Procedure adopted by the Attorney General of the State of Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this matter.

I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and understand that the Order which follows hereafter, which I have also read and understand, may be completed and signed by the Real Estate Commissioner or may be rejected by the Real Estate Commissioner. I further understand that, in accordance with the provisions of ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News Journal.

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1 In addition to all of the above, I agree that once the Commissioner executes this
2 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby
3 waive the right to challenge the validity of service.

4 ORDER

5 IT IS HEREBY ORDERED that Earlene S. Brown’s principal broker license be, and
6 hereby is reprimanded.

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IT IS SO STIPULATED:

IT IS SO ORDERED:



DocuSigned by:
Earlene S. Brown
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DocuSigned by:
Steven Strode
E2C2D0097AD8471...

EARLENE S. BROWN

STEVEN STRODE

Real Estate Commissioner

Date 2/7/2022 | 5:59 PM PST

Date 2/8/2022 | 7:56 AM PST

Date of Service: 02/08/2022

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Broker License
of
COREY JOSEPH CLARK

STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Corey Joseph Clark (Clark) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW
AND
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

Findings of Fact:

1.1 On August 1, 2021, Clark’s broker license expired. On September 22, 2021, Clark submitted a renewal application. On the application, Clark indicated he had conducted professional real estate activity while holding an expired or inactive license. He wrote that he had uploaded his continuing education classes and thought the license was automatically renewed and he had recently been notified by a lender that his license was inactive.

1.2 Previously, on June 14, 2021, Clark had uploaded his continuing education information into the Agency’s licensing system. The Agency sent him an email confirming the continuing education courses had been added to his record and stated his license expires on July 31, 2021. On July 1, 2021, and July 26, 2021, the Agency sent email reminders to Clark regarding the need to renew his license during the month of July.

1.3 During the time Clark’s license was expired, from August 1, 2021, to September 21, 2021, 52 days, Clark continued conducting professional real estate activity as if actively

1 licensed.

2 1.4 Clark told Agency staff he had been conducting business as normal with the belief
3 his license was active.

4 **Statements of Law:**

5 ORS 696.020(2) states an individual may not engage in, carry on, advertise or purport
6 to engage in or carry on professional real estate activity, or act in the capacity of a real estate
7 licensee, within this state unless the individual holds an active license as provided for in this
8 chapter.

9 ORS 696.990(4)(a) and (b) states: (4) Any person that violates ORS 696.020(2) may be
10 required by the Real Estate Commissioner to forfeit and pay to the General Fund of the State
11 Treasury a civil penalty in an amount determined by the commissioner of: (a) Not less than
12 \$100 nor more than \$500 for the first offense of unlicensed professional real estate activity;
13 and (b) Not less than \$500 nor more than \$1,000 for the second and subsequent offenses of
14 unlicensed professional real estate activity.

15 ORS 696.990(9) states for the purposes of subsection (4) of this section, any violation
16 of ORS 696.020(2) that results from a failure of a real estate licensee to renew a license within
17 the time allowed by law constitutes a single offense of unlicensed professional real estate
18 activity for each 30-day period after expiration of the license during which the individual
19 engages in professional real estate activity. A civil penalty imposed for a violation of ORS
20 696.020(2) that results from a failure of a real estate licensee to renew a license within the time
21 allowed by law is not subject to the minimum dollar amounts specified in subsection (4) of this
22 section.

23 **Conclusion of Law:**

24 By conducting professional real estate activity over the course of 52 days after Clark's license
25 expired and before renewing it, Clark violated ORS 696.020(2) and is subject to discipline or
26 civil penalty pursuant to ORS 696.990(4) and (9).

27 2.

28 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real
29 estate license, whether by operation of law, order of the Real Estate Commissioner or decision
30 of a court of law, or the inactive status of the license, or voluntary surrender of the license by

1 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with
2 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;
3 (3) Take action against a licensee, including assessment of a civil penalty against the licensee
4 for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or
5 revoking a license.

6 3.

7 The Agency reserves the right to investigate and pursue additional complaints that may
8 be received in the future regarding this licensee.

9 4.

10 STIPULATION AND WAIVER

11 I, Corey Joseph Clark, have read and reviewed this Stipulated Final Order and its
12 Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings
13 of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full
14 and complete agreement and stipulation between the Agency and me. I further understand
15 that if I do not agree with this stipulation I have the right to request a Hearing on this matter
16 and to be represented by legal counsel at such a Hearing. I also understand that any Hearing
17 would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in
18 accordance with the Rules of Practice and Procedure adopted by the Attorney General of the
19 State of Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights
20 to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this
21 matter.

22 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and
23 understand that the Order which follows hereafter, which I have also read and understand,
24 may be completed and signed by the Real Estate Commissioner or may be rejected by the
25 Real Estate Commissioner. I further understand that, in accordance with the provisions of
26 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
27 Journal.

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1 In addition to all of the above, I agree that once the Commissioner executes this
2 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby
3 waive the right to challenge the validity of service.
4

5 ORDER

6 IT IS HEREBY ORDERED that pursuant to ORS 696.990(1) to (9) and based upon the
7 violation set forth above, Clark pay a civil penalty in the sum of \$500.00, said penalty to be
8 paid to the General Fund of the State Treasury by paying the same to the Agency. The civil
9 penalty is computed in accordance with ORS 696.990(4) and (9) in that each 30-day period of
10 unlicensed activity is considered one violation. In this instance, there was one 30-day period
11 of unlicensed activity.
12

13 IT IS SO STIPULATED:

IT IS SO ORDERED:

15 DocuSigned by:

16 *Corey Joseph Clark*

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17 COREY JOSEPH CLARK

18 Date 2/24/2022 | 9:30 AM PST

DocuSigned by:

16 *Steven Strode*

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17 STEVEN STRODE

18 Real Estate Commissioner

19 Date 3/2/2022 | 8:58 AM PST

20 Date of Service: 03/02/2022



REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Property Manager License)
of)
SHIRLEY MILLER) STIPULATED FINAL ORDER

The Oregon Real Estate Agency (Agency) and Shirley Miller (Miller) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW
AND
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

First Findings of Fact:

1.1 Miller is currently licensed as a property manager. Her license was affiliated with All-4-U Property Management from December 13, 2017, and January 20, 2021. On January 20, 2021, Miller’s license was made inactive.

1.2 On April 24, 2021, while her license was inactive, Miller entered into a property management agreement with property owner Stephen White (White) to manage 8 properties located at 1860 S. 7th St. #A, #B, #C, #D Lebanon, and 1255-1257, 1275-1277 Stonefield Ct., Stayton. According to the property management agreement, Miller was compensated 10% of the gross collected monthly rents.

1.3 On May 26, 2021, White emailed his previous property manager, Tina Mitchell (Mitchell), instructions to forward records, statements, owner reserves, funds owed, and security deposits to Miller. On May 31, 2021, Mitchell made a check out to Miller for \$4,200, noting 3 months’ rent for one of White’s properties. Between May 27, 2021, and June

1 9, 2021, Mitchell wrote eight checks to Miller, all noting “SD” and referencing a rental until.
2 Mitchell wrote three additional checks referencing “Reserve Return,” for 8 rental units. Miller
3 also received 8 separate “Account Ledgers” for White’s properties from Mitchell.

4 1.4 On November 23, 2021, Agency Financial Investigator/Auditor Liz Hayes (Hayes)
5 informed Miller her license was inactive. Miller confirmed she was only working for White and
6 was collecting and forwarding rent to White. Miller had a clients’ trust account, and a security
7 deposits account holding security deposits. Hayes informed Miller she didn’t meet an
8 exemption. Later that same day, Miller completed the application to reinstate her property
9 manager license and completed a registered business name application. Her license was
10 associated with Shirley Miller Property Management on November 23, 2021.

11 1.5 Miller engaged in unlicensed real estate activity between April 24, 2021, and
12 November 22, 2021.

13 **First Statement of Law:** ORS 696.020(2) states an individual may not engage in, carry
14 on, advertise or purport to engage in or carry on professional real estate activity, or act in the
15 capacity of a real estate licensee within this state unless the individual holds an active license
16 as provided for in this chapter. ORS 696.010(17)(h) defines professional real estate activity
17 as any of the following actions, when engaged in for another and for compensation or with the
18 intention or in the expectation or upon the promise of receiving or collecting compensation, by
19 any person who: (h) engages in the management of rental real estate. ORS 696.010(14)
20 defines the management of rental real estate activity. ORS 696.990(4)(a) and (b) states: (4)
21 Any person that violates ORS 696.020(2) may be required by the Real Estate Commissioner to
22 forfeit and pay to the General Fund of the State Treasury a civil penalty in an amount
23 determined by the commissioner of: (a) Not less than \$100 nor more than \$500 for the first
24 offense of unlicensed professional real estate activity; and (b) Not less than \$500 nor more
25 than \$1,000 for the second and subsequent offenses of unlicensed professional real estate
26 activity.

27 **First Conclusion of Law:** By engaging in the management of rental real estate from
28 April 24, 2021, to November 22, 2021, during the time Miller’s license was inactive, Miller
29 engaged in professional real estate activity as described in ORS 696.010(17)(h), which is a
30 violation of ORS 696.020(2) (2021 Edition). Miller is subject to a civil penalty under ORS

1 696.990(4)(a)(b) (2021 Edition).

2 2.

3 According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real
4 estate license, whether by operation of law, order of the Real Estate Commissioner or decision
5 of a court of law, or the inactive status of the license, or voluntary surrender of the license by
6 the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with
7 an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee;
8 (3) Take action against a licensee, including assessment of a civil penalty against the licensee
9 for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or
10 revoking a license.

11 3.

12 The Agency reserves the right to investigate and pursue additional complaints that may
13 be received in the future regarding this licensee.

14 4.

15 STIPULATION AND WAIVER

16 I, Shirley Miller, have read and reviewed this Stipulated Final Order and its Findings of
17 Fact, Statements of Law and Conclusions of Law. I understand that the Findings of Fact,
18 Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full and
19 complete agreement and stipulation between the Agency and me. I further understand that if I
20 do not agree with this stipulation I have the right to request a Hearing on this matter and to be
21 represented by legal counsel at such a Hearing. I also understand that any Hearing would be
22 conducted in accordance with the procedures set forth in ORS Chapter 183 and in accordance
23 with the Rules of Practice and Procedure adopted by the Attorney General of the State of
24 Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights to a
25 Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this
26 matter.

27 I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and
28 understand that the Order which follows hereafter, which I have also read and understand,
29 may be completed and signed by the Real Estate Commissioner or may be rejected by the
30 Real Estate Commissioner. I further understand that, in accordance with the provisions of

1 ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News
2 Journal.

3 In addition to all of the above, I agree that once the Commissioner executes this
4 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby
5 waive the right to challenge the validity of service.

6 ORDER

7 IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation
8 set forth above, Miller pay a civil penalty in the sum of \$3,100.00, said penalty to be paid to the
9 General Fund of the State Treasury by paying the same to the Agency.

10
11 IT IS SO STIPULATED:

IT IS SO ORDERED:



13 DocuSigned by:

14 *Shirley Miller*

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15 SHIRLEY MILLER

DocuSigned by:

14 *Steven Strode*

E2C2D0097AD8471...

15 STEVEN STRODE

16 Real Estate Commissioner

17 Date 1/31/2022 | 12:49 PM PST

17 Date 2/4/2022 | 7:54 AM PST

19 Date of Service: 02/04/2022

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REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Unlicensed Professional
Real Estate Activity of

MICHAEL WAYNE REYNOLDS

FINAL ORDER BY DEFAULT AND ORDER
TO CEASE AND DESIST

PROCEDURAL HISTORY AND PROCEDURAL LAW

1.

1.1 On November 2, 2021, the Real Estate Commissioner issued, by certified mail, a *Notice of Intent to Assess a Civil Penalty and Order to Cease and Desist*. The Oregon Real Estate Agency (Agency) sent the *Notice of Intent* to Michael Wayne Reynolds' (Reynolds) last known address of record with the Agency (13529 Gaffney Ln., Oregon City, OR 97045). The *Notice of Intent* was also mailed to Reynolds by regular first class mail to the above address.

1.2 The certified mailing of the *Notice of Intent* was returned to the Agency, received on November 29, 2021. Stamped on the envelope was, "Return to Sender Not Deliverable as Addressed Unable to Forward." Handwritten on the envelope was "LN 11/4."

1.3 The first class mailing of the *Notice of Intent* from the November 2, 2021 mailing has not been returned to the Agency.

1.4 On December 7, 2021, the Real Estate Commissioner re-issued, by certified mail, the *Notice of Intent to Assess a Civil Penalty and Order to Cease and Desist*. The Agency sent the *Notice of Intent* to Reynolds' last known address of record with the Agency (13529 Gaffney Ln., Oregon City, OR 97045) and another possible address for Reynolds (570 E. Exeter Street, Gladstone, OR 97207). The *Notice of Intent* was also mailed to Reynolds by regular first class mail to both of the above addresses on December 7, 2021.

1.5 The December 7, 2021, certified mailing of the Notice to Reynolds addressed to 570 E. Exeter Street, Gladstone, OR 97207 was returned to the Agency on January 10, 2022 marked, "Return to Sender Unclaimed Unable to Forward." The other December 7, 2021

certified mailing of the *Notice of Intent* to Reynolds addressed to 13529 Gaffney Ln., Oregon City, OR 97045 was returned to the Agency on January 14, 2022, marked “Return to Sender Unclaimed Unable to Forward.” The first class mailings of the *Notice of Intent* from the December 7, 2021 mailing have not been returned to the Agency.

1.6 Over twenty (20 days) have elapsed since the mailing of the notice issued in this matter and no written request for hearing has been received by the Agency.

2.

Based upon the foregoing, and upon the Agency’s investigation reports, documents and files that, pursuant to Section 9 of the *Notice of Intent*, automatically become part of the evidentiary record of this disciplinary action upon default (for the purpose of proving a prima facie case (ORS 183.417(4)), the Real Estate Commissioner finds:

2.1 A notice of intent is properly served when deposited in the United States mail, registered or certified mail, and addressed to the real estate licensee at the licensee’s last known address of record with OREA. (ORS 183.415(2); OAR 137-003-0505; OAR 863-001-0006. If correctly addressed, such a notice is effective even though it is not received by the person to be notified. *Stroh v. SAIF*, 261 OR 117, 492 P2d 472 (1972) (footnote 3 in this case misquotes the cited treatise and contradicts the text of the opinion; treatise and cited case law support the proposition stated in the text.) Also, notice is effective even though the addressee fails or refuses to respond to a postal service “mail arrival notice” that indicates that certified or registered mail is being held at the post office. *See State v. DeMello*, 300 Or App 590, 716 P2d 732 (1986) (discussing use of certified mail to effectuate notice of driver’s license suspension under ORS 482.570). *See also El Rio Nilo, LLC v. OLCC*, 240 Or App 362, 246 P3d 508 (2011) (Notice by certified mail effective even though addressee did not pick up in time to file request for hearing timely).(Oregon Attorney General’s Administrative Law Manual and Uniform Model Rules Of Procedure Under the Administrative Procedures 2019 Edition at pages 97-98).

2.2 Reynolds’ last known address of record with the Agency was 13529 Gaffney Ln., Oregon City, OR 97045.

2.3 A certified mailing of the *Notice of Intent* was mailed to Reynolds at his last known address of record on November 2, 2021. The certified mailing of the Notice was returned to the Agency, received on November 29, 2021. Stamped on the envelope was, "Return to Sender Not Deliverable as Addressed Unable to Forward." Handwritten on the envelope was "LN 11/4."

2.4 The notice was also mailed regular first class mail to the above address for Reynolds. The first class mailing has not been returned to the Agency.

2.5 On December 7, 2021, the Real Estate Commissioner re-issued, by certified mail, the *Notice of Intent to Assess a Civil Penalty and Order to Cease and Desist*. The Agency sent the *Notice of Intent* to Reynolds' last known address of record with the Agency (13529 Gaffney Ln., Oregon City, OR 97045) and another possible address for Reynolds (570 E. Exeter Street, Gladstone, OR 97207). The *Notice of Intent* was also mailed to Reynolds by regular first class mail to both of the above addresses on December 7, 2021.

2.6 The December 7, 2021, certified mailing of the Notice to Reynolds addressed to 570 E. Exeter Street, Gladstone, OR 97207 was returned to the Agency on January 10, 2022, marked, "Return to Sender Unclaimed Unable to Forward." The other December 7, 2021, certified mailing of the *Notice of Intent* to Reynolds addressed to 13529 Gaffney Ln., Oregon City, OR 97045 was returned to the Agency on January 14, 2022, marked "Return to Sender Unclaimed Unable to Forward."

2.7 The first class mailings of the *Notice of Intent* from the December 7, 2021 mailing have not been returned to the Agency. The OAH Rules contain a rebuttable presumption that documents sent by regular mail are received by the addressee. ORS 137-003-0520(10). If the regularly mailed notice is actually received, it is effective on the date received, rather than the date of mailing.

2.8 Over twenty (20) days have elapsed since the mailing of the Notice and no written request for a hearing has been received.

2.9 As noted in paragraph 9 of the *Notice of Intent to Assess a Civil Penalty and Order to Cease and Desist* and section 2 above, the Agency's entire investigation file was designated as the record for purposes of presenting a prima facie case upon default, including

submissions from Reynolds and all information in the administrative file relating to the mailing of notices and any responses received.

FINDINGS OF FACT

3.

3.1 At all times mentioned herein, Reynolds was not licensed to engage in the management of rental real estate or conduct professional real estate activity in Oregon.

3.2 In August 2021 the Agency opened an investigation against Reynolds.

3.3 Court records showed Reynolds named as Landlord/Agent for multiple Residential Eviction complaints and Forcible Entry Detainers, filed in Clackamas County, for properties all owned by Joseph Winter (Winter).

3.4 On March 2, 2018, Reynolds filed a Residential Eviction Complaint in Clackamas County Court against tenant Cassandra Goen residing at 4800 SE Boardman Ave, Unit #2, Milwaukie, OR. Reynolds was listed as the plaintiff along with Winter Properties in the caption of the document. Below the caption, Reynolds was listed as the Plaintiff- Landlord and signed the document as Landlord or Agent.

3.5 On March 24, 2017, Reynolds filed a Complaint Residential Eviction in Clackamas County Court against tenant "Genevive Boham," residing at 4800 SE Boardman Ave, Unit #1, Milwaukie, OR. Reynolds was listed as the plaintiff along with Winter Properties in the caption. Reynolds signed the document as the Landlord or Agent.

3.6 On December 13, 2016, Reynolds filed a Complaint Residential Eviction in Clackamas County Court against tenant "Genevive Bohem," residing in 4800 SE Boardman Ave, Apt #1, Milwaukie, OR. Reynolds was listed as the plaintiff along with Winter Properties in the caption. Reynolds signed the document as the Landlord or Agent.

3.7 On December 13, 2016, Reynolds filed a Complaint Residential Eviction in Clackamas County Court against tenant Christy Oldham residing in 4800 SE Boardman Ave Apt #3, Milwaukie, OR,. Reynolds was listed as the plaintiff along with Winter Properties in the caption. Reynolds signed the document as the Landlord or Agent.

3.8 On April 20, 2016, Reynolds filed a Complaint Residential Eviction against tenant "Genievive Boeham" residing in 4800 SE Boardman Ave, Unit 1, Milwaulkie, OR, in Clackamas

County Court. Reynolds was listed as the Plaintiff along with Winter Properties in the caption. Reynolds signed the document as the Landlord or Agent.

3.9 On August 12, 2015, Reynolds filed a Forcible Entry Detainer with Clackamas County Court against tenants Dennis Hargrave and Margaret Hillman residing in 4800 SE Boardman Ave #1, Milwaukie, OR. Reynolds and Winter Properties were listed as the plaintiffs.

3.10 On September 25, 2013, Reynolds filed a Forcible Entry Detainer with Clackamas County Court against tenant Karry Imel residing in 4800 SE Boardman Ave #6, Milwaukie, OR. Reynolds and Winter Properties were listed as the plaintiffs.

3.11 4800 SE Boardman Ave, Milwaukie, OR was owned by Winter.

3.12 On May 23, 2016, Reynolds filed a Complaint Residential Eviction in Clackamas County Court against tenant Thad Ouimette residing in 412 Pearl St, Apt #3, Oregon City, OR. This property was owned by Winter. Reynolds and Winter Properties were listed as the plaintiffs. The complaint was signed by Reynolds as the Landlord or Agent.

3.13 On May 23, 2016, Reynolds filed a Complaint Residential Eviction in Clackamas County Court against tenant Rick Kautz, residing in 13207 SE Oatfield Rd. Milwaukie, OR. This property was owned by Winter. Reynolds and Winter Properties were listed as the plaintiffs. The complaint was signed by Reynolds as the Landlord or Agent.

3.14 On January 19, 2010, Reynolds filed a Forcible Entry Detainer in Clackamas County Court against tenant Courtney Cox residing in 13215 Oatfield Rd., Milwaukie, OR. This property was owned by Winter. Reynolds and Winter Properties were listed as the plaintiffs.

3.15 On January 7, 2010, Reynolds filed a Forcible Entry Detainer in Clackamas County Court against tenant Ryan Thorng residing in 13269 Clairmont Way, Oregon City, OR. This property was owned by Winter. Reynolds and Winter Properties were listed as the plaintiffs.

3.16 Winter stated he had known Reynolds for approximately 20 years. Winter said that Reynolds and Autumn Reynolds (Reynold's wife) would collect rent. Per Winter, Reynolds was hired as a handyman. According to Winter, Reynolds and Autumn Reynolds approached him about signing an agreement to sell them the property they were residing in (13529 Gaffney

Ln. Oregon City, OR). The terms were for zero percent interest, and the monthly payment of \$1,500 per month would be paid as, “work performed.” Per Winter, both Autumn Reynolds and Reynolds have been residing in this property for free.

3.17 When asked about the Residential Eviction and Forcible Entry Detainers that Reynolds filed, Winter said Reynolds might have filed the documents with the court, but Reynolds never managed his properties.

3.18 Per Autumn Reynolds, she and her husband quit working for Winter in January 25, 2021.

STATEMENT OF LAW APPLICABLE TO FINDINGS OF FACT

4.

4.1 ORS 696.020(2) (2009, 2013- 2017 Editions) states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license as provided for in this chapter.

4.2 According to ORS 696.990(4)(a) and (b) (2009, 2013-2017 Editions) any person that violates ORS 696.020(2) may be required by the Real Estate Commissioner to forfeit and pay to the General Fund of the State Treasury a civil penalty in an amount determined by the commissioner of: (a) not less than \$100 nor more than \$500 for the first offense of unlicensed professional real estate activity; and (b) not less than \$500 nor more than \$1,000 for the second and subsequent offenses of unlicensed professional real estate activity.

4.3 ORS 696.010(12)(a)(L) (2009 Edition) and ORS 696.010(11)(a)(L) (2013-2015 Editions) defines “Management of rental real estate” as: (a) representing the owner of real estate in the rental or lease of the real estate and includes but is not limited to: (L) providing copies of records of acts performed on behalf of the owner of the real estate.

4.4 ORS 696.010(14)(a)(L) (2017 Edition) defines “Management of rental real estate” as: (a) representing the owner of real estate under a property management agreement in the rental or lease of the real estate and includes but is not limited to: (L) providing copies of the records of acts performed on behalf of the owner of the real estate.

4.5 ORS 696.010(15)(h) (2009 Edition) and ORS 696.010(14)(h) (2013-2015 Editions), ORS 696.010(17)(h) (2017 Edition) defines “Professional real estate activity” as: any of the following actions, when engaged in for another and for compensation or with the intention or in the expectation or upon the promise of receiving or collecting compensation, by any person who: (h) engages in management of rental real estate.

4.6 ORS 696.010(6) (2009 Edition), ORS 696.010(4) (2013 and 2015 Editions) defines “compensation” as: any fee, commission, salary, money or valuable consideration for services rendered or to be rendered as well as the promise thereof and whether contingent or otherwise.

4.7 ORS 696.010(6) (2017 Edition) defines “compensation as: valuable consideration for services rendered or to be rendered, whether contingent or otherwise.

4.8 ORS 696.010(16) (2009, 2013, 2015 Editions) and ORS 696.010(19) (2017 Edition) defines “real estate” as: includes leaseholds and licenses to use including, but not limited to, timeshare estates and timeshare licenses as defined in ORS 94.803, as well as any and every interest or estate in real property, whether corporeal or incorporeal, whether freehold or nonfreehold, whether held separately or in common with others and whether the real property is situated in this state or elsewhere.

4.9 In establishing the violations alleged above, the Agency may rely on one or more definitions contained in ORS 696.010.

4.10 ORS 696.040 (2009, 2013-2017 Editions) states one act or transaction of professional real estate activity is sufficient to constitute engaging in professional real estate activity, within the meaning of this chapter.

4.11 ORS 696.397 (2013-2019 Editions) states if the Agency has reason to believe that a person has engaged, is engaging or is about to engage in a violation of ORS 696.020(2) the Agency may, issue an order directing a person to cease and desist from the violation or threatened violation.

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ULTIMATE FINDINGS OF FACT

5.

5.1 Reynolds filed the Residential Eviction Complaints and Forcible Entry Detainer listed above relating to tenants residing at 4800 Boardman Ave, and by doing so Reynolds engaged in unlicensed professional real estate activity.

5.2 Reynolds filed the Residential Eviction Complaint listed above relating to the tenant residing at 412 Pearl St., Apt #2 and by doing so Reynolds engaged in unlicensed professional real estate activity.

5.3 Reynolds filed the Residential Eviction Complaint and Forcible Entry Detainer listed above relating to tenants residing at 13207 and 13215 Oatfield Rd. and by doing so Reynolds engaged in unlicensed professional real estate activity.

5.4 Reynolds filed the Forcible Entry Detainer listed above relating to the tenant residing at 13269 Clairmont Way and by doing so Reynolds engaged in unlicensed professional real estate activity.

5.5 Reynolds' actions constitute grounds to impose a civil penalty per ORS 696.990(4)(a) and (b), as well as entry of an order to cease and desist from engaging in any professional real estate activity under ORS 696.397.

CONCLUSIONS OF LAW

6.

6.1 Pursuant to ORS 183.417(4) and OAR 137-003-0670 Reynolds is in default.

6.2 The material facts establish grounds to impose a civil penalty, by preponderance of the evidence, under ORS 696.990(4)(a) and (b), as well as entry of an order to cease and desist from engaging in any professional real estate activity under ORS 696.397, as set forth in the *Notice of Intent To Assess a Civil Penalty and Order to Cease and Desist*.

6.3 Based on the violations of ORS 696.020(2), the Agency may assess a civil penalty against Reynolds and as well as an entry of an order to cease and desist from engaging in any professional real estate activity.

6.4 Based on the evidence in the record, the preponderance of the evidence weighs in favor of the civil penalty against Reynolds and an entry of an order to cease and desist from engaging in any professional real estate activity.

6.5 The Agency may therefore assess a civil penalty against Reynolds and enter an order to cease and desist from engaging in any professional real estate activity.

OPINION

7.

The Agency takes its consumer protection role very seriously. In Oregon, an individual must be licensed to engage in professional real estate activity (ORS 696.020(2)). A license is issued to individuals who pass a criminal background check, complete the pre-license educational course, and pass the state and national examinations, as required by ORS 696.022. Reynolds did not have an Oregon real estate license, yet he engaged in several acts constituting professional real estate activity, specifically engaging in the management of rental real estate.

The specific violations are repeated here below:

- (1) By filing the Residential Eviction Complaints and Forcible Entry Detainer listed above relating to tenants residing at 4800 Boardman Ave, Reynolds engaged in unlicensed professional real estate activity (ORS 696.010(11)(a)(L) (2013-2015 Editions), ORS 696.010(14)(a)(L) (2017 Edition), ORS 696.010(14)(h) (2013-2015 Editions) and ORS 696.010(17)(h) (2017 Edition)), in violation of ORS 696.020(2) (2013-2017 Editions) which states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license.
- (2) By filing the Residential Eviction Complaint listed above relating to the tenant residing at 412 Pearl St., Apt #2, Reynolds engaged in unlicensed professional real estate activity (ORS 696.010(11)(a)(L) (2015 Edition), ORS 696.010(14)(h) (2015 Edition)) in violation of ORS 696.020(2) (2015 Edition) which states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license.

(3) By filing the Residential Eviction Complaint and Forcible Entry Detainer listed above relating to tenants residing at 13207 and 13215 Oatfield Rd. Reynolds engaged in unlicensed professional real estate activity (ORS 696.010(12)(a)(L) (2009 Edition), ORS 696.010(11)(a)(L) (2015 Edition), ORS 696.010(15)(h) (2009 Edition) ORS 696.010(14)(h) (2015 Edition)), in violation of ORS 696.020(2) (2009 and 2015 Editions) which states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license.

(4) By filing the Forcible Entry Detainer listed above relating to the tenant residing at 13269 Clairmont Way, Reynolds engaged in unlicensed professional real estate activity (ORS 696.010(12)(a)(L) (2009), ORS 696.010(15)(h) (2009 Edition)), in violation of ORS 696.020(2) (2009 Edition) which states an individual may not engage in, carry on, advertise or purport to engage in or carry on professional real estate activity, or act in the capacity of a real estate licensee, within this state unless the individual holds an active license.

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ORDER

IT IS HEREBY ORDERED that pursuant to ORS 696.397, Reynolds immediately cease and desist from engaging in any professional real estate activity as defined in ORS 696.010(17)(a)-(n) (2019 Edition) unless Reynolds first obtains a real estate license from the Agency. The Commissioner's authority for this order is under ORS 696.397.

IT IS FURTHER ORDERED, pursuant to ORS 696.990 and based upon the violation set forth above, Reynolds pay a civil penalty in the sum of \$3,500.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the Agency.

Dated this 8th day of February, 2022.

OREGON REAL ESTATE AGENCY

DocuSigned by:
Steven Strode
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Steven Strode
Real Estate Commissioner

NOTICE OF RIGHT TO APPEAL: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the date of service of this order. Judicial review is to the Oregon Court of Appeals, pursuant to the provisions of ORS 183.482.

Certificate of Mailing

On February 8, 2022, I mailed the foregoing Final Order by Default issued on this date in Agency Case No. 2021-545.

By: First Class Mail

Michael Wayne Reynolds
13529 Gaffney Ln.
Oregon city, OR 97045

Michael Wayne Reynolds
570 E. Exeter Street
Gladstone OR 97027

Rick Marsland
Licensing Specialist

REAL ESTATE AGENCY
BEFORE THE REAL ESTATE COMMISSIONER

In the Matter of the Unlicensed Professional
Real Estate Activity of
KASLYNN KATHEEL BREWER

STIPULATED FINAL ORDER AND
ORDER TO CEASE AND DESIST

The Oregon Real Estate Agency (Agency) and Kaslynn Katheel Brewer (Brewer) do hereby agree and stipulate to the following:

FINDINGS OF FACT, STATEMENTS OF LAW
AND
CONCLUSIONS OF LAW

1.

In establishing the violations set forth herein, the Agency may rely on one or more of the definitions contained in ORS 696.010.

First Findings of Fact:

1.1 Brewer initially applied for a property manager license on May 10, 2021. Brewer’s license was active from June 29, 2021 through August 10, 2021. Brewer’s license was then moved to “pending association” status since the license was not associated with an Agency registered business name. As of September 10, 2021, Brewer’s license is in inactive status.

1.2 In June 2021, the Agency received a complaint from property owners Amanda Maney (Maney) and Jeremy Jiracek (Jiracek) against Brewer. The Agency opened an investigation.

1.3 Maney and Jiracek owned property located at 1921 NE Wasco St., Portland, OR 97232 (subject property). Jiracek and Brewer signed a property management agreement, dated and effective December 8, 2017, for Brewer to manage the subject property for a one-year term which would renew automatically unless it was terminated by either party. This was

1 done prior to Brewer obtaining a property manager license.

2 1.4 The property management agreement states Brewer would receive a start up fee
3 of \$1,500.00 and be compensated \$175.00 per month for managing the subject property.

4 **First Statement of Law:** ORS 696.020(2) (2015 Edition) states an individual may not
5 engage in, carry on, advertise or purport to engage in or carry on professional real estate
6 activity, or act in the capacity of a real estate licensee, within this state unless the individual
7 holds an active license as provided for in this chapter. ORS 696.010(14)(h) (2015 Edition)
8 defines professional real estate activity as any of the following actions, when engaged in for
9 another and for compensation or with the intention or in the expectation or upon the promise of
10 receiving or collecting compensation, by any person who: (h) engages in the management of
11 rental real estate. ORS 696.010(11) (2015 Edition) defines management of rental real estate
12 activity. ORS 696.990(4)(a) and (b) (2015 Edition) states: (4) Any person that violates ORS
13 696.020(2) may be required by the Real Estate Commissioner to forfeit and pay to the General
14 Fund of the State Treasury a civil penalty in an amount determined by the commissioner of: (a)
15 Not less than \$100 nor more than \$500 for the first offense of unlicensed professional real
16 estate activity; and (b) Not less than \$500 nor more than \$1,000 for the second and
17 subsequent offenses of unlicensed professional real estate activity.

18 **First Conclusion of Law:** By entering into a property management agreement with
19 owners Maney and Jiracek to manage the subject property, without a license, Brewer engaged
20 in professional real estate activity as described in ORS 696.010(14)(h), in violation of ORS
21 696.020(2) (2015 Edition). Brewer is subject to a civil penalty under ORS 696.990(4)(a)(b)
22 (2015 Edition).

23 **Second Findings of Fact:**

24 1.5 An internet search of Brewer's name performed on November 8, 2021, by
25 Agency staff led to a Montavilla News webpage article titled "Mt Tabor Villas Opens to
26 Residents," which was posted online on September 19, 2020. The article announced that the
27 construction on Mt. Tabor Villas was completed and stated 12 apartment units were now
28 available for rent.

29 1.6 The article indicated that Brewer was a property manager for Edge Management,
30 the company representing Mt. Tabor Villas when the article was posted on September 19,
2020.

1 1.7 Brewer was mentioned by her full name and made the following statement in part
2 regarding the Mt. Tabor Villas, as reported in the article, “Everyone wants their deposit back,
3 so our job is to help make that happen.’ Said Kaslynn Brewer, Property Manager with Edge
4 Management, who represents this building.” At that time, Brewer did not hold an active
5 property manager license.

6 1.8 The article stated John Olson (Olson) had taken over development of Mt. Tabor
7 Villas from another development group. Multnomah County Assessor records show John
8 Olson purchased Mt. Tabor Villas on May 30, 2018, and sold the apartment complex to
9 AFOOFOO 2, DCCL on April 19, 2019. Oregon Secretary of State business records reported
10 Olson as the registered agent and sole member of AFOOFOO 2, DLLC. Brewer was not listed
11 as an owner of Mt. Tabor Apartments or managing member of AFOOFOO 2 DLLC.

12 **Second Statement of Law:** ORS 696.020(2) (2019 Edition) states an individual may
13 not engage in, carry on, advertise or purport to engage in or carry on professional real estate
14 activity, or act in the capacity of a real estate licensee, within this state unless the individual
15 holds an active license as provided for in this chapter. ORS 696.010(17)(h) (2019 Edition)
16 defines professional real estate activity as any of the following actions, when engaged in for
17 another and for compensation or with the intention or in the expectation or upon the promise of
18 receiving or collecting compensation, by any person who: (h) engages in the management of
19 rental real estate. ORS 696.010(14) (2019 Edition) defines management of rental real estate
20 activity. ORS 696.990(4)(a) and (b) (2019 Edition) states: (4) Any person that violates ORS
21 696.020(2) may be required by the Real Estate Commissioner to forfeit and pay to the General
22 Fund of the State Treasury a civil penalty in an amount determined by the commissioner of: (a)
23 Not less than \$100 nor more than \$500 for the first offense of unlicensed professional real
24 estate activity; and (b) Not less than \$500 nor more than \$1,000 for the second and
25 subsequent offenses of unlicensed professional real estate activity.

26 **Second Conclusion of Law:** By advertising herself as a property manager with Edge
27 Management who represented the Mt. Tabor Villas apartments, in the September 2020
28 website article noted above, when she did not have a license, Brewer engaged in professional
29 real estate activity as described in ORS 696.010(17)(h), which is a violation of ORS 696.020(2)
30 (2019 Edition). Brewer is subject to a civil penalty under ORS 696.990(4)(a)(b) (2019 Edition).

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2.

According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real estate license, whether by operation of law, order of the Real Estate Commissioner or decision of a court of law, or the inactive status of the license, or voluntary surrender of the license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee; (3) Take action against a licensee, including assessment of a civil penalty against the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or revoking a license.

3.

The Agency reserves the right to investigate and pursue additional complaints that may be received in the future regarding this licensee.

4.

STIPULATION AND WAIVER

I, Kaslynn Katheel Brewer, have read and reviewed this Stipulated Final Order and its Findings of Fact, Statements of Law and Conclusions of Law. I understand that the Findings of Fact, Conclusions of Law and this Stipulation and Waiver of Hearing rights embody the full and complete agreement and stipulation between the Agency and me. I further understand that if I do not agree with this stipulation I have the right to request a Hearing on this matter and to be represented by legal counsel at such a Hearing. I also understand that any Hearing would be conducted in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and Procedure adopted by the Attorney General of the State of Oregon. By signing this Stipulated Final Order I freely and voluntarily waive my rights to a Hearing, to representation by legal counsel at such a Hearing, and to judicial review of this matter.

I hereby agree and stipulate to the above Findings of Fact and Conclusions of Law and understand that the Order which follows hereafter, which I have also read and understand, may be completed and signed by the Real Estate Commissioner or may be rejected by the Real Estate Commissioner. I further understand that, in accordance with the provisions of ORS 696.445(3), notice of this Order shall be published in the Oregon Real Estate News Journal.

1 In addition to all of the above, I agree that once the Commissioner executes this
2 Stipulated Final Order, I will accept service of the Stipulated Final Order by email, and hereby
3 waive the right to challenge the validity of service.

4 ORDER

5 IT IS HEREBY ORDERED that, pursuant to ORS 696.397, Brewer immediately cease
6 and desist from engaging in any professional real estate activity as defined in ORS
7 696.010(17)(a) to (n) (2021 Edition), unless Brewer activates her real estate license from the
8 Agency. The Commissioner’s authority for this order is under ORS 696.397.

9 IT IS FURTHER ORDERED that, pursuant to ORS 696.990 and based upon the
10 violation set forth above, Brewer pay a civil penalty in the sum of \$1,500.00, said penalty to be
11 paid to the General Fund of the State Treasury by paying the same to the Agency.

12
13 IT IS SO STIPULATED:

IT IS SO ORDERED:

14
15 DocuSigned by:
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DocuSigned by:
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21 KASLYNN KATHEEL BREWER

22 STEVEN STRODE

23 Real Estate Commissioner

24 Date 3/1/2022 | 6:17 PM PST

25 Date 3/8/2022 | 10:09 AM PST

26 Date of Service: 03/08/2022

**REAL ESTATE BOARD
REGULATION DIVISION REPORT
April 4, 2022**

Regulation Division Manager: Elli Kataura

Compliance Specialists 3 (Compliance Coordinator): Rob Pierce, Meghan Lewis

Financial Investigators (Investigator-Auditor): Jeremy Brooks, Aaron Grimes, Frank Leonard, Cidia Nañez,
Lindsey Nunes, John Moore

Compliance Specialist 2: Carolyn Kalb

Division Overview

The Agency receives complaints and determines if an investigation is appropriate. Open cases are assigned to investigators to gather facts (from interviews and documents), prepare a detailed written report and submit for Administrative Review. The Compliance Coordinators conducting the Administrative Review work evaluate whether the evidence supports a violation of Agency statutes or administrative rules. When a case finds sufficient cause to sanction a license, the case is elevated to the Commissioner for review. When the Commissioner supports a sanction, the Compliance Coordinators conduct a settlement conference to resolve cases without a contested case hearing. If the respondent requests a hearing, the Investigator works with the Assistant Attorney General in preparing for and presenting the case at hearing.

Personnel

A Compliance Coordinator will be retiring later this year, so the Agency is working to recruit a replacement prior to his departure for training and support of the new hire.

Workload and Activity Indicators

<u>Average # in this status at the time</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>Current 3/9/22</u>
Complaint	30	27	24	19	34
Investigation***	35	38	55	49	25
(# of Investigators)	7*	6-7**	7	7	6
Admin Review	69	25	88	4	9
Settlement Process	37	47	57	8	6

* One investigator on medical leave.

** One investigator on medical leave, then retired. Late 2019 vacancy was filled.

***Pending queue retired in 2020. All cases are directly assigned to an investigator rather than being held in a pending status.

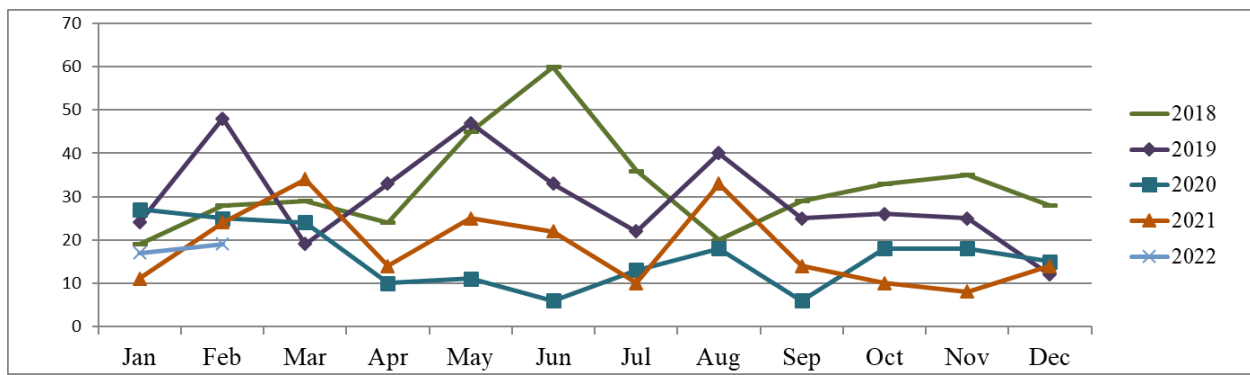
**Report to the Real Estate Board
Land Development Division
April 4th, 2022**

Division Manager: Michael Hanifin

Section Overview:

The Land Development Division reviews and approves filings related to condominiums, timeshares, subdivisions, manufactured home subdivisions, and membership campgrounds. The section reviews and approves the foundational documents creating these types of properties, as well as later amendments to those documents, to verify compliance with statutory requirements. We also issue the Disclosure Statement (sometimes referred to as a Public Report) required for sales of these interests to Oregonians. The Disclosure Statement summarizes key information about the condominium for the consumer, somewhat like the owner’s manual for a car.

Workload and Activity Indicators



Thru end of February the division has received 36 filings. This is slightly ahead of what we saw at the same time last year (35).

Rulemaking Update:

The agency rulemaking related to HB 2703, and other housekeeping matters is proceeding. At this point, the rulemaking advisory group has provided feedback and small changes have been made as a result. The rulemaking hearing will be on March 24th, 10AM. Our anticipated effective date of the rules changes will be April 1st, 2022.

Legislative Update: The following bills were passed in the 2022 Regular Session that are relevant to the regulated community. No bills passed this session require rulemaking by the agency.

HB 4103 Relating to real estate activity. Increases penalty for offenses related to engaging in professional real estate activity without holding active license. Fines went from not less than 100 (now 1000) nor more than 500 (now 2,500).

SB 1536 Relating to indoor temperature control; declaring an emergency. Limits restrictions on portable cooling devices in residences by landlords, homeowners associations, condominium associations and local governments. Landlord may not prohibit window mounted cooling devices unless it violates building code or other law or would damage the structure. In some circumstances the landlord must provide cooling assistance. (5 unit or more multifamily, heat index of extreme.)

HB 4063 Relating to manufactured structures; Prohibits local governments from prohibiting siting of prefabricated structures in all residential zones. Expands eligibility for siting manufactured homes and prefabricated structures on lands zoned to allow single-family dwellings within urban growth boundary. Allows siting of prefabricated structures in mobile home or manufactured dwelling parks. *Limits improvements that landlord of manufactured dwelling park may require of tenant. Requires Attorney General to update model statement by January 1, 2023.*] Expands eligibility for manufactured dwelling replacement program to allow owners of dwellings destroyed by natural disaster to replace outside of disaster area. Updates certain definitions of manufactured dwellings and manufactured dwelling parks to include prefabricated structures. Declares emergency, effective on passage.

**REAL ESTATE BOARD
ADMINISTRATIVE SERVICES DIVISION REPORT
April 4, 2022**

Administrative Services Manager: Mesheal Heyman

Accountant: Caty Karayel

Systems Administrator: Tiffani Miller

Program Analyst: Rus Putintsev

Operation & Policy Analyst: Denise Lewis

Section Overview

The Administrative Services Division acts as business support for the Agency overall. This division manages accounting, purchasing and contracting, inventory control, facilities, payroll, human resources, special projects, information technology (IT), performance, and communications.

Budget Update

As of the end of January, our projected revenue for the 2021-2023 biennium is at **\$10.4 million** and projected expenses are at **\$9 million**. Our cash balance estimate of **\$6.8 million** is up \$1.8 million from 2021.

Revenue/Economic Outlook

The Agency has averaged a monthly surplus of \$83,000 in the first seven months of the biennium.

At the end of February, we saw a record number of licensed individuals: 25,275. Although we have seen a drop in the number of new licenses issued, renewal rates have remained steady the first couple months of 2022.

Office Update:

State offices officially reopen May 1.

Communications:

In the latest News-Journal, the Agency explained the change in the new LARRC requirements. Licensees who completed the 2020-2021 LARRC since their last renewal and are renewing after June 30 now only need to take a class with the new fair housing component.

Real Estate Agency - AY23

2021-2023 Budget - Biennium to Date Through June 30th 2023

<i>Budget Codes</i>		<u>21-2023 LAB</u>	<u>Expected Total Expenditures for Biennium (current)</u>	<u>Expected Remaining Limitation at end of Biennium</u>
	Total Personal Services	7,536,078	7,521,105	14,973
4100 & 4125	In-State Travel & Out-of-State Travel	103,008	19,985	83,023
4150	Employee Training	38,585	33,418	5,168
4175	Office Expenses	86,611	79,930	6,681
4200	Telecom/Tech Services & Support	67,400	73,442	(6,042)
4225	State Government Services	265,226	310,092	(44,866)
4250	Data Processing	113,997	83,457	30,540
4275	Publicity & Publications	38,297	7,527	30,770
4300 & 4315	Professional Services & IT Professional Services	196,960	172,742	24,218
4325	Attorney General Legal Fees	284,277	282,601	1,676
4375	Employee Recruitment	8,081	250	7,831
4400	Dues & Subscriptions	9,987	5,504	4,483
4425	Facilities Rent & Taxes	265,559	255,289	10,270
4475	Facilities Maintenance	4,713	8,492	(3,779)
4575	Agency Program Related S&S	922,042	886,820	35,222
4650	Other Services & Supplies	92,287	177,250	(84,963)
4700	Expendable Property \$250-\$5000	30,401	1,500	28,901
4715	IT Expendable Property	169,980	47,512	122,468
	Total Services & Supplies	2,697,411	2,445,811	251,600
	Totals	10,233,489	9,966,916	266,573

**REAL ESTATE BOARD
EDUCATION & LICENSING DIVISION REPORT
April 4, 2022**

Education & Licensing Manager: Madeline Alvarado
Compliance Specialist: Tami Schemmel, Roger McComas, Jenifer Wetherbee
Administrative Specialist: Elizabeth Hardwick, Nenah Darville

Division Overview

The Education and Licensing Division acts as the first point of contact for the public. This division manages reception, licensing services, complaint intake and education.

Personnel

Kaely Salem was hired as a Licensing Specialist.

Education Update

Updated LARRC course removing House Bill 2550.

Licensing Update

New individual application types- Decreased by 5% from January 2022 to February 2022.

License renewals- January 84% and February 87% of broker licensees renewed.

Phones- The average hold time for January was 33 seconds and for February was 23 seconds.

Upcoming

Escrow annual reports were due on March 31st and financial statements are due by May 31st. Licensees who fail to submit their annual report, provide their financial documents, or fail to provide an updated bond (if required) will not be eligible for renewal in June.

RBN Renewal

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Eligible to Renew	418	333										
Failed to Renew	14	22										
% Renewed	97%	93%										

Licensing Statistics

Total Licensee Counts by Month:

Individuals (Persons)	Jan-22	Feb-22
Broker – Total	17,833	17,902
Active	16,035	16,045
Inactive	1,798	1,857
Principal Broker - Total	6,391	6,394
Active	6,002	5,998
Inactive	389	396
ALL BROKERS Total	24,224	24,296
Active	22,037	22,043
Inactive	2,187	2,253
Property Manager - Total	943	958
Active	840	850
Inactive	103	108
MCC Salesperson	20	20
MCC Broker	1	1
TOTAL INDIVIDUALS	25,188	25,275
Active	22,898	22,914
Inactive	2,290	2,361
Facilities (Companies)		
REMO	4	4
Registered Business Name (RBN)	3,819	3,812
Registered Branch Office (RBO)	803	800
Escrow Organization	73	74
Escrow Branch	150	150
Condominium Filing (CO)	221	231
Unit Owners Association	952	938

Pre-License Education Provider (PEP)	26	26
CEP	290	292
MCC Operator	25	25
TOTAL FACILITIES	6,363	6,352
TOTAL INDIVIDUALS & FACILITIES	31,551	31,627

New Licenses by Month:

Individuals (Persons)	Jan-22	Feb-22
Broker	202	186
Principal Broker	17	18
TOTAL BROKERS	219	204
Property Manager	10	20
MCC Salesperson	1	1
MCC Broker	0	0
TOTAL INDIVIDUALS	230	225
Facilities (Companies)		
Continuing Education Provider (CEP)	3	1
REMO	0	0
Registered Business Name	35	24
Registered Branch Office	11	5
Escrow Organization	1	1
Escrow Branch	0	0
Condominium Filing	0	0
Unit Owners Association	6	2
Pre-License Ed Provider	0	0
MCC Operator	0	0
TOTAL FACILITIES	53	32
TOTAL INDIVIDUALS & FACILITIES	283	257

Exam Statistics

February 2022

ALL LICENSING EXAMS Total

Broker	550
Property Manager	11
Principal Broker	73
Reactivation	11

Pass Rates

<i><u>First Time Pass Rate</u></i> <i><u>Percentage</u></i>	<i><u>2018</u></i>	<i><u>2019</u></i>	<i><u>2020</u></i>	<i><u>2021</u></i>	<i><u>2022</u></i>
Broker State	58	57	50	47	46
Broker National	72	70	68	67	68
Principal Broker State	59	51	53	57	53
Principal Broker National	77	69	63	55	67
Property Manager	67	64	58	66	83

Oregon Real Estate Agency Education & Licensing Division
Licensee Application & Renewal 2022 Data

New Applications													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Brokers	398	336											734
Principal Brokers	47	32											79
Property Managers	20	35											55
Total	465	403											868

Renewal Activity														
Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	491	517											1008
	Inactive	49	40											89
Late	Active	44	42											86
	Inactive	13	10											23
Lapse		128	104											232
Total		725	713											1438

Principal Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	221	238											459
	Inactive	9	8											17
Late	Active	11	10											21
	Inactive	2	1											3
Lapse		24	19											43
Total		267	276											543

Oregon Real Estate Agency Education & Licensing Division
Licensee Application & Renewal 2022 Data

Property Managers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	28	26											54
	Inactive	2	3											5
Late	Active	3	3											6
	Inactive	1	0											1
Lapse		11	8											19
Total		45	40											85

Grand Total (Brokers, Principal Brokers, Property Managers)														
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Eligible to Renew		1037	1029											2066
On Time	Active	740	781											1521
	Inactive	60	51											111
Late	Active	58	55											113
	Inactive	16	11											27
Total Renewed		874	898											1772
Lapse		163	131											294

% On Time		77.1%	80.9%	%	%	%	%	%	%	%	%	%	%	79.0%
% Late		7.1%	6.4%	%	%	%	%	%	%	%	%	%	%	6.8%
% Failed to Renew(Lapsed)		15.7%	12.7%	%	%	%	%	%	%	%	%	%	%	14.2%
Total		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Oregon Real Estate Agency Education & Licensing Division
Licensee Application & Renewal 2021 Data

New Applications													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Brokers	513	419	528	380	374	345	319	352	324	331	308	329	4522
Principal Brokers	43	39	49	36	34	26	30	28	43	38	33	37	436
Property Managers	20	25	18	22	31	28	25	25	30	19	22	15	280
Total	576	483	595	438	439	399	374	405	397	388	363	381	5238

Renewal Activity														
Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	461	445	528	518	512	526	520	563	525	539	464	493	6094
	Inactive	27	31	30	22	30	41	37	36	49	32	41	35	411
Late	Active	54	44	45	36	30	43	36	44	56	53	45	44	530
	Inactive	11	7	11	10	12	9	11	10	10	18	16	11	136
Lapse		123	101	120	121	113	102	110	86	116	102	115	93	1302
	Total	676	628	734	707	697	721	714	739	756	744	681	676	8473

Principal Brokers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	220	189	223	225	196	238	252	239	237	207	202	226	2654
	Inactive	12	2	6	8	5	12	9	12	8	7	12	12	105
Late	Active	11	11	11	10	2	18	9	16	11	13	12	10	134
	Inactive	1	1	2	1	2	3	2	3	3	0	4	2	24
Lapse		25	18	19	28	32	23	23	17	19	16	16	21	257
	Total	269	221	261	272	237	294	295	287	278	243	246	271	3174

Oregon Real Estate Agency Education & Licensing Division
Licensee Application & Renewal 2021 Data

Property Managers		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
On Time	Active	34	29	32	29	36	33	33	33	25	26	25	34	369
	Inactive	5	2	1	1	3	0	3	1	1	2	1	1	21
Late	Active	1	0	2	0	0	1	2	2	3	0	2	2	15
	Inactive	0	1	0	1	1	0	0	0	0	0	0	0	3
Lapse		8	12	4	9	10	1	10	7	4	8	8	11	92
Total		48	44	39	40	50	35	48	43	33	36	36	48	500

Grand Total (Brokers, Principal Brokers, Property Managers)														
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Eligible to Renew		993	893	1034	1019	984	1050	1057	1069	1067	1023	963	995	12147
On Time	Active	715	663	783	772	744	797	805	835	787	772	691	753	9117
	Inactive	44	35	37	31	38	53	49	49	58	41	54	48	537
Late	Active	66	55	58	46	32	62	47	62	70	66	59	56	679
	Inactive	12	9	13	12	15	12	13	13	13	18	20	13	163
Total Renewed		837	762	891	861	829	924	914	959	928	897	824	870	10496
Lapse		156	131	143	158	155	126	143	110	139	126	139	125	1651

% On Time		76.4 %	78.2%	79.3%	78.8%	79.5%	81.0%	80.8%	82.7%	79.2%	79.5%	77.4%	80.5%	79.5%
% Late		7.9%	7.2%	6.9%	5.7%	4.8%	7.0%	5.7%	7.0%	7.8%	8.2%	8.2%	6.9%	6.9%
% Failed to Renew(Lapsed)		15.7%	14.7%	13.8%	15.5%	15.8%	12.0%	13.5%	10.3%	13.0%	12.3%	14.4%	12.6%	13.6%
Total		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Oregon Real Estate Agency Education & Licensing Division Phone Counts													
(minutes: seconds)	Jan – 22	Feb – 22	Mar – 22	Apr – 22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov--22	Dec-22	2022 Average
Call Count	1730	1520											1625
Average Wait Time	:33	:23											:28
Maximum Wait Time	0:20:37	0:12:03											0:16:20

Oregon Real Estate Agency Education & Licensing Division Phone Counts													
(minutes: seconds)	Jan – 21	Feb – 21	Mar – 21	Apr – 21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov--21	Dec-21	2021 Average
Call Count	1981	1801	1918	1822	1452	1886	1653	1616	1510	1477	1407	1426	1662
Average Wait Time	:51	:36	:29	:29	:24	:18	:26	:15	:19	:17	:22	:36	:27
Maximum Wait Time	0:19:17	0:10:52	0:09:59	0:10:43	0:08:58	0:06:37	0:28:56	0:06:49	0:07:45	0:04:46	0:13:37	0:19:12	0:12:18

(minutes: seconds)	Jan – 20	Feb – 20	Mar – 20	Apr – 20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov--20	Dec-20	2020 Average
Call Count	2117	1834	1830	1474	1468	1775	1875	1678	1749	1646	1593	1785	1735.3
Average Wait Time	:25	:21	:19	:23	:25	:35	:29	:26	:21	:20	:24	:29	:24.75
Maximum Wait Time	0:11:05	0:09:30	0:14:56	0:10:15	0:18:12	0:13:00	0:21:34	0:14:15	0:11:09	0:17:30	0:09:58	0:12:06	0:13:38

**REAL ESTATE BOARD
COMPLIANCE DIVISION REPORT
April 4, 2022**

Compliance Specialists 3 (Client Trust Account Coordinator): Liz Hayes
Compliance Specialist 1: Jen Wetherbee,

Division Overview

The Compliance Division ensures that licensees meet their fiduciary and administrative responsibilities by reviewing financial and administrative records. This division aims to conduct clients’ trust account and compliance reviews and develop other compliance-related programs. This work includes providing technical assistance and sharing knowledge on the interpretation and application of laws and rules administered by the Agency (excluding legal advice) to licensees, the public, and other governmental agencies.

Personnel

Jen Wetherbee is moving to the Compliance Division full-time in May to increase the number of clients’ trust account reviews and continue to build the program.

Workload and Activity Indicators

In the last week of January, the Agency started pulling 4 RBNs per week into a client’s trust account review.

As of March 17, 2020, there are 1,158 RBNs with a combined 11,361 active clients’ trust accounts. The Compliance Division’s primary goal is to consistently pull 500 RBNs into a clients’ trust account review per year. This forecast depends largely on approved staffing.

