



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
Oregon Real Estate Agency
Equitable Center
530 Center St. NE, Suite 100
Salem, OR 97301
Monday, December 5, 2016

NOTE: *The board plans to meet from 10 a.m. until 1:30 p.m., including a "working lunch" period.*

- I. BOARD BUSINESS – Chair Hermanski**
 - A. Call to Order
 - B. Chair Hermanski comments/Roll Call
 - C. Approval of the Agenda and Order of Business
 - D. Approval of 10.3.16, regular meeting minutes
 - E. Date of the Next Meeting: 2.6.16 at the Oregon Real Estate Agency, Equitable Center, 530 Center St. NE, Suite 100, Salem, OR 97301 to begin at 10am.
- II. PUBLIC COMMENT – Chair Hermanski**
 - 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 Hermanski.**
 - A. Joshua L. Fuhrer requests experience waiver for principal broker license.
- IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER– Chair Hermanski.**
 - A. Brix Law LLP, to appear by phone,
- V. BOARD ADVICE/ACTION – Commissioner Bentley**
 - A. February 6 - Salem
 - B. April 3 - Salem
 - C. June 5 – Lincoln City
 - D. August 7 – Klamath Falls
 - E. October 2 – Springfield
 - F. December 4 – Gresham
- VI. COMMUNICATIONS – Administrative Actions Summary – Chair Hermanski**
- VII. REPORTS – Chair Hermanski**
 - A. Commissioner Gene Bentley
 - B. Agency division reports-Deputy Commissioner Dean Owens
 1. Regulation Division – Selina Barnes
 2. Land Development Division – Michael Hanifin
 3. Education, Business and Technical Services Division – Dean Owens, Anna Higley, and Maddy Alvarado
- VIII. ANNOUNCEMENTS – Chair Hermanski.** Next board meeting: 2.6.16 at the Oregon Real Estate Agency, Equitable Center, 530 Center St. NE, Suite 100, Salem, OR 97301 to begin at 10am.
- IX. ADJOURNMENT – Chair Hermanski**

Interpreter services or auxiliary aids for persons with disabilities are available upon advance request.



Oregon

Kate Brown, Governor

AGENDA ITEM NO.
I. D.

Real Estate Agency
Equitable Center, Suite 100
530 Center St. NE
Salem, Oregon 97301-2505
Phone: (503) 378-4170
Regulations Fax: (503) 373-7153
Admin. Fax: (503) 378-2491
www.oregon.gov/rea

State of Oregon Real Estate Agency

REAL ESTATE BOARD

Regular Meeting Minutes October 3, 2016

MEMBERS PRESENT:

Chris Hermanski, Chair
Jef Farley
Alex MacLean
Lawnae Hunter
Dave Koch

MEMBERS ABSENT:

Coni Rathbone, Vice-Chair
Pat Inhat
Marcia Edwards
Joann Hansen

OREA STAFF PRESENT:

Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Selina Barnes, Regulations Division Manager
Anna Higley, Business and Technical Services Manager
Madeline Alvarado, Customer Service Manager
Leandra Hagedorn, Board Liaison

GUESTS PRESENT:

Johanna Altorfer, OMNI Realty Group
Laura Bilyeu, Bilyeu and Co. Real Estate
Bernice Brownlow, Coldwell Banker Seal
Niels Brownlow, Coldwell Banker Seal
Joan Buccino, Garden Gate Properties
Sue Caicedo, Windermere Bridgeport Realty G
Sam Chapman, New Economy Consulting
Bonny Crowley, Portland Principal Realty LLC
Lorraine DeDonato, Windermere Bridgeport Realty G
Michele Gila, Roots Realty
Michael Hobson, Berkshire Hathaway HomeService
Nicole Koen, Colliers International
Rob Levy, Keller Williams Realty Professionals
Shannon Lumley, Shannon Lumley, PBLN
Lane Mueller, Keller Williams Portland Center
Charles Oldham, StewartHomes & Land Inc.
Wayne Olson, Olson Group Real Estate
Victoria Owen, Kelly Right Real Estate
LeeAnn Pack, Pack 1st Properties, Inc.
Brian Purnell, Windermere Bridgeport Realty
David Richenstein, DAR Properties
Charles Smith, ZipRealty Resid. Brokerage
Viki Speer, Viki Speer Real Estate
David Stewart, Stewart Homs & Land, Inc.
Mary Tabor, Tabor Realty Group, LLC
Heidi Torkko, Cascade Sotheby's Int'l Realty
Janet Westcott, Oregon First
Mark Wheeler, Roots Realty
Joshua Williams, Century 21 Wright & Assoc

I. BOARD BUSINESS-Chair Hermanski

A. Call to Order. Chair Hermanski called the meeting to order at 10:10 am

B. Chair Hermanski comments/Roll Call. Chair Hermanski explained the role and function of the board and asked each board member to introduce themselves to the audience

C. Approval of the Agenda and Order of Business.

MOTION TO APPROVE AGENDA AND ORDER OF BUSINESS AS SUBMITTED BY JEF FARLEY

SECOND BY DAVE KOCH

MOTION CARRIED BY UNANIMOUS VOTE

D. Approval of the 8.1.16, regular draft meeting minutes.

MOTION TO APPROVE 8.1.16 REGULAR MEETING MINUTES APPROVED AS SUBMITTED BY

LAWNAE HUNTER

SECOND BY JEF FARLEY

MOTION CARRIED BY UNANIMOUS VOTE

E. Date of Next Meeting: 12.5.16 at the Oregon Real Estate Agency, Equitable Center, 530 Center St. NE, Suite 100 Salem, OR 97301 to begin at 10am

II. PUBLIC COMMENT-Chair Hermanski. Sam Chapman, Founding Partner of New Economy Consulting, Portland, Oregon explained that he is available to real estate industry members who have questions and/or issues regarding the rules and regulations related to transactions involving cannabis dispensaries. He also provided the board with the following contact information: Website: www.NecOregon.com Email: Sam@NecOregon.com Phone: 503-396-9062

- 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 excluded 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 WAIVER-Chair Hermanski. Waiver Request Log. None.

IV. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER – Approval of petition log.

A. Michelle Moore, to appear in person – Ms. Moore explained that she had nine years of experience in providing continuing education courses covering the following topics: real estate consumer protection, risk management, dispute resolution, and negotiation, which are considered acceptable course topics. Dave Koch asked Ms. Moore if she was familiar with the record keeping requirements involved with being a provider and she responded that she was aware of the requirements.

MOTION TO APPROVE BY DAVE KOCH

SECOND BY LAWNAE HUNTER

MOTION CARRIED BY UNANIMOUS VOTE

V. BOARD ADVICE/ACTION-Commissioner Bentley. Commissioner Bentley asked Dave Koch to address the questions/issues that were raised at the PMAR Risk Management Group meeting and OAR Convention. Mr. Koch introduced Exhibit A (OREA Board Meeting) which summarized the information discussed at both PMAR & OAR meetings. Commissioner Bentley clarified that the Agency's primary role is to protect the consumer rather than educate brokers and he also explained that the Agency is responsible for reporting the KPM (key performance measure) regarding the required education for licensees. Mr. Koch reviewed Exhibit A and also explained that more education might resolve the training issues. Commissioner Bentley agreed that although additional training would be beneficial, he also stated that the main issues related to supervision rather than lack of education. Jef Farley responded that the changes made to the broker exams increased the level of difficulty which results in licensees being more knowledgeable. Alex MacLean asked Commissioner Bentley if it would be beneficial to have two tests, one for commercial and one for residential brokers and Commissioner Bentley responded that out of the total number of active licensees, commercial brokers only make up 5 to 6 percent. Dave Koch stated that he agreed that the education process has improved and he also supported the concept of an endorsement such as a six month practical review that could be tailored to multiple licensee categories. Commissioner Bentley explained that this type of endorsement should emanate from OAR and industry members. Chair Hermanski and Lawnae Hunter both

stated that a review of the process to become a property manager would also be beneficial for consumer protection. Chair Hermanski concluded this agenda item by stating that the board was impressed with the ideas and willingness of the Agency to engage in this topic and find a forum that can create positive changes.

VI. COMMUNICATIONS-Chair Hermanski-Administrative Actions Summary. No discussion.

VII. REPORTS

A. Commissioner Gene Bentley

- License counts-Commissioner Bentley summarized licensing statistics/counts
- Legislative concepts-The Agency convened a group in January to review ORS 696 which resulted in proposed housekeeping changes which will be presented to the Legislature in February.
- Rule review-The Agency is currently reviewing a rules and anticipate any changes will be housekeeping in nature and will not be modified until the latter part of 2017.
- Sanctions against licensees for violations-The Agency typically sends out an education letter to licensees who are found in violation of rules initially and if compliance does not occur a reprimand letter is sent and as a last resort temporary suspension or revocation may occur.
- CTA audits-The Agency has discovered misuse of funds and various other violations through the CTA audit process and in some cases a court appointed receiver has been appointed in an effort to make consumers whole.
- ARELLO Annual Conference-Agency staff members attended this conference in September and were able to network with other regulatory agencies on industry matters

B. Agency division reports-Deputy Commissioner Dean Owens

1. Regulation – Selina Barnes. Ms. Barnes summarized the statistics provided in the board packet and reported that a tutorial on CTA reconciliations would be launching in the near future. She also announced the following staffing information: Peter Bale has retired from the Agency; two Recruitments for financial investigator positions will be posted soon; Rob Pierce has assumed the duties of a Compliance Specialist (lead investigator); Denise Lewis and Lindsey Nunes are Compliance Specialists who attended a background check training sponsored by OSP; Frances Hlawatsch and Jeremy Brooks attended the Digital evidence training; and Lindsey Nunes, Aaron Grimes, and Philip Johnson will all be attending the ARELLO Investigator Workshop later this Month.
2. Land Development Division – Deputy Commissioner Dean Owens explained that the Land Development division is responsible for condominium filings, timeshare registry, membership campgrounds, homeowner and condo association annual reports, stated that filings have slightly increased, and he also summarized the statistics provided in the board packet.
3. Education, Business and Technical Services Division – Dean Owens introduced OREA staff members Anna Higley, Business and Technical Services Manager and Madeline Alvarado, Licensing Customer Service Manager. Mr. Owens also provided a budget update and summarized the statistics provided in the board packet.

II. ANNOUNCEMENTS - Chair Hermanski. Next board meeting: 12.5.16 at the Oregon Real Estate Agency, Equitable Center, 530 Center St.NE, Suite 100, OR 97301 to begin at 10am

III. ADJOURNMENT - Chair Hermanski. Meeting adjourned 12:24pm

Respectfully submitted:

Respectfully submitted:

Education

Competence and Professionalism

Most transactions are concluded successfully by competent and professional licensees. A few are not. Often complaints and claims are raised that do not have merit. But, not all are without merit.

Recognized- Reported to the Agency

- Complaints and Investigations
- Adverse Findings in Arbitrations or Lawsuits

Unrecognized- Not reported to the Agency: Settlement Agreements

- Small Claims mediations
- Agreements between brokers and clients
- Formal mediation agreements
- Settlement agreements during an arbitration, prior to an adverse finding

The question: Is licensee education adequate?

Broker pre-licensing

- Is it effective?
- Can it be made more relevant to practice?
- Does there need to be more of it?

Principal Broker initial licensing- Are we fielding really qualified principal brokers, ready to supervise?

- Are current qualification standards sufficient to do the job?
- If not, what should be done to improve the standards of qualification?
 - More hours of education? Incorporate practical exercises?
 - More time as practicing broker?
 - A level of activity in the form of transactions or closed volume?
 - Require mentoring prior to principal broker licensing?
 - Interactive training modules wherein skills are practiced and demonstrated?
- Should there be another licensing category for "Managing", "Supervising", or "Designated", Principal Broker?

Continuing Education

- Is attendance at education events being monitored adequately? Do we need proctor verification?
- The texting, emailing, internet, phenomena; too much of a diversion?
- Is course content consistently meeting the objectives of the approved course topics?
- Are on-line courses meeting the time invested requirements of the law?
- Are there new modes of delivery of continuing education, on-line or otherwise?

**AGENDA ITEM NO.
III.**

**OREGON REAL ESTATE BOARD
Experience Requirement Waiver Request Log
2016**

2016				
2.1.16	Tim Rist	PB	Denied	<p>FACTS: Mr. Rist appeared and Chair Hermanski asked him to provide any additional information he felt the board should consider regarding his waiver request. Mr. Rist acknowledged that although he may not have a lengthy amount of experience, he did have the volume of transaction experience. Dave Koch asked Mr. Rist to explain the process he has in place for client trust accounts. Mr. Rist responded that he uses a spreadsheet of incoming funds and outgoing funds. Chair Hermanski responded that the three year experience requirement is in place to establish sufficient collective experience and Mr. Rist should gain more transaction experience during the remainder of his three year requirement. Marcia Edwards explained her concern was with the lack of management experience as well as dispute resolution. Pat Ihnat explained she also had concerns with Mr. Rist still needing supervision. Joann Hansen stated that the three year experience requirement is imperative for principal brokers. Lawnae Hunter responded that she was not compelled to waive the three year requirement based on the information provided by Mr. Rist.</p> <p>DISCUSSION: Joann Hansen stated that in her opinion Keller Williams should be granting the approval and not the board. Mr. Koch suggested that Mr. Rist take advantage of the three year requirement and gain more experience. Marcia Edwards clarified that our mission is to protect consumers.</p> <p>MOTION TO DENY THE REQUEST FOR WAIVER SUBMITTED BY TIM RIST BY DAVE KOCH SECOND BY LAWNAE HUNTER MOTION CARRIED BY UNANIMOUS VOTE</p>
4.4.16	Dahe Good	PB	Approved	<p>FACTS: Ms. Good explained that she had held a number of positions in the real estate industry as well as owning her own real estate development firm for 12 years. She also stated that her goal is to own her own small firm of realtors. Alex MacLean asked Ms. Good how many agents she anticipated to manage and she responded that she would like to have four agents in her firm. Lawnae Hunter asked Ms. Good to provide more detail about her management experience. Ms. Good explained that she had specific training for supervising/managing and public agency rules are very explicit. Coni Rathbone asked Ms. Good why she did not want to hang her license with a principal broker. Ms. Good responded that she wanted to create an atmosphere that focuses on serving clients.</p> <p>DISCUSSION: None.</p> <p>MOTION TO APPROVE DAHE GOOD'S REQUEST FOR WAIVER OF EXPERIENCE FOR PRINCIPAL BROKER BY DAVE KOCH SECOND BY JOANN HANSEN MOTION CARRIED BY UNANIMOUS VOTE</p>
4.4.16	Lisa Neef	PB	Denied	<p>FACTS: Ms. Neef explained that she owned a transaction coordination business since 2010. Coni Rathbone asked Ms. Neef to explain in more detail what her business entails. Ms. Neef explained that she is hired by brokers to assist them with their paperwork. Pat Ihnat asked Ms. Neef if she interacted with clients and she responded that she has minimal interaction with clients. Dave Koch asked Ms. Neef to clarify her role in the transaction process regarding confidentiality. Ms. Neef clarified that her role is an administrative one.</p> <p>DISCUSSION: Ms. Ihnat asked Dave Koch what he felt about the necessity for license. Mr. Koch responded that in his opinion no license due to conflict. Ms. Ihnat responded situations that included contact with clients may very well cause conflict. Ms. Rathbone explained that a principal broker license is a good idea once Ms. Neef is more seasoned.</p> <p>MOTION TO DENY LISA NEEF'S REQUEST FOR WAIVER OF EXPERIENCE FOR PRINCIPAL BROKER LICENSE BY MARCIA EDWARDS SECOND BY DAVE KOCH MOTION CARRIED BY UNANIMOUS VOTE</p>
4.4.16	Tim Rist	PB	Approved	<p>FACTS: Mr. Rist introduced Lionel Wilson, CEO for Keller Williams and asked him to address the board on his behalf. Mr. Wilson explained that he has known Mr. Rist for about 10 years and he has strong leadership skills. Mr.</p>

				<p>Wilson also summarized Mr. Rist's experience and work history. Coni Rathbone asked Mr. Rist if he intended to stay with Keller Williams. Mr. Rist responded that he did intend to stay with Keller Williams. Chair Hermanski and Ms. Rathbone both asked Mr. Rist to explain what had occurred since his first appearance to make the board change their opinion. Mr. Rist responded that since his first appearance before the board he has obtained a better understanding of ORS Chapter 696, the CTA process, rules. He also explained that he has been on both sides of disputes (buyer/seller).</p> <p>DISCUSSION: None</p> <p>MOTION TO APPROVE TIM RIST'S REQUEST FOR WAIVER OF EXPERIENCE FOR PRINCIPAL BROKER BY CONI RATHBONE</p> <p>SECOND BY ALEX MACLEAN</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
6.6.16	William Patten	PB	Approved	<p>FACTS: Mr. Patten explained that he purchased his firm as a broker two years ago and hired a principal broker to supervise who has since left the firm and he is having difficulty finding another principal broker for hire. He also explained that he only has 4 months remaining to fulfill the 3 year experience requirement and has 25 years of experience in managing leases.</p> <p>DISCUSSION: None.</p> <p>MOTION TO APPROVE WILLIAM PATTEN'S REQUEST FOR EXPERIENCE WAIVER FOR PRINCIPAL BROKER'S LICENSE BY MARCIA EDWARDS</p> <p>SECOND BY PAT IHNAT</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
12.5.16	Joshua Fuhrer	PB		<p>FACTS:</p> <p>DISCUSSION:</p>

Oregon Real Estate Board

Experience Requirement Waiver Request

Date: October 29, 2016
Name Joshua L. Fuhrer
Address: PO Box 12404, Portland, OR 97212
Daytime Phone Number: 503-869-1810 **Oregon License Number:** n/a

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 ___; No X
 If yes, please state the dates for which you held and Oregon real estate license: _____ to _____
 Was your Oregon license obtained through a reciprocal agreement with another state? Yes ___ 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: Yes ___ No X. Indicate the following

Type of License	State Issued	Dates Active License Held	
		From:	To
		From:	To
		From:	To

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

	Yes	No	Date Completed	Required Documents to be Attached to the Request
Completed the “Broker Administration and Sales Supervision” course for principal real estate brokers. Must be completed PRIOR to waiver request.	X		October 19, 2016	Original course certificate
Submitted the Real Estate License Application for Principal Broker license and \$230 fee. Must be completed PRIOR to waiver request.	X		October 19, 2016	Copy of confirmation letter received from Agency
Successfully passed the Oregon Principal Broker exam. Must be completed PRIOR to waiver request.	X		October 29, 2016	Score report received from testing vendor
Graduated from a four-year college or university with a degree in real estate curriculum approved by the Commissioner.(863-014-0040(2))	X		June 2007 and December 2012	Official transcript
Graduated with a two-year community college associates degree in real estate curriculum approved by the Commissioner. (863-014-0040(3))		X		Official transcript
Substantial experience in real estate that would qualify for an equivalent to the Commissioner’s three year experience requirements. Include any real estate designations achieved while licensed as a broker. (OAR 863-014-0042(c))	X		October 24, 2016	Written explanation of the additional real estate experience that you have that would assist in the Board’s consideration of your waiver request.
The number and type of real estate transactions (listings and transactions that were closed) you have completed while holding a real estate license in Oregon or in another state.		X		Provide a document showing the number and types of transactions you have completed while licensed.

REQUIRED DOCUMENTS

Listed below are the required documents (#1-3) to be included in the OREA Board 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 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.
2. Required documentation listed above in the General Information and Documentation section #4.
3. Other experience relating to real estate not covered in questions 2 through 4 that would demonstrate your relevant related experience.

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 The number and type of real estate transactions you have executed.
- 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 submit one original set of the waiver request documents, including a completed and signed "Experience Requirement Waiver Request". E-Mail, mail or deliver the original set to the following address: Madeline Alvarado, Oregon Real Estate Agency, 530 Center Street NE, Suite 100, Salem, Oregon 97301-2505.

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 or any credit card information. Please do not put the packet into any type of folder or binding.

Please direct any questions to Madeline Alvarado at 503-378-4590 or madeline.c.alvarado@state.or.us

I certify that the above information is true to the best of my knowledge.	
 _____ Signature of Waiver Applicant	11-8-16 _____ Date

2016 BOARD MEETING DATES, LOCATIONS AND WAIVER PACKET DUE DATES

MEETING DATE	LOCATION	WAIVER PACKET DUE DATE
February 1, 2016	Oregon Real Estate Agency	Jan. 13, 2016
April 4, 2016	Florence	March 14, 2016
June 6, 2016	Bend	May 16, 2016
August 1, 2016	Pendleton	July 11, 2016
October 3, 2016	Portland	September 12, 2016
December 5, 2016	Salem	November 7, 2016

Principal Broker Course Completion Certificate

THIS CERTIFICATE WILL VERIFY THAT:

Joshua Fuhrer

Real Estate License Number: 201219246

Mailing Address of:

6622 SE 29th Ave, Portland, OR 97202

has successfully completed the final examination for the correspondence/Internet study course:

Brokerage Administration and Sales Supervision

The course credit granted is **40 hours** on the date of **October 19, 2016** at www.OnlineEd.com. The date of completion is the date the actual Internet study course examination was actually taken and graded. This course is approved by the Oregon Real Estate Agency to meet the requirements of the Oregon Principal Real Estate Broker - Brokerage Administration and Sales Supervision 40 hour course required as a prerequisite to obtaining an Oregon Principal Real Estate Brokers License.

THIS OFFERING IS UNDER THE TOPIC OF
Brokerage Administration and Sales Supervision

OREGON REAL ESTATE AGENCY CERTIFIED CONTINUING EDUCATION COURSE

PROVIDER COURSE NUMBER: **1038-1039**

THIS COURSE WAS SPONSORED AND THIS CERTIFICATE ISSUED BY:



OnlineEd Inc.

N. Jeffrey Sorg, School Director

7405 SW Beveland Road, Portland, OR 97223

mail@OnlineEd.com, <http://www.onlineed.com/>

Phone: (503) 670-9278

Certificate Authentication Number: **366613**

This certificate is void if the above authentication number cannot be verified by OnlineEd

Click to verify: <http://www.onlineed.com/VERIFY?6DD6-8990-0013-60F5-0C55>



Oregon Real Estate Agency

Real Estate Broker

Score Report



Joshua Fuhrer
6622 SE 29th Ave
Portland, Oregon 97202

Candidate ID: XXX-XX-9246

Exam: OR Principal Broker Exam - OR Principal Broker - State

Exam Date: 10/29/2016

PASSING SCORE: 38.0 (75%)

YOUR SCORE: 43.0

GRADE: PASS

Congratulations! You have passed the **OR Principal Broker - State Examination.**

The following is an analysis of your performance on the examination. For a detailed description of the subject matter included within each Topic, please refer to the PSI Candidate Information Bulletin.

Topic	Number of Questions	Number Correct
License Law and Disciplinary Measures	5	5
Handling of Client Funds	7	6
Agency Law and Rules	4	3
Regulation of Broker Activities	8	7
Document Handling and Recordkeeping	4	3
Property Management	8	7
Oregon Real Estate Related Statutes	14	12

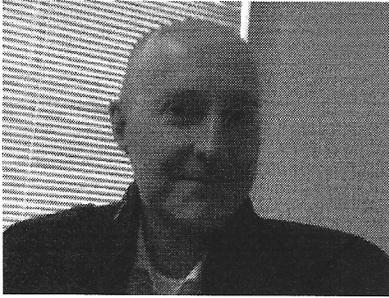
- The Oregon Real Estate Agency will receive your exam scores in 3 business days.
- Log in to your eLicense account at www.rea.state.or.us to check the status of your license application.
- Find additional information on licensing requirements in the "How to Get a License" section of www.rea.state.or.us.
- Once all license requirements are completed, the Agency will issue your new license.
- Passing exam scores and background clearances are good for 1 year. The Agency can only issue a license while the scores and background clearance are valid.

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

Oregon Real Estate Agency

Real Estate Broker

Score Report



Joshua Fuhrer
6622 SE 29th Ave
Portland, Oregon 97202

Candidate ID: XXX-XX-9246

Exam: OR Principal Broker Exam - OR Principal Broker - National

Exam Date: 10/29/2016

PASSING SCORE: 60.0 (75%)

YOUR SCORE: 73.0

GRADE: PASS

Congratulations! You have passed the **OR Principal Broker - National Examination.**

The following is an analysis of your performance on the examination. For a detailed description of the subject matter included within each Topic, please refer to the PSI Candidate Information Bulletin.

Topic	Number of Questions	Number Correct
Contracts	12	11
Land Use Controls and Regulations	5	4
Property Ownership	6	6
Transfer of Title	5	3
General Principles of Agency	11	10
Real Estate Calculations	4	4
Valuation and Market Analysis	6	6
Financing	7	6
Mandated Disclosures	9	9
Practice of Real Estate	12	11
Specialty areas	3	3

- The Oregon Real Estate Agency will receive your exam scores in 3 business days.
- Log in to your eLicense account at www.rea.state.or.us to check the status of your license application.
- Find additional information on licensing requirements in the "How to Get a License" section of www.rea.state.or.us.
- Once all license requirements are completed, the Agency will issue your new license.
- Passing exam scores and background clearances are good for 1 year. The Agency can only issue a license while the scores and background clearance are valid.

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

October 24, 2016

Oregon Real Estate Agency
Board of Directors
530 NE Center Street NE
Suite 100
Salem, Oregon 97301

RE: Principal Broker Experience Requirement Waiver Request

Dear Oregon Real Estate Agency Board Members,

My name is Josh Fuhrer, and I respectfully submit for your consideration my Oregon Principal Broker Experience Waiver Request.

To begin, I'd like to share some of my real estate experience with you. I have been active in commercial real estate in Oregon for the past 20 years. I began my career in the mid-1990s managing multifamily and strip retail properties, and over the past 13 years, I have developed nearly a million square feet of retail, office, industrial, and mixed-use projects across the Portland region.

In 1996, I started my career working as the onsite manager of a market rate apartment building in downtown Portland. Later, I managed a Low Income Housing Tax Credit (LIHTC) project in Northwest Portland, where I learned to appreciate and support the day to day challenges of some of our state's most disadvantaged citizens.

After three years of multifamily management, I moved over to College Housing NW, the owner and property manager for a number of student housing buildings on the campus of Portland State University. Serving as an asset manager, I learned how to manage student housing properties at the portfolio level. I was also fortunate during my time at CHNW to dip my toe into the world of real estate development, as we developed two student housing buildings totaling over 500 units during my tenure. It was during the development of the Broadway Plaza building in 2003 that I fell in love with real estate development, and chose to make it my career path. I enrolled in the PSU Graduate Certificate in Real Estate Program, which I completed in 2007 (official transcripts included herein).

During my first year in the program, I took an internship with a local real estate developer. Despite my having limited development experience at the time, he entrusted me with the responsibility of managing the rehabilitation of an historic downtown office building. A small but very challenging project with a total cost in excess of \$10 million, the structure required a complete overhaul of the core and shell, as well as a substantial seismic upgrade.

My role was to manage the design team from concept through permitting, direct the

creation of the condominium declaration, CC&Rs, and plat for state approval, coordinate construction management with the general contractor, negotiate and execute purchase and sale agreements with buyers of office spaces, manage the hazardous materials contractor charged with abating a substantial amount of asbestos containing materials (ACMs) and lead-based paint, and assemble our state and federal Historic Tax Credit application. Our application to the Federal Parks Service and SHPO were both approved, allowing us to syndicate tax credits that resulted in nearly \$2 million in tax credit equity for the project. The renovation was completed in 2007.

Following this challenging project, I struck out on my own and formed my own real estate development company. In the years that followed, I managed the soup-to-nuts development of a LEED Platinum qualifying manufacturing facility that utilized a State of Oregon Industrial Revenue Bond, a strip retail center on Hawthorne Blvd., a public square in partnership between a city and a nonprofit arts organization, and a creative office project in SE Portland, among others.

My scope of responsibility in these projects was not limited just to construction management; rather I managed each project from conception. I conducted all relevant due diligence including review of title reports, environmental site assessments, geotechnical surveys, structural engineer's reports, appraisals, etc.; developed a variety of proforma models; drafted and negotiated partnership agreements, leases, and purchase and sale agreements; coordinated 1031 exchanges with our accommodators, worked with architects, planners, and a variety of consultants to obtain entitlements and permits; negotiated and closed project financing from a variety of public and private sources, and managed the construction process including loan draws, change orders, and inspections on behalf of my owner-clients.

During this time, I also asset-managed a portfolio of retail properties in four states totaling over 600,000 square feet. In this capacity, I became highly proficient in retail leasing, lease administration, and commercial property management.

In 2009, I was appointed, and later elected, to the Gresham City Council. During my four years on Council, I led the City's efforts on a number of land use policy decisions and urban renewal capital projects. I also served for two years on the Metro regional government's Policy Advisory Committee (MPAC), a stakeholder committee of local elected leaders providing advice to the Metro Council on regional land use issues. As a result of my private sector and public sector work, in 2010 I received a "Forty Under 40 Award" from the *Portland Business Journal*.

In 2012, I completed my Master's Degree in Real Estate at Georgetown University, with a double-concentration in finance and international real estate. As a result of the quality of my master's thesis titled "*Modernizing the Multifamily Development Model: Moving the Value Proposition from Commoditization to Consumer Experience*," I was awarded the Pierre Charles L'Enfant Award for Vision and Leadership in Real Estate Academics; an award given to just one student out of the 300 in the program each year. While in Washington DC, I also consulted on a number of mixed-use development projects for DC-area developers.

in 2013, I resigned my position on Council to become the City's Director of Urban Renewal. In the past three years, we have developed a \$55 million mixed-use town center in Rockwood, known as Rockwood Rising. This project will break ground in Summer 2017, with 40,000sf of office space, 20,000sf of retail space, a 20,000sf public market, a 10,000sf maker space, and 100 units of workforce housing. The project also includes a number of resources dedicated to creating economic opportunities for immigrants and low income families in the most disadvantaged urban neighborhood in Oregon.

My role, beyond serving as the Executive Director of the Agency, is to lead the project management of Rockwood Rising from concept through tenant recruitment, developer/contractor solicitation and selection, community engagement, design and permitting, and construction. I am also responsible for obtaining commitments for \$10 million in New Markets Tax Credit financing, as well as working with Senator Richard Devlin, Chair of the Oregon Senate's Ways and Means Committee, and our local state legislators, in the City's efforts to obtain \$2 million in Oregon Lottery Bond financing in the 2017 session. In addition, we also recently acquired a two-acre parcel across from Rockwood Rising that will serve as a second phase of the project in 2019.

In addition to Rockwood Rising, we have also facilitated the development a campus of youth & family services for families in Rockwood that includes Open School, and alternative school for at-risk youth (Completed June 2016); a new Boys and Girls Club (currently under construction); and a new home for Latino Network, a community organization dedicated to providing services to Hispanic youth & families (completion in 2018). I was part of a small team of project partners dispatched to Salem to lobby the Legislature for \$2 million in State funds for the project, which were successful in obtaining.

Today, I continue to lead the urban renewal program for the City of Gresham with an internal staff of five, plus a number of external consultants. I also continue my work on a number of private development projects throughout the region. In each project, both public and private, I am responsible for managing teams of 10-20 people and guiding the decision-making process on multi-million dollar projects. My company even has a couple of projects on the East Coast with development partners outside of Oregon. It is a very exciting time.

In addition to my development work, for over a decade, I have taught two noncredit college courses in real estate finance and investment. I have worked on many projects that required me to build several financial modeling tools from scratch. These tools include development project proformae that include rates of return, cap rate calculations, etc.; tools for performing sensitivity analyses in property operating proformae to test the effects of vacancy, rental concessions & escalations, etc. on net operating income; tools for comparing various loans with fixed and adjustable interest rates and varying terms against one another, time value of money and IRR calculations, as well as sophisticated waterfall modeling for distribution of profit to limited partners. The syllabus for the finance course includes most of the above tools as applied to case studies, along with lessons and exercises related to calculating mortgage constants, profitability indices, and other financial modeling tools.

I also served on the board of directors of Proud Ground, a community land trust dedicated to creating home ownership opportunities for families of modest means in Multnomah County. I always strive to develop projects in a socially responsible manner, while balancing my need for earning a profit with giving back to others through teaching and volunteering.

My work now is expanding into brokerage services as an adjunct, value-added service to my development management work, primarily due to the very specific needs of a family trust client. This client needs to sell approximately 40 residential properties, likely in a portfolio sale to a single buyer, in order to free up the equity required to complete a major commercial development project for which I have been retained as developer. There will also be a 1031 exchange and the acquisition of replacement properties with which they have asked for my assistance as their representative in those transactions.

This particular client lives out of state, is not highly experienced in real estate, does not want to work with a traditional brokerage, and is very reluctant to work with anyone other than me on this complex transaction. In order to help them reach their goals in a manner that is comfortable for them, I am requesting a Principal Broker License. Moreover, I have other development clients for whom the added service of real estate brokerage is a compelling reason to work with me, and bringing in another broker as Principal Broker in those situations creates unnecessary complications in the process and in my clients' opinion of my value to them. My intent is not to work primarily as a real estate broker, but to offer my development clients a seamless, vertically integrated scope of real estate services. Holding a Principal Broker License would allow me to do that, which will increase my perceived value in the eyes of those clients.

It is with the intent to better meet the needs of my development clients that I am seeking a Principal Broker License. Time is of the essence due to the large and immediate transaction on the table with my family trust client, and in order to serve their needs, I need to be able to conduct this and other related transactions as a Principal Broker.

Additional information on my real estate experience is included in the pages that follow. I hope you'll find my experience in real estate sufficient to grant the waiver for the three years of brokerage experience typically required for the Oregon Principal Broker License. Please let me know if any other supporting documentation is required, and I would be happy to answer any questions you have.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Fuhrer", written in a cursive style.

Josh Fuhrer
CEO and Director of Real Estate Development
Citizen Development Group, Inc.

Record of: Joshua Luke Fuhrer
ID:: 822755655

GEORGETOWN UNIVERSITY
OFFICE OF THE UNIVERSITY REGISTRAR
WASHINGTON, D.C. 20057
(202)687-4020



Date of Birth: 10-Apr
Course Level: MN or MC Graduate

Other Colleges Attended:

RIPON COLLEGE
RIPON WI

MOUNT HOOD COMMUNITY COLLEGE
GRESHAM OR

PORTLAND STATE UNIVERSITY
PORTLAND OR

Degrees Awarded:

Master of Professional Studies Dec 31, 2012
School of Continuing Studies
Major: Prof Studies (Real Estate)
Degree GPA: 3.934

Entering Program:

School of Continuing Studies
Master of Professional Studies
Major: Prof Studies (Real Estate)

Subj	Crs	Title	Crd	Grd	Pts	R
----- Fall 2011 -----						
MPRE	500	Ethics in Action: S&L Crisis	3.00	A	12.00	
MPRE	641	Foundations of RE Accounting	3.00	A	12.00	
----- Spring 2012 -----						
MPRE	728	Private Equity	3.00	A	12.00	
MPRE	735	Structured Finance	3.00	A	12.00	
MPRE	775	Int to Intl Real Estate Invest	3.00	A-	11.01	
----- Summer 2012 -----						
MPRE	601	Found of Real Estate Law	3.00	A	12.00	
MPRE	724	Real Estate Entrepreneurship	3.00	A-	11.01	
----- Fall 2012 -----						
MPRE	631	Found of Real Estate Markets	3.00	A	12.00	
MPRE	782	Real Estate In India	3.00	A	12.00	
MPRE	950	Real Estate Capstone	3.00	A	12.00	
----- Transcript Totals -----						
		EHrs	QHrs	QPts	GPA	
Current		9.00	9.00	36.00	4.000	
Cumulative		30.00	30.00	118.02	3.934	
----- End of MN or MC Graduate Record -----						

In accordance with the Family Educational Rights and Privacy Act of 1974, this transcript is released to you at the request of the student with the condition it will not be available to any other party without the written consent of the student. Alteration of this transcript may be a criminal offense.

This officially signed transcript is printed on blue security paper with the name of the institution printed in white type across the face of the document. A raised seal is not required. When photocopied, the name of the university appears on one line and the word VOID appears on the next. A BLACK ON WHITE OR A COLOR COPY SHOULD NOT BE ACCEPTED. OFFICIAL SIGNATURE IS IN BLUE.

25-OCT-2016



Annamarie Bianco

Annamarie Bianco
Associate Vice President and University Registrar



Josh Fuhrer

Professional Biography

Over the past 20 years, Josh has developed over a million square feet of retail, office, industrial, and residential projects, both private as well as public/private partnerships. His real estate development portfolio includes complex new construction, historic renovations, and infill projects in urban renewal areas with high community interest and visibility.

Josh has also asset-managed several hundred thousand square feet of commercial properties for private owners. As a result of this and his development work, he has successfully negotiated dozens of leases and purchase and sale agreements.

In addition to his work as a developer, Josh is also the Executive Director of the Gresham Redevelopment Commission, the urban renewal agency for the City of Gresham, Oregon, and a former elected official who served as a member of the Gresham City Council. As the Urban Renewal Director for the city, he leads the City's efforts to redevelop a six-acre site in the heart of the Rockwood neighborhood into a vibrant, mixed-use town center along the MAX light rail line. This project will break ground in June 2017. Information about this project may be found at www.rockwoodrising.com.

As a Gresham city councilor, he served as the council liaison to the city's Design and Planning Commissions, overseeing the creation of architectural design standards for the city's three town centers. Josh also served as the Gresham representative on the Metro Policy Advisory Committee (MPAC) for the Metro regional government for two years. In this role, Josh helped shape land use policy across the region.

Prior to his service as an elected official, Josh served for several years on the board of directors of Proud Ground, a nonprofit organization dedicated to affordable homeownership. He believes that everyone has a role to play in making his or her community a better place.

Josh holds a Master's Degree in Real Estate with a double concentration in finance and international real estate from Georgetown University, where he earned the Pierre Charles L'Enfant Award for Vision and Leadership in Real Estate Academics. He also holds a Graduate Certificate in Real Estate Development from Portland State University. In 2010, Josh was named one of the Portland Business Journal's Forty Under 40 Award winners. He is a member of the Urban Land Institute (ULI) and the International Council of Shopping Centers (ICSC).

Josh Fuhrer

REAL ESTATE DEVELOPMENT + INVESTMENT

503/869.1810

josh@citizendevelopment.com

Education

- **Georgetown University**
Master of Professional Studies in Real Estate
Emphasis in finance, entrepreneurship, and international real estate.
- **Portland State University**
Graduate Certificate, Real Estate Development
Emphasis in sustainable development, mixed-use, retail, and transit-oriented development.
- **Portland State University**
Bachelor of Science
Liberal Arts, Arts & Letters, Theatre Arts (triple major).

Awards + Memberships

- "Forty Under 40" Award Winner, 2010
Portland Business Journal
- Holds Oregon real estate broker license
- Urban Land Magazine profile, "Regeneration Through an Urban Food Factory" Jan-Feb 2012
- Member of the International Council of Shopping Centers (ICSC)
- Member of the Urban Land Institute (ULI)
- Winner, Georgetown University L'Enfant Leaders Award for academic excellence in real estate

Volunteer Work

Metro Policy Advisory Committee (MPAC)
(board of elected officials from the region that advises Metro on land use policy issues)
MPAC Committee Member, 2011-2013

Greater Portland Pulse
(economic development nonprofit)
Steering Committee Member, 2009-2011

Gresham Center for the Arts
(arts & culture nonprofit)
Board Vice President, 2006-2009

Portland Community Land Trust
(affordable housing nonprofit)
Board Member, 2004-2006

I am passionate about solving complex real estate challenges with creativity and innovation. My work earned me a "Forty Under 40" award from the Portland Business Journal in 2010.

I'm looking to expand my impact in communities across the region, and obtaining an Oregon Principal Broker License will help me to do that.

Experience

Citizen Development Group 2004-present
Position: CEO and Director of Real Estate Development

- Led development teams on a variety of commercial real estate projects from concept through design, entitlements, construction, sales & leasing. Projects include retail, mixed-use, office, & industrial uses, including historic tax credits, LEED certification, and public/private partnerships.

Select Projects:

- Joint venture partner on Island Gardens, a \$1 billion mixed-use project in Miami, Florida; includes two hotel towers, 300,000 sf of luxury retail, 2,200 stall parking structure, 150 condos, and a mega-yacht harbor;
- Redeveloped a 1932 art deco building into the 45,000 sf Classic Foods World Headquarters, one of the first LEED Platinum manufacturing facilities in the US;
- Asset-managed a portfolio of retail centers in the Western U.S. consisting of 600,000 sf of GLA.

Gresham Redevelopment Commission 2013-present
Urban renewal agency for the City of Gresham, Oregon
Position: Executive Director

- Managed the development of Rockwood Rising, a five-acre mixed use town center with four buildings and a public square, from concept through tenant recruitment, design, entitlements, and public engagement (construction to start in 2017). Secured commitments for \$10 million in New Market Tax Credits for the project;
- Acquired an additional two acres adjacent to Rockwood Rising for future development;
- Obtained the agency's first bond rating (AA) and issued debt obligations to restructure the agency's finances for long term sustainability;
- Managed the development of the Stark Street Youth Campus, which includes a new Boys and Girls Club, Open Meadow alternative school for at-risk youth, and family services for low income and Hispanic youth and families.

City of Gresham, Oregon 2009-2013
Gresham is the fourth largest city in Oregon, with a population of 110,000 and an annual budget of \$400 million
Position: City Councilor (elected twice)

- Helped to create a package of small business incentives that enabled over 80 businesses to open their doors in the downtown core in the first 18 months of the program;
- Helped to craft the city's multifamily design standards, downtown parking strategy, big box retail ordinance, Rockwood neighborhood design standards, and citywide housing strategy;
- Council Liaison to the City's Design Commission, Planning Commission, Historic Resources Subcommittee, and Investment Committee.

Office of the Registrar

Post Office Box 751 503-725-3511 tel
Portland, Oregon 97207-0751 503-725-5525 fax
www.pdx.edu/registration

How to Authenticate This Official PDF Transcript from Portland State University

This official PDF transcript has been transmitted electronically to the recipient, and is intended solely for use by that recipient. If you are not the intended recipient, please notify the Registrar's Office at Portland State University. It is not permissible to replicate this document or forward it to any person or organization other than the identified recipient. Release of this record or disclosure of its contents to any third party without written consent of the record owner (i.e. the student) is prohibited.

This official transcript has been digitally signed and therefore contains special characteristics. If this document has been issued by Portland State University, and is viewed using the latest version of Adobe® Acrobat or [Adobe® Reader](#), it will reveal a digital certificate that has been applied to the transcript. This digital certificate will appear in a pop-up screen or status bar on the document, display a blue ribbon, and declare that the document was certified by the Portland State University, with a valid certificate issued by GlobalSign CA for Adobe®. This document certification can be validated by clicking on the Signature Properties of the document.



The blue ribbon symbol is your assurance that the digital certificate is valid, the document is authentic, and the contents of the transcript have not been altered.



If the transcript does not display a valid certification and signature message, reject this transcript immediately. An invalid digital certificate display means either the digital signature is not authentic, or the document has been altered. The digital signature can also be revoked by the PSU transcript office if there is cause, and digital signatures can expire. A document with an invalid digital signature display should be rejected.



Lastly, one other possible message, Author Unknown, can have two possible meanings: The certificate is a self-signed certificate or has been issued by an unknown or untrusted certificate authority and therefore cannot be trusted, or the revocation check could not complete. If you receive this message make sure you are properly connected to the internet. If you have a connection and you still cannot validate the digital certificate on-line, reject this document.

The current version of Adobe® Reader is free of charge, and available for immediate download at <http://www.adobe.com>.

If you require further information regarding the authenticity of this transcript, you may email or call the Registrar's Office at Portland State University at transcripts@pdx.edu or 503-725-3511.



Portland State UNIVERSITY

SSN *****3052

PSU ID 981200498 Date of Birth: 10-APR

Date Issued: 24-OCT-2016

Record of: Joshua Luke Fuhrer

Page: 1

Issued To: Joshua Fuhrer
10484748-11467281

Course Level: Graduate SUBJ NO. COURSE TITLE CRED GRD PTS R

Degree Awarded : Graduate Certificate 08-DEC-2007
College : Urban & Public Affairs-Col
Major : Real Estate Development

Institution Information continued:

Summer 2007 Quarter

USP 510 TOP: REAL ESTATE CONSTRUCTION 3.00 A- 11.01
USP 546 REAL ESTATE DEVELOP II 3.00 A 12.00
Ehrs: 6.00 GPA-Hrs: 6.00 Qpts: 23.01 GPA: 3.83

Last Standing: Grad Good Standing

***** TRANSCRIPT TOTALS *****

Earned Hrs GPA Hrs Points GPA
TOTAL INSTITUTION 36.00 36.00 139.71 3.88

***** END OF TRANSCRIPT *****

INSTITUTION CREDIT:

Fall 2001 Quarter

TA 574 PLAYWRITING I 4.00 A 16.00
Ehrs: 4.00 GPA-Hrs: 4.00 Qpts: 16.00 GPA: 4.00

Fall 2004 Quarter

USP 510 TOP: ENERGY EFFICI BLT ENVIRON 3.00 A 12.00
USP 584 NEGOTITN PUBLIC SECT 4.00 A- 14.68
Ehrs: 7.00 GPA-Hrs: 7.00 Qpts: 26.68 GPA: 3.81

Winter 2005 Quarter

FIN 539S REAL ESTATE APPRAISAL 3.00 A- 11.01
USP 598 INTRO FIN & REAL ESTATE 3.00 A 12.00
Ehrs: 6.00 GPA-Hrs: 6.00 Qpts: 23.01 GPA: 3.83

Spring 2005 Quarter

USP 504 INTERN: DEVELOPER 3.00 A 12.00
USP 599 REAL ESTATE FIN & INVEST 3.00 A- 11.01
Ehrs: 6.00 GPA-Hrs: 6.00 Qpts: 23.01 GPA: 3.83

Spring 2007 Quarter

USP 523 REAL ESTATE DEV I 3.00 A 12.00
USP 573 HOUSING ECONOMICS 4.00 A 16.00
Ehrs: 7.00 GPA-Hrs: 7.00 Qpts: 28.00 GPA: 4.00

***** CONTINUED ON NEXT COLUMN *****



This official transcript does not require a raised seal.

Cynthia H. Baccar
Cynthia H. Baccar
Registrar
Portland State University

SSN *****3052

PSU ID 981200498 Date of Birth: 10-APR

Date Issued: 24-OCT-2016

Record of: Joshua Luke Fuhrer

Page: 1

 Issued To: Joshua Fuhrer
 10484748-11467281

Course Level: Undergraduate	SUBJ NO.	COURSE TITLE	CRED GRD	PTS R
Degree Awarded : Bachelor of Science 14-JUN-2003				
College : College of the Arts				
Major : Theater Arts				
Major : Arts and Letters				
College : College of the Arts				
Major : Liberal Studies				
Institution Information continued:				
Ehrs: 6.00 GPA-Hrs: 6.00 QPts: 16.02 GPA: 2.67				
Spring 1997 Quarter				
MUS 191	BEG GUITR I:NON-MAJ	2.00 P	0.00	
TA 253	WORKSHOP THEATER I	2.00 A	8.00	
TA 342	INTERMEDIATE ACTING	4.00 B+	13.32	
TA 355	WRKSHP II-MGT/PUB RE	2.00 B-	5.34	
Ehrs: 10.00 GPA-Hrs: 8.00 QPts: 26.66 GPA: 3.33				
Fall 1997 Quarter				
TA 111	FUND TECHNICAL TH	2.00 A	8.00	
TA 114	TECH THEATER LAB	2.00 A	8.00	
TA 353	WRKSHP II-ACT/DIRECTG	2.00 A	8.00	
Ehrs: 6.00 GPA-Hrs: 6.00 QPts: 24.00 GPA: 4.00				
Winter 1998 Quarter				
TA 112	FUND TECHNICAL TH	2.00 A	8.00	
TA 115	TECH THEATER LAB	2.00 A	8.00	
UNST 421	CAP: APPLD FLD WK I	3.00 B+	9.99	
Ehrs: 7.00 GPA-Hrs: 7.00 QPts: 25.99 GPA: 3.71				
Spring 1998 Quarter				
HST 410U	UDC: AMER TECHNOLOGY	4.00 P	0.00	
HST 444U	HST PACIFIC NORTHWST	4.00 P	0.00	
TA 316	TECH THEATER LAB	2.00 A	8.00	
TA 471U	TH: AMER TH/DRAMA	4.00 A-	14.68	
UNST 421	CAP: APPLD FLD WK-II	3.00 B+	9.99	
Ehrs: 17.00 GPA-Hrs: 9.00 QPts: 32.67 GPA: 3.63				
Fall 2001 Quarter				
ENG 201	SHAKESPEARE	4.00 A	16.00	
IT 101	FIRST YEAR ITALIAN	4.00 W	0.00	
***** CONTINUED ON PAGE 2 *****				
***** CONTINUED ON NEXT COLUMN *****				
Fall 1996 Quarter				
TA 311	BACKGROUND-SCENE DES	4.00 C-	6.68	
TA 321	FUND STAGE COSTUMING	4.00 A-	14.68	
TA 364	DIRECTING I	4.00 B	12.00	
TA 464W	DEVELOP DRAMATIC ART	4.00 D	4.00	
Ehrs: 16.00 GPA-Hrs: 16.00 QPts: 37.36 GPA: 2.33				
Winter 1997 Quarter				
TA 252	MAKEUP	2.00 B-	5.34	
TA 330	MULTICULT THEATER	4.00 B-	10.68	



This official transcript does not require a raised seal.

Cynthia H. Baccar
 Cynthia H. Baccar
 Registrar
 Portland State University

SSN *****3052

PSU ID 981200498 Date of Birth: 10-APR

Date Issued: 24-OCT-2016

Record of: Joshua Luke Fuhrer

Page: 2

SUBJ NO.	COURSE TITLE	CRED	GRD	PTS	R
----------	--------------	------	-----	-----	---

Institution Information continued:

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 16.00 GPA: 4.00

Winter 2002 Quarter

ENG 202	SHAKESPEARE	4.00	A	16.00	
TA 475	PLAYWRITING II	4.00	A-	14.68	
Ehrs: 8.00 GPA-Hrs: 8.00		QPts: 30.68	GPA: 3.83		

***** TRANSCRIPT TOTALS *****

	Earned Hrs	GPA Hrs	Points	GPA
TOTAL INSTITUTION	115.00	105.00	354.07	3.37

***** END OF TRANSCRIPT *****

Spring 2002 Quarter

TA 408	WKSP: NEW PLAY DEVELOPMENT	4.00	A-	14.68	
TA 409	PRAC: NEW PLAY-ACTING	4.00	B	12.00	
Ehrs: 8.00 GPA-Hrs: 8.00		QPts: 26.68	GPA: 3.33		

Fall 2002 Quarter

ENG 305	TOP: HISTORY OF CINEMA I	4.00	A	16.00	
ENG 316	THE SHORT STORY	4.00	B+	13.32	
PS 318U	MEDIA/OPINION/VOTING	4.00	A-	14.68	
Ehrs: 12.00 GPA-Hrs: 12.00		QPts: 44.00	GPA: 3.66		

Winter 2003 Quarter

ANTH 315U	AMERICAN CULTURE	4.00	A	16.00	
PS 399	SPST: FILM AND POLITICS	4.00	A	16.00	
PS 426	POLITICS OF THE NEWS	4.00	A	16.00	
Ehrs: 12.00 GPA-Hrs: 12.00		QPts: 48.00	GPA: 4.00		

Spring 2003 Quarter

FIN 439	REAL ESTATE APPRAISL	3.00	C	6.00	
PA 410	TOP: GRANTWRITING	3.00	A	12.00	
USP 410	TOP: REAL ESTATE MARKET	3.00	B-	8.01	
Ehrs: 9.00 GPA-Hrs: 9.00		QPts: 26.01	GPA: 2.89		

Last Standing: Good Standing

***** CONTINUED ON NEXT COLUMN *****



This official transcript does not require a raised seal.

Cynthia H. Baccar
Cynthia H. Baccar
Registrar
Portland State University

Under the Provisions of Public Law 93-380, the information provided in this document is not to be released to others without the written consent of the student.

ACCREDITATION

Portland State University is accredited by the Northwest Association of Schools and Colleges. In addition, numerous schools, colleges, and departments within the university are accredited by special agencies and associations.

FORMER NAMES

Established in 1946 as Vanport Extension Center, the name changed in 1952 to Portland Extension Center, and in 1955 to Portland State College. On February 14, 1969, the institution was named Portland State University. Portland State University is one of the institutions comprising the Oregon University System (OUS), organized in 1932.

CREDITS

Portland State University operates on the quarter system. Fall, Winter, and Spring terms are each approximately 11 weeks in length. Summer term courses vary in length from 4 to 14 weeks.

REQUIREMENTS FOR GRADUATION

A baccalaureate degree requires a minimum of 180 quarter hours and a 2.00 GPA. Forty-five credit hours is the normal minimum for each advanced degree. All advanced degree requirements are listed in the Portland State University Bulletin. Graduate degrees require a minimum 3.00 GPA.

GRADE POINT AVERAGE (GPA)

No GPA is calculated for students last enrolled prior to Fall 1980. The cumulative GPA is determined by dividing the total quality points by the total credit hours for all terms. Only PSU work is used to calculate the GPA. Transfer credits are for information purposes only, and are not included in the GPA calculation.

COURSE NUMBERING SYSTEM

0-99	Basic courses, no degree credit
100-299	Lower Division
300-499	Upper Division
500-699	Graduate
700	Post-baccalaureate, prof. dev., non-degree credit
800	In-service, prof. dev., limited graduate degree credit
199/299/399	Special Studies

Courses that may be taken repeatedly, with varying credit:

At the 400/500/600 level:

Research	x01	Special Projects	x06
Independent Study	x02	Seminar	x07
Thesis	x03	Workshop	x08
Coop Ed/Intern	x04	Practicum	x09
Reading & Conference	x05	Selected Topics	x10

At the 800 level: 808 and 810

GRADING SYSTEM

Grade	Points	Undergraduate	Graduate
A	4.00	Excellent	Excellent
B	3.00	Good	Satisfactory
C	2.00	Satisfactory	Below Standards
D	1.00	Inferior	Failure (no credit)
F	0.00	Failure	Failure
+/-	0.33	Plus or minus 0.33 points to letter grade, excluding A+ and F (effective Fall 1992)	

MARKING SYSTEM (all disregarded in GPA)

I	Incomplete: mark is permanent after one calendar year
IP	In-Progress: select graduate courses and UNST 421
P	Pass: undergraduate C- or better, graduate B- or better
NP	No Pass
W	Withdrawn with no penalty
X	No Grade Received/No Basis For Grade
Y	Invalid grade reported by instructor
AU	Audit
M	Missing Grade

Appearing under the last column "R" (repeat)

E	Excluded from GPA
I	Included in GPA

Note: W-suffix or "WIC" in course title denotes a Writing Intensive Course

OTHER CODES

(Used prior to Summer 1991 on grade labels; appear left of credit hour)

AUD	Audited Course
R or RPT	Repeated Course
G, L, or GRD	Graduate credit for 400 courses; not used after Summer 1990
H or HON	Honors Course
E	Credit by Examination

Other codes are for internal use only.

TERM CODES PREVIOUSLY USED

F	Fall
W	Winter
S	Spring
U	Summer

UNIVERSITY STUDIES PROGRAM (established Fall 1994)

The Academic Requirements Committee of the Faculty Senate established that Freshman and Sophomore Inquiry credits transfer to other institutions as indicated below:

One term of UNST 100-level (5 cr)	5 credits general elective
Two terms of UNST 100-level (10 cr)	10 credits general elective
Three terms of UNST 100-level (15 cr)	3 credits writing (WR 121), 4 credits social science, 4 credits science, and 4 credits arts and letters
One term of UNST 200-level (4 cr)	4 credits lower division writing; applies to PSU lower division writing requirement

AUTHENTICITY

An official transcript displays the seal of Portland State University and an official signature. Verification or further explanation of authenticity may be obtained by contacting the Office of the Registrar.

Regeneration through an Urban Food Factory

A sustainably designed, adaptive-use, urban food factory helps a neighborhood suffering urban decay, foreclosures, and job losses.

FOR DECADES in America, food factories and distribution facilities have moved to suburban sites, as they search for expansive and inexpensive industrially zoned land, easy truck loading, and proximity to interstate freeways. Now, disinvestment in the urban fringe, decline in older neighborhood industrial buildings suffering urban decay, foreclosures, and job losses from the Great Recession have created opportunities for smaller food processors to expand at lower cost.

One such case of regeneration involves Classic Foods, a local gourmet foods manufacturer and distributor in Portland, Oregon. Its main products include pastas, spice blends, sauces, and soup bases, and it imports specialty meats, cheeses, and other foods, which it provides wholesale to 500 restaurant clients in Oregon

and Washington. Classic was located in a 10,000-square-foot (929-sq-m) warehouse one mile (1.6 km) east of downtown Portland just south of Interstate 84. It had only a 1,200-square-foot (111-sq-m) cramped kitchen to serve its clients, and truck loading space for pickup and delivery to its customers was minimal. Conventional economics seemed to favor a low-cost tilt-up building in an industrial park near a cloverleaf.

But the founder/owner of Classic Foods, Jake Greenberg, lived less than a mile away, loved biking to work, and wanted to continue to serve close-in restaurant and hotel owners. He calculated that Classic could reinforce its brand by marketing prepared foods with sustainably farmed, organic ingredients, and he sought to enhance an urban community.

Hard times created economic opportunity. Greenberg found a nearly 50,000-square-foot (4,200-sq-m) old art deco structure in significant disrepair in the Woodlawn neighborhood only three miles (4.8 km) north of Classic Foods' old location and only two miles (3.2 km) from his house. Constructed in 1932 as an icehouse, the building later operated as a brewery after prohibition and, since 1948, was home to a paper box manufacturing company. The owners of the box company had the property on the market at \$2.9 million only 12 months earlier, but they were nine months behind on mortgage payments and about to lose the property—and with it their three-generations-old family business—to foreclosure.

Greenberg struck a deal that benefited both parties. By paying the owners \$1.4 million, he acquired

Elaborate steps at the northeast corner of the Classic Foods site invite the public to use a terrace at the art deco building. The structure's painting and lighting scheme emphasizes the building's newly exposed and restored details.



ARISTON DEVELOPMENT



ARISTON DEVELOPMENT

a building five times larger than his existing one at a price of just \$28 per square foot (\$301 per sq m)—far below replacement cost, not even counting the value of the 1.53-acre (0.6-ha) site that gave him the space to park his fleet of delivery trucks. The sale cleared the box company's debt and gave it adequate resources to maintain the business and relocate it to a smaller, less-expensive facility that better met its needs. It also allowed Greenberg to expand Classic Foods, more than quintuple the size of its kitchen, extend its product line, and add to its customer base.

Greenberg was busy running his business and concluded that Joshua Fuhrer, a recent graduate of the Portland State University development program and president of Ariston Development Company, which had acted as a project manager for three other projects, could serve as a fee developer to help redevelop the building. Fuhrer assembled a design/build development team of Portland-based Vallaster-Corl Architects and S.D. Deacon Construction Company to assess the critical problems in the structure and the optimal designs to overcome them.

The building had been neglected for decades. The roof had so many leaks that an array of buckets was required to catch all the water when it rained, which in Portland is frequently. The mechanical, electrical, and plumbing systems all dated to the 1960s or earlier, and many of the windows, floor coverings, pipe wrapping, and other building materials were laced with asbestos or contained lead-based paint.

Woodlawn was in a blighted neighborhood outside an urban renewal area with a history of disinvestment. Tax increment finance funds were not available for rehabilitation. The building was far from ideal, but the size, solid bones of the art deco architecture, and close-in location met the most important of Greenberg's site selection criteria. Furthermore, rehabilitation of a historic building fit the ethos of Classic Foods, which for 25 years had built its business on high-quality, locally grown, organic ingredients at competitive prices. "We were a sustainable business before sustainability was a common phrase," says Greenberg.

The large size, urban location, historic character, and green industrial retrofitting of the building itself

Left: A floor-to-ceiling glass wall allows clients, retail customers, and gallery patrons to watch as cooks pull fresh pasta from machines and drape it over racks to dry. Below: Instead of simply being enlarged and located near loading areas, the kitchen became a 6,480-square-foot (602-sq-m) exhibition facility near the front of the building.



ARISTON DEVELOPMENT

would be critical to the strategy of expanding the business. It affected all the subsequent design and development decisions.

Instead of simply being built larger in a spot accessible to the loading areas, the kitchen became a 6,480-square-foot (602-sq-m) exhibition kitchen that was moved near the front of the building. Most equipment in the kitchen was placed on wheels to maximize flexibility. The kitchen has a 50-foot (15-m) sheer glass wall along a 2,340-square-foot

(217-sq-m) public community gallery lined on the other side by a bank of 11 five-foot-wide-by-12-foot-tall (1.5-by-3.3-m) windows that fill both the gallery and kitchen with daylight.

Glowing windows at nighttime events transform the gallery into a community center for the now-revitalizing neighborhood. The gallery space serves as a place for local artists to display their work, for the neighborhood association and other community groups to hold their monthly meetings,

How it was financed:

Total development cost: Roughly \$5 million	
▷ Tax-exempt Oregon industrial bond	\$3.3 million
▷ Equity from Classic Foods	\$1.2 million
▷ Portland Development Commission loans	\$450,000
▷ Anticipated federal energy tax credits	\$180,000
▷ Oregon business energy tax credit	\$40,000
▷ Portland Development Commission grant	\$20,000
▷ Energy Trust of Oregon grants	\$17,000

and for local nonprofit organizations to hold fundraising events, free of charge. Recent events have included two fashion shows benefiting local schools, cooking classes and demonstrations, and pasta meals for children on free and reduced-price lunch programs.

Adjacent to the gallery is a 1,407-square-foot (131-sq-m) retail space. Clients, retail customers, and gallery patrons look through the floor-to-ceiling glass wall into the commercial kitchen where

cooks pull fresh pasta from Italian machines and drape it over large racks to dry. This allows passersby to see firsthand the steps of food production from raw materials to finished linguini and ravioli. Urban decay had turned the area into a food desert, but Classic's retail access at manufacturer's prices helps address the lack of food access for neighborhood residents while creating new revenue streams and building brand loyalty in the community.

An 800-square-foot (74-sq-m) lower patio, widened sidewalks, and a parking area, in addition to a terrace, were built to be able to serve a local farmers market for the neighborhood on weekends. An herb garden was planted adjacent to the terrace to create edible landscaping.

The project, which incorporates a variety of green building practices, materials, and processes, is in the final stages of commissioning and qualifies for Leadership in Energy and Environmental Design (LEED)

Platinum certification, making it the first manufacturing facility in Oregon to achieve this designation.

The \$5 million project's total development cost of \$115 per square foot (\$1,239 per sq m) included the 66,500 square feet (6,200 sq m) of land and all its improvements, 43,458 square feet (4,037 sq m) of improved usable building area, all hard and soft redevelopment costs, and all the new equipment in the building. This was significantly less than the cost would have been for a suburban counterpart. The project also yielded benefits for the community and the ability to market and expand the Classic Foods brand from a sustainable urban location.

Fuhrer arranged financing using multiple tools. A \$3.3 million, tax-exempt Oregon industrial bond, at 5 percent interest over ten years, covered two-thirds of the cost. West Coast Bank provided acquisition and construction loan financing for the project and subsequently purchased from the state the tax-exempt industrial bond for permanent financing, passing on interest savings of 175 basis points to Classic Foods, thereby saving nearly \$850,000 in interest over the life of the loan.

Oregon also approved business energy tax credit (BETC) incentives of about \$40,000. The BETC program covers 50 percent of eligible



Above left: Visitors to Classic Foods can see firsthand the steps of food production from raw materials to finished linguini, ravioli, and pesto.

Above right: A mezzanine built in the 1940s with old-growth Douglas fir timbers was deconstructed and all the wood recycled and remilled for use in the building, mostly as architectural elements and desks in the office and reception areas.

Left: A public gallery that also serves as a community center looks onto the kitchen and is lined on the other side by a bank of windows that fills the gallery and kitchen with natural light.

A MASTER'S DEGREE TAILORED JUST FOR YOU

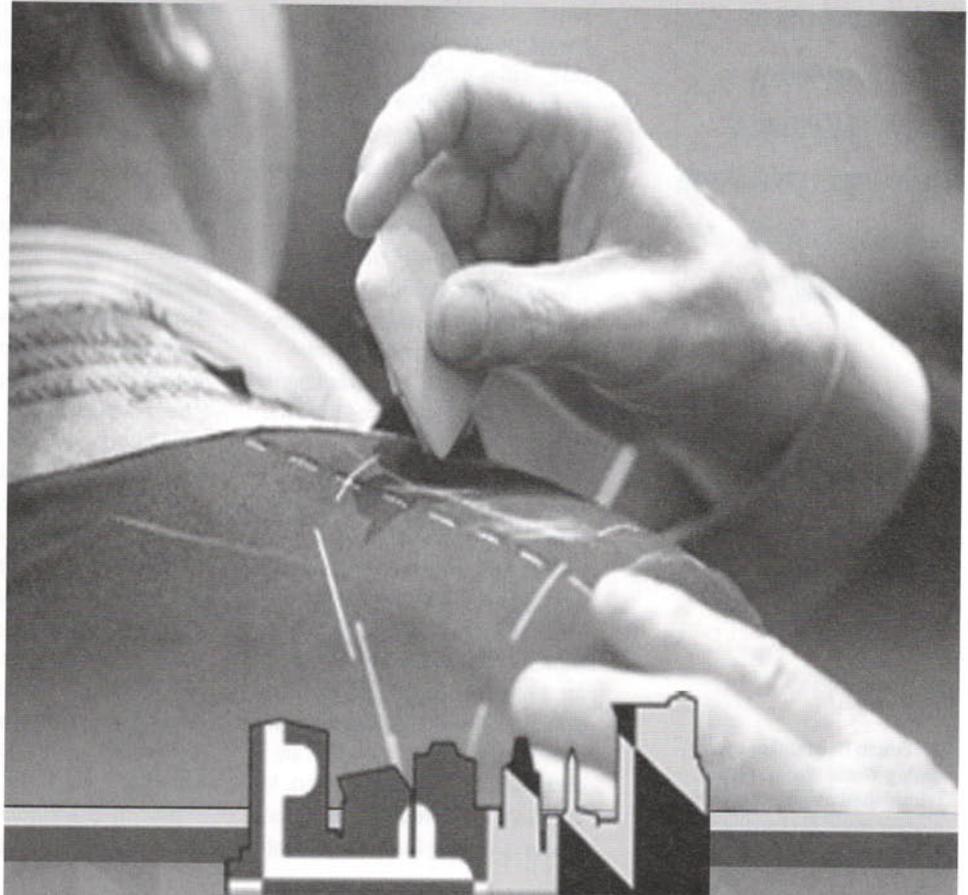
energy improvement costs over standard practice. Among other savings, a system transfers heat from the refrigeration condensers to preheat water for the kitchen and bathrooms, thereby nearly halving water heating costs.

The Portland Development Commission (PDC) provided a \$250,000 acquisition loan for the property and a \$200,000 kitchen-equipment loan, both at a 4 percent interest rate over five years. In addition, the PDC granted \$20,000 from its Storefront Improvement Program. Another \$17,000 in grants came from EnergyTrust of Oregon to offset some costs for sustainable building features.

Upon completion of its LEED Platinum certification, Classic expects to receive about \$180,000 in federal energy tax credits. The remaining \$1.2 million—about one quarter of total project costs—was paid in as equity from Classic Foods.

Urban decay and the economic turmoil of the Great Recession have created economic opportunity. One industrial foreclosure was averted and its business and jobs saved. Another factory economically replaced it at the lowest cost and expanded its market and job base. A sustainably designed, adaptive-use, urban food factory, oriented outward to provide indoor community space and an outdoor farmers market, helped alleviate a food desert, add tax revenues, and regenerate a neighborhood. **U**

WILLIAM P. MACHT is a professor of urban planning and development at the Center for Real Estate at Portland State University in Oregon and a development consultant. **JOSHUA FUHRER**, the founder of Ariston Development Company, is a former student of the author and researched the article. (Comments about the project profiled in this column, as well as proposals for future profiles, should be directed to the author at machtw@pdx.edu.)



TO LEARN ABOUT THE
REAL ESTATE DEVELOPMENT
PROGRAMS VISIT US AT

www.arch.umd.edu/real_estate_development

UNIVERSITY OF MARYLAND
COLVIN INSTITUTE OF
REAL ESTATE DEVELOPMENT

**AGENDA ITEM NO.
III.**

**OREGON REAL ESTATE BOARD
CEP LOG - 2016**

4.4.16	Brian Greer	APPROVED	<p>FACTS: Mr. Geer explained that he owned 3 service master companies and has been in the disaster industry for many years. He also explained that he provides education on the following topics: disaster restoration, water damage, risk management, business ethics, and property management, which are considered acceptable course topics.</p> <p>DISCUSSION: None</p> <p>MOTION TO APPROVE BRIAN GREER'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH</p> <p>SECOND BY CONI RATHBONE</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
4.4.16	John Estrem	APPROVED	<p>FACTS: Mr. Estrem appeared by phone and reviewed his qualifications which included providing education for approximately 15 years. He also explained he provides education on the topic of risk management, which is considered an acceptable course topic. Chair Hermanski asked Mr. Estrem if he was aware of the record keeping requirements for continuing education providers and he responded that he was aware of the record keeping requirements.</p> <p>DISCUSSION: None.</p> <p>MOTION TO APPROVE JOHN ESTREM'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY CONIE RATHBONE</p> <p>SECOND BY PAT IHNAT</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
6.6.16	Kenneth Holman	WITHDRAWN	Mr. Holman withdrew his petition and indicated his intention to re-petition the board as a trade association at a later date.
6.6.16	CMPS Institute (Gibran Nicholas)	APPROVED	<p>FACTS: Chair Hermanski asked CMPS to summarize the basis of their petition. Gibran Nicholas explained that CMPS Institute has provided education across the country and is approved in 10 states to provide CE to real estate agents. Mr. Nicholas also explained CMPS Institute offers the following acceptable course topics: advertising; regulation; consumer protection; real estate taxation; and finance. Chair Hermanski asked if they were familiar with the record keeping requirements and Ms. Nicholas responded that they are familiar with the record keeping requirements</p> <p>DISCUSSION: None.</p> <p>MOTION TO APPROVE CMPS INSTITUTE'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY MARCIA EDWARDS</p> <p>SECOND BY LAWNAE HUNTER</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
10.3.16	Michelle Moore	APPROVED	<p>FACTS: Ms. Moore explained that she had nine years of experience in providing continuing education courses covering the following topics: real estate consumer protection, risk management, dispute resolution, and negotiation, which are considered acceptable course topics. Dave Koch asked Ms. Moore if she was familiar with the record keeping requirements involved with being a provider and she responded that she was aware of the requirements.</p> <p>DISCUSSION: None</p> <p>MOTION TO APPROVE BY DAVE KOCH</p> <p>SECOND BY LAWNAE HUNTER</p> <p>MOTION CARRIED BY UNANIMOUS VOTE</p>
12.05.16	Brix Law LLP		<p>FACTS:</p> <p>DISCUSSION:</p>



PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER

Rev. 5/2016

AGENDA ITEM NO.

IV. A.

Real Estate Agency
530 Center St NE Ste 100
Salem OR 97301
Phone: 503-378-4170

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 leandra.hagedorn@state.or.us a least 21 days before the next scheduled Board meeting at 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.

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

PETITIONER

Name Brix Law LLP Phone Number 541-693-0075

Physical Address 75 SE Yamhill St., Ste. 202 Address Cont. _____

City Portland State OR Zip Code 9721 County Multnomah

E-mail dgarcia@brixlaw.com

Mailing Address (if different) 15 SW Colorado Ave., Ste. 3 Address Cont. _____

City Bend State OR Zip Code 97702 County Deschutes

AUTHORIZED CONTACT PERSON

Prefix _____ First Name Debbie Last Name Garcia

Phone Number 541-693-0075 E-mail dgarcia@brixlaw.com

Indicate who will appear before the board on behalf of the Petitioner: Via Phone - Laura Craska Cooper or Bradley S. Miller

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.

Petitioner Brix Law LLP is a boutique law firm specializing in real estate and land use transactions. Firm partners Bradley S. Miller and Laura Craska Cooper are both continuing education providers licensed with the agency. Brix wishes to obtain certification in order to offer and host continuing education courses.

Brix Law LLP has been ranked by Chambers USA as a "real estate boutique firm highlighted for its strength in a range of transactional matters including acquisitions, leasing and financing, and also known for its expertise in construction law and land use matters."

Firm partner Bradley S. Miller (CEP #201215156) is one of Oregon's leading real estate attorneys with over 28 years of experience. His primary areas of practice include real estate leasing, acquisitions, development, financing and general business. He has extensive experience representing clients in industrial, office, retail and multi-family purchase and sale transactions, development projects, leasing and financing transactions. He is a board member of the Commercial Association of Brokers and of the National Association of Industrial and Office Properties, and received the "Distinguished Service Award" at the 2016 Night of Excellence in Commercial Real Estate. He has published numerous articles and frequently lectures at continuing education programs on leasing, purchase agreements, loan documentation, and other real estate topics. Recent presentations include "Negotiating Leases for Brokers," "Lease Work Letters," and "Negotiating Retail Leases." (continued on attached page)

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 acknowledge 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.

Deborah A. Garcia

Date 11/07/2016

Printed Name of Authorized Individual



Signature of Authorized Individual

PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER, Continued
BRIX LAW LLP – ATTACHMENT TO APPLICATION

Firm partner Laura Craska Cooper (CEP #201215233) has over 25 years of experience practicing real estate, land use, and general business law. She has extensive experience in general real estate matters, including structuring deals; assisting in the acquisition, disposition, and leasing of commercial and industrial properties; and handling complicated real estate-secured financing transactions. She has special expertise in large-scale multi-use developments and resorts, including obtaining master plan approvals, conditional use permits and zoning changes. She regularly drafts condominium and single-family owners' association declarations of covenants, conditions and restrictions and also counsels developers and owners' associations on the Oregon Condominium Act and the Oregon Planned Community Act. She is also on the Executive Committee of the Real Estate and Land Use Section of the Oregon State Bar. Recent presentations include "Proceed with Caution: Using New OREF Forms."

Firm Partner Kyle Wuepper maintains a diverse business and real estate practice focusing on joint ventures, mergers and acquisitions, raising capital, corporate finance, choice of entity and business formations, and general real estate matters. He regularly advises clients with respect to commercial leases, real property transactions, service agreements and employment matters. He is a member of the Business Law (Executive Committee member), Real Estate and Land Use, Securities, and Taxation sections of the Oregon State Bar. He has also earned the AV[®] Preeminent[™] Rating from Martindale-Hubbell[®], American Registry. Presentations include "Tips and Tricks from a Transactional Attorney's Perspective," "Real Estate Financing Options: Land Sale Contracts vs. Trust Deeds," and "Commercial Real Estate Purchase and Sale Agreements."

Brix Law also employs an associate attorney and staff with experience handling real estate leasing, acquisitions and dispositions; financing; construction liens, bonds and productivity loss; litigation and dispute resolution.

To learn more about our firm, please visit our website at www.brixlaw.com

ADMINISTRATIVE ACTIONS
Reported
9/15/16 through 11/14/16

REVOCATIONS

SUSPENSIONS

REPRIMANDS

Reed, Patricia (Central Point) Property Manager 200712176, Default Order dated November 14, 2016, 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

1 REAL ESTATE AGENCY
2 BEFORE THE REAL ESTATE COMMISSIONER
3

4 In the Matter of the Real Estate License of)
5)
6 PATRICIA ANN REED) ORDER ON DEFAULT
7)
8)
9 _____)

1.

10 1.1 On June 22, 2016, the Real Estate Commissioner issued, by certified mail, a
11 Notice of Intent to Reprimand Patricia Ann Reed's (Reed) property manager license. On July
12 29, 2016, the Real Estate Commissioner issued, by certified mail, an Amended Notice of Intent
13 to Reprimand Reed's property manager license. The Oregon Real Estate Agency (OREA)
14 sent the Notice of Intent to Reprimand and the Amended Notice of Intent to Reprimand to
15 Reed's last known address of record with the OREA. The Notice of Intent and Amended
16 Notice of Intent were also mailed to Reed by regular first class mail in a handwritten envelope.

17 1.2 For the first Notice of Intent issued, the certified mailing and first class mailing
18 were sent to Reed at PO Box 5019, Central Point, OR 97502. The certified mailing was
19 returned to OREA marked, "Return to Sender Unclaimed Unable to Forward." The Notice of
20 Intent that was mailed via regular first class mail has not returned to OREA.

21 1.3 For the Amended Notice of Intent, the certified mailing and first class mailing
22 were sent to Reed at PO Box 5019, Central Point, OR 97502. The certified mailing was
23 returned to OREA marked, "Return to Sender Unclaimed Unable to Forward." The Notice of
24 Intent that was mailed via regular first class mail has not returned to OREA.

25 1.3 Over twenty (20) days have elapsed since the mailings of the notice and
26 amended notice issued in this matter and no written request for hearing has been received.

27 1.4 Copies of the entire investigation file are designated as the record for purposes
28 of default, including any submission from respondent and all information in the administrative
29 file relating to the mailing of notices and any responses received.

30 ///

2.

Based upon the foregoing and upon a review of the above described investigation reports, documents and files, the Real Estate Commissioner finds:

2.1 Oregon Administrative Rule 863-001-0006 states, in part, that a notice of intent is properly served when deposited in the United States mail, registered or certified mail, addressed to the real estate licensee or to any other person having an interest in a proceeding before the Commissioner at the licensee's or other person's last known address of record with OREA.

2.2 Reed's last known address of record with OREA was PO Box 5019, Central Point, OR 97502.

2.3 A certified mailing of the Notice of Intent issued on June 22, 2016, was mailed to Reed at her last known address of record on June 22, 2016. The certified mailing was returned to OREA on July 18, 2016, marked "Return to Sender Unclaimed Unable to Forward."

2.4 A certified mailing of the Amended Notice of Intent issued on July 29, 2016, was mailed to Reed at her last known address of record on July 29, 2016. The certified mailing was returned to OREA on August 22, marked "Return to Sender Unclaimed Unable to Forward."

2.5 The mailing in the handwritten envelope for both the Notice of Intent and Amended Notice of Intent has not been returned to OREA. In accordance with ORS 40.135(1)(q), there is a presumption that the mailing properly addressed and placed with the U.S. Postal Service was delivered. That presumption has not been overcome by any evidence.

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

2.7 Pursuant to ORS 696.775, the expiration of Reed's license does not prohibit the Commissioner from proceeding with further action.

///

///

///

///

1 FINDINGS OF FACT
2 &
3 CONCLUSIONS OF LAW

4 3.

5 3.1 At all times mentioned herein, Reed was licensed as a property manager doing
6 business under the registered business name of Compass Property Management, LLC
7 (Compass). Reed's license expired on March 1, 2016 and has not been renewed as of the
8 date of this order.

9 3.2 On December 2, 2015, OREA received a complaint from Ronald E. Winters
10 (Winters) regarding Reed. OREA opened an investigation.

11 3.3 The property management agreement for 1123 N. Modoc Avenue, Medford, OR
12 97504 (subject property) showed Winters Family Trust as the owner and Compass as the
13 property manager. Section 6.2 of the property management agreement stated the following,
14 "Property Manager shall prepare and deliver to the Owner, quarterly accounting and operating
15 statements and reports..." and "Said statements and report shall be delivered to the Owner by
16 the 20th day of the month following the end of the reported quarter..."

17 3.4 Included in Winters' complaint were multiple emails from Winters to Reed
18 regarding late owner draws, and requests for financial information.

19 3.5 On December 10, 2015, OREA Investigator/Auditor Peter Bale (Bale) spoke with
20 Winters. Winters said he liked Reed, but he thought there was no reason he should not receive
21 his owner draws. He said they had replaced a refrigerator, but he thought that he may have
22 paid for it himself. Winters stated the Compass website, which contained owner statement
23 information, was not up-to-date (The website allowed owners to sign in and access their
24 statement for the month).

25 3.6 Reed provided Bale with her October and November 2015 clients' trust account
26 reconciliations for the accounts regarding Winter's property, which appeared to balance.

27 3.7 On December 17, 2015, Bale interviewed Reed. Reed said the subject property
28 had been vacant for 6 weeks in November and December 2014. Reed provided
29 documentation to OREA which supported her assertion that the subject property had been
30 vacant at the end of 2014.

1 3.8 Reed provided a spreadsheet to Bale which indicated there were no owner draws
2 paid in July 2015 or August 2015.

3 3.9 Reed said in June 2015 she had to buy a new fridge for the subject property and
4 do fence repairs. As of the interview with Bale, Reed said she had not yet charged Winters for
5 the costs. She said she had been sick for two weeks in July 2015 so the owner draws were
6 late. She said she would have two payment runs in December 2015 to bring everything up to
7 date.

8 3.10 Based on Reed's spreadsheet, it appeared the owner draws due (for the months
9 of July and August 2015 minus June repair costs) were paid in December 2015 to make
10 everything current. On January 8, 2016, Winters wrote to Bale confirming he had received an
11 owner draw on December 15, 2015. Additionally, in December 2015, Reed charged Winters
12 with "maintenance," costs of \$788.25. This charge included a refrigerator replacement and
13 fence repair, supplied and carried out in June 2015.

14 3.11 The records indicated that the rent received had been accounted for and was
15 eventually paid to Winters.

16 **Violation:** By failing to make owner draws for the months of July and August 2015 until
17 December 2015, Reed violated, ORS 696.890(4)(c)(d), and (e) (2015 Edition) which states, a
18 real estate property manager owes the property owner the following affirmative duties: (c) to
19 exercise reasonable care a diligence, (d) to account in a timely manner for all funds received
20 from or on behalf of the owner, and (e) to account in a fiduciary manner in all matters relating
21 to trust funds. Reed's conduct is grounds for discipline under ORS 696.301(12) and (15)
22 (2015 Edition)

23 **Violation:** By failing to update Mr. Winters' owner's ledger until December 2015, for
24 maintenance costs of \$788.25 incurred on June 2015, Reed violated ORS 696.890(4)(c), (d),
25 and (e) (2015 Edition) which states, a real estate property managers owes the property owner
26 the following affirmative duties: (c) to exercise reasonable care a diligence, (d) to account in a
27 timely manner for all funds received from or on behalf of the owner, and (e) to account in a
28 fiduciary manner in all matters relating to trust funds. Reed's conduct is grounds for discipline
29 under ORS 696.301(12) and (15) (2015 Edition).

30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ORDER

IT IS HEREBY ORDERED that Reed's property manager license be, and hereby is, reprimanded.

Dated this 14th day of NOVEMBER, 2016.

OREGON REAL ESTATE AGENCY



GENE BENTLEY
Real Estate Commissioner

Date of Service: 11/14/2016

NOTICE: 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 pursuant to the provisions of ORS 183.482.

**REAL ESTATE BOARD
REGULATION DIVISION REPORT
December 5, 2016**

Regulation Division Manager: Selina Barnes
Compliance Specialists 3 (Compliance Coordinator): Deanna Hewitt, Rob Pierce
Financial Investigators (Investigator-Auditor): Jeremy Brooks, Aaron Grimes,
 Frances Hlawatsch, Philip Johnson, Meghan Lewis
Compliance Specialist 2: Carolyn Kalb
Compliance Specialists 1: Denise Lewis, Lindsey Nunes, Danette Rozell
Administrative Specialist: Janae Beaver

Division Overview

The Regulation Division receives complaints and determines validity and assignment for investigation. Investigators gather facts (from interviews and documents), prepare a detailed written report and submit to the Manager for review. The Manager determines whether the evidence supports charging a person with a violation of Agency statutes or administrative rules, as well the appropriate resolution. The Manager conducts settlement conferences to resolve cases without a contested case hearing. If a hearing is requested, the investigator works with the Assistant Attorney General in preparing for and presenting the case at hearing.

The Compliance Specialists are responsible for conducting: mail-in audits of licensee's clients' trust accounts (CTA), expired activity investigations, background checks and self-administered compliance reviews. They also respond to inquiries regarding regulations and filing complaints from the public, licensees, and other governmental agencies.

Workload and Activity Indicators

Current Cases In Below Status	Average 2015	Average Q3 2016	11/17/16
Mail-in CTA Audits	65	59	39
Renewal Investigation	6	5	8
Background Check Investigation	7	9	10
Complaint	44	40	54
Investigation (& Pending Assignment to Investigator)	55	66	63
Admin Review	33	27	36
Settlement Process	19	42	44
Pending Admin Action	9	12	17
Hearing	12	4	2
Appeal	3	9	9

The recruitment process for two Financial Investigator (Investigator-Auditor) positions is continuing.

Selina Barnes will be presenting a class (1 hour) on REA Disciplinary Actions for the Willamette Association of Realtors in Albany on November 29, 2016

For information on investigations resulting in administrative actions, please review the "Administrative Actions Summary" section of the Board packet.

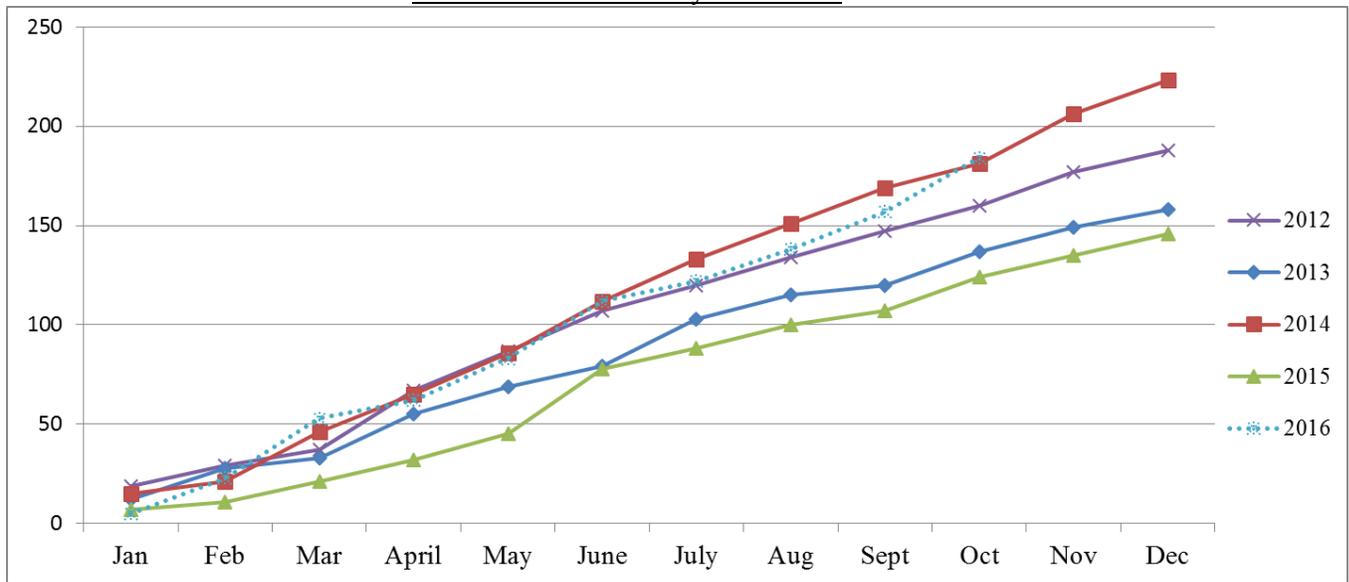
**REAL ESTATE BOARD
LAND DEVELOPMENT DIVISION
December 5th, 2016**

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, much like reading the window sticker when car shopping.

Workload and Activity Indicators



Filing activity in 2016 is up. By the end of September this year's filings surpassed the total of all filings made last year. We continue to see quite a few smaller projects in the 2 to 6 unit range as infill continues in the Portland-Metro area.

Current Projects

Ongoing effort to improve upon division-specific forms and additional instructional materials.

Updating land development procedures manual.

**REAL ESTATE BOARD
ADMINISTRATIVE SERVICES DIVISION REPORT
December 5, 2016**

Business & Technical Services Manager: Anna Higley

Accountant: Caty Karayel

Systems Administrator: Tiffani Miller

Program Analyst: Rus Putintsev

Customer Service Manager: Madeline Alvarado

Compliance Specialist: Tami Schemmel

Licensing Specialist: Sue Davenhill

Receptionist: Liz Hayes

Section Overview

The Administrative Services Division acts as support to the Agency. This division manages budget/allotment preparation, accounting, purchasing and contracting, inventory control, facilities, payroll, special projects, Information Technology (IT), and licensing services.

Licensing services include assisting real estate brokers, principal brokers, property managers and escrow agencies as they manage their licenses using eLicense, assisting customers as they process registered business names and branch office registrations in eLicense, registering membership campground contract brokers, completing license applicant criminal background check investigations, processing escrow licensing and security/bonding files, maintaining all licensing history records, electronic processing of fees, and providing general reception services.

Elizabeth (Liz) Hayes has joined the Agency as a Receptionist. Liz Hayes many years of experience in office support, customer service and holds a real estate broker license in Oregon.

Budget Update

Revenue: The final revenue for the 13-15 biennium is **\$5.67 million**. The Agency ended the biennium with a \$1.06 million ending balance. Projected revenue for the 15-17 biennium is **\$6.33 million**, with projected expenses of **\$6.85 million***. The Agency will resource cash reserves for the **\$517,828** revenue deficit and projects an ending cash balance of **\$544,172**. This equates to 1.8 months of operating expenditures; generally, fee supported agencies in Oregon are encouraged to have an ending balance of between 3-6 months of operating expenditures, depending on the timing of their expenditures and revenue generation cycles.

Budget Preparation 2017-19

Since the 2009-11 biennium operating costs have exceeded revenue. While the real estate market has experienced a recovery, licensure has not returned to pre-recession rates and is projected to remain flat over the next budget period. Though significant savings measures have been taken, the Agency has an average monthly revenue deficit of **\$21,576**. The Agency will seek the first licensing related fee increase since the 1997-99 budget.

*The 2015-17 Legislatively Approved Budget is \$7.16 million. The Agency expects a total of \$314,974 in remaining limitation at the end of the biennium (June 30, 2017), including: Personal Services limitation of \$238,556 and Services & Supplies limitation of \$76,418.

Licensing Statistics

Total Licensee Counts by Month:

Individuals (Persons)	Aug	Sep
Broker – Total	13,821	14,019
Active	12,270	12,447
Inactive	1,551	1,572
Principal Broker - Total	6,377	6,376
Active	6,015	6,004
Inactive	362	372
ALL BROKERS Total	20,198	20,395
Active	18,285	18,451
Inactive	1,913	1,944
Property Manager - Total	890	894
Active	820	828
Inactive	70	66
MCC Salesperson	31	32
MCC Broker	2	2
TOTAL INDIVIDUALS	21,121	21,323
Active	0	19,313
Inactive	0	2,010
Facilities (Companies)		
REMO	5	6
Registered Business Name (RBN)	3,320	3,341
Registered Branch Office (RBO)	715	706
Escrow Organization	47	47
Escrow Branch	145	145
PBLN	664	652
PMLN	160	158
CEP	320	322
MCC Operator	25	25
TOTAL FACILITIES	5,401	5,402
TOTAL INDIVIDUALS & FACILITIES	26,522	26,725

Individuals (Persons)	August	Sept
Broker	153	169
Principal Broker	10	9
TOTAL BROKERS	163	178
Property Manager	13	8
MCC Salesperson	1	2
MCC Broker		
TOTAL INDIVIDUALS	177	188
Facilities (Companies)		
Continuing Education Provider (CEP)	2	1
REMO		
Registered Business Name	21	24
Registered Branch Office	5	4
PBLN	3	4
PMLN	2	1
Escrow Organization	0	1
Escrow Branch		
MCC Operator		
TOTAL FACILITIES	31	33
TOTAL INDIVIDUALS & FACILITIES	210	223

New Licenses by Month: