



# Oregon

Kate Brown, Governor

AGENDA ITEM NO.

I.D.

**Real Estate Agency**

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## OREGON REAL ESTATE BOARD

Regular Meeting Minutes  
Central Oregon Association of REALTORS®  
2122 NE 4<sup>th</sup> Street  
Bend, OR 97701

Monday, June 4, 2018

### BOARD MEMBERS PRESENT:

Jef Farley, Chair  
Debra Gisriel  
Jose Gonzalez  
Dave Hamilton  
Lawnae Hunter, Vice Chair  
Pat Ihnat  
Dave Koch  
Alex MacLean

### BOARD MEMBERS ABSENT:

Coni Rathbone, excused

### OREA STAFF PRESENT:

Gene Bentley, Commissioner  
Dean Owens, Deputy Commissioner  
Selina Barnes, Regulations Division Manager  
Michael Hanifin, Land Development Division Manager  
Madeline Alvarado, Customer Service Manager

### GUESTS PRESENT:

Leslie Beard, RE/MAX Out West Realty LLC  
Billy Bellamy, Coldwell Banker Dick Dodson  
Bruce Branlund, Eagle Crest Properties Inc  
Jeanette Brunot, Windermere Central OR R.E. Redmond  
Terri Dusek, Eagle Crest Properties Inc  
Lester Friedman, Coldwell Banker Morris Real Estate  
Steven George, Fred Real Estate Group  
Tracy George, Fred Real Estate Group  
Christina Gist, John Reuss Gist  
John Gist, Joh Reuss Gist  
Christy Hartman, DeCoursey Ranch Realty  
Michael Hobson, Keller Williams Realty Portland  
Mark Holme, Duke Warner Realty  
Merlin Irvine, Eagle Crest Properties Inc  
Vicky Jackson, John L. Scott  
Sally Jacobson, Rogue Real Estate Sales  
Don Kelleher, Cascade Sotheby's Int'l  
Silvia Knight, Cascade Sotheby's Int'l  
Sandra Kohlmoos, Cascade Sotheby's In'l  
Debra Lane, Sunriver Realty  
Angela McDaniel  
Ryan McGraw, Home Smart Realty Group  
Jon McLagan, Allison James Estates & Homes  
Kathleen Monaco, RE/MAX Home Source

Rebecca Ozrelic, Premiere Property Group LLC  
Daniel Pehlke, RE/MAX Key Properties  
Gail Rogers, Windermere Central OR. Real Estate  
Beverly Sherrer, Cascade Sotheby's Int'l SR  
Judy Sours, RE/MAX Home Source  
Lisa Tavares, La Pine Realty  
Heidi Torkko, Pink Dot Properties LLC  
Michael Tucker, Windermere Central OR. Real Estate  
Kris Warner, Duke Warner Realty  
Ellie Webb, Columbia River Properties  
Cat Zwicker, Desert Sky Real Estate LLC

**I. BOARD BUSINESS – Chair Farley**

- A. Call to Order. Chair Farley called the meeting to order at 10am.
- B. Chair Edwards comments/Roll Call. Chair Farley asked the board liaison to take roll call, board members to introduce themselves, and explained the role/function of the board.
- C. Approval of the Agenda and Order of Business. Commissioner Bentley requested the 2018-2019 LARRC be added to Agenda under V. BOARD ADVICE/ACTION.

**MOTION TO APPROVE AGENDA AND ORDER OF BUSINESS WITH ADDITION OF 2018-2019 LARRC UNDER V. BOARD ADVICE/ACTION BY LAWNAE HUNTER  
SECOND BY DAVE HAMILTON  
MOTION CARRIED BY UNANIMOUS VOTE**

- D. Approval of 4.2.18 regular meeting minutes.

**MOTION TO APPROVE 4.2.18 REGULAR MEETING MINUTES AS SUBMITTED BY DEBRA GISRIEL  
SECOND BY PAT IHNAT  
MOTION CARRIED BY UNANIMOUS VOTE**

- E. Date of the Next Meeting: 8.6.18 at the Red Lion Hotel, 304 SE Nye Ave., Pendleton, OR 97801, to begin at 10am.

**II. PUBLIC COMMENT – Chair Farley. 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. REQUESTS FOR WAIVERS – Chair Farley**

- A. 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.

**MOTION TO APPROVE RYAN MCGRAW'S REQUEST FOR WAIVER OF EXPERIENCE BY LAWNAE HUNTER**  
**SECOND BY PAT IHNAT**  
**MOTION CARRIED BY UNANIMOUS VOTE**

**IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER– Chair Farley**

- A. 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.

**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**

**V. BOARD ADVICE/ACTION – Commissioner Bentley.**

- A. Memo – Rulemaking Update
1. Principal Broker Advanced Practices Course – make recommendations for Agency to finalize the draft content outline as submitted

**MOTION TO RECOMMEND AGENCY TO FINALIZE THE DRAFT CONTENT OUTLINE AS SUBMITTED BY DAVE HAMILTON**  
**SECOND BY LAWNAE HUNTER**  
**MOTION CARRIED BY UNANIMOUS VOTE**

2. OAR Chapter 863-02200xx, Division 22, Principal Broker Advanced Practices Course Requirement for the First Active Renewal of License – make recommendation for Agency to proceed with filing rule changes as submitted

**MOTION TO RECOMMEND AGENCY TO PROCEED WITH FILING RULE CHANGES AS SUBMITTED BY DAVE HAMILTON**  
**SECOND BY LAWNAE HUNTER**  
**MOTION CARRIED BY UNANIMOUS VOTE**

3. OAR Chapter 863-003-000, Division 3, Employee Criminal Records Check and Fitness Determination – make recommendations for Agency to proceed with filing rule changes as submitted

**MOTION TO RECOMMEND AGENCY PROCEED WITH FILING RULE CHANGES AS SUBMITTED BY DAVE HAMILTON**  
**SECOND BY LAWNAE HUNTER**  
**MOTION CARRIED BY UNANIMOUS VOTE**

4. 2018-2019 LARRC. Commissioner Bentley explained that HB4048 (bill submitted by OAR requiring first time principal brokers to complete advanced practices course within first 2 years) – make recommendations for Agency to add HB4048 to LARRC

**MOTION TO RECOMMEND AGENCY ADD HB4048 TO LARRC BY DAVE HAMILTON  
SECOND BY LAWNAE HUNTER  
MOTION CARRIED BY UNANIMOUS VOTE**

**VI. COMMUNICATIONS – Administrative Actions Summary – Chair Farley.** Dave Koch recalled there was concern that no administrative actions were on the agenda at the 4.2.18 board meeting. Commissioner Bentley explained the Agency had been dealing with workflow issues and focused on complex investigations.

**VII. REPORTS – Chair Farley**

**A. Commissioner Bentley**

- Summary of license statistics/counts.
- Principal Broker Advanced Practices Course – Agency will provide the course outline to educators who then develop individual courses.
- ARELLO Mid-Year Conference – Agency staff attended the conference and participated in discussions with other jurisdictions who are dealing with similar issues regarding affordability and increase in housing pricing.
- OAR Convention – Commissioner Bentley attended this convention and participated in:
  - Executive committee meeting addressed direction of the Agency
  - Business Issues Committee as a panel member and addressed mandatory E & O Insurance requirement. OAR explored pursuing this requirement
  - Client Trust Accounts – Agency has changed the process for individuals who have are found in non-compliance for not reporting closure of client trust accounts
  - Principal broker supervisory responsibility – Agency will be reviewing accountability of principal brokers supervision of brokers
  - 10.8.18 Board Meeting – Board meeting was originally scheduled to be held in Brookings, OR and due unavailability of a venue the meeting will be held in Medford, Oregon
  - Dave Koch reported he received inquiries regarding licensing requirement for timeshares and suggested the issue be addressed once the Agency has a new Commissioner in place.

**B. Agency division reports – Deputy Commissioner Dean Owens**

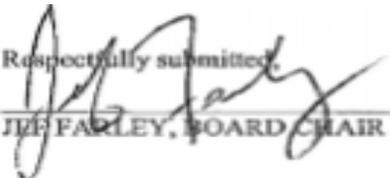
1. Regulation Division – Selina Barnes. Ms. Barnes summarized the statistics/information provided in the written division report and explained that she would be teaching the “Attention: Violation Prevention” class after the board meeting.
2. Land Development Division – Michael Hanifin. Mr. Hanifin explained the role of the Land Development division and summarized the statistics/information provided in the written division report. He also explained the division has been successful in transitioning some processes over to paperless
3. Education, Licensing, and Administrative Services Division – Anna Higley and Maddy Alvarado. Ms. Alvarado summarized the statistics/information provided in the written division and explained all new principal brokers renewing for the first time on or after July 1, 2019 will be required to complete and advanced practices course. She also explained the rules for Division 22 that were included in the board packet coincided with the property manager advanced practices course. Deputy Owens summarized the budget update provided in the written division report in the absence of Anna Higley. Mr. Owens thanked Commissioner Bentley for the direction he has given the Agency over the last 11 years.

Chair Farley presented Commissioner Bentley with a retirement plaque and a letter of recognition of outstanding service from Governor Brown as this was Commissioner’s last board meeting.

**VIII. ANNOUNCEMENTS – Chair Farley.** Next board meeting: 8.6.18 at the Red Lion Hotel, 304 SE Nye Ave., Pendleton, OR 97801, to begin at 10am.

**IX. ADJOURNMENT – Chair Farley.**

Respectfully submitted,  
  
DEAN OWENS, ACTING COMMISSIONER

Respectfully submitted,  
  
JEFF FARLEY, BOARD CHAIR