

Oregon Real Estate News-Journal

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Commissioner Gene Bentley

Virtual Assistants Need License to Cold Call

Gene Bentley, Real Estate Commissioner

Before hiring a virtual assistant, or any assistant, to help you with your real estate business, know that anyone who generates leads or makes cold calls must have a real estate license or a real estate marketing organization license.

Oregon Revised Statutes ([ORS](#)) [696.020](#) requires anyone engaging in “professional real estate activity” to have a real estate license. ORS 696.010 defines “professional real estate activity,” which includes procuring potential clients who want to buy, sell, exchange, lease

or rent real estate.

ORS 696.600 through 696.627 allows licensed real estate marketing organizations to find prospects as well.

Knowingly hiring a nonlicensed individual to engage in professional real estate activity on your behalf is a violation of ORS 696.315. Doing so may result in disciplinary action on your license.

If you are considering hiring a virtual assistant who does not have a real estate license, we recommend that you to seek the advice of an attorney. ■



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Board Meeting in Boardman

The next Oregon Real Estate Board meeting is scheduled for Monday, June 2 in Boardman at the [Port of Morrow](#).

Meetings begin at 10:00 a.m. unless otherwise indicated. Please check www.rea.state.or.us for updated information on location and agenda items.

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Warning: Timeshare Scammers May Be Using Your Good Name

Scammers are using the names of legitimate Oregon real estate businesses, real estate licensees and escrow agents to rip off timeshare owners.

After finding the name of a genuine real estate company in Oregon, the scammers build fake websites in the company's name without the company's knowledge. The mailing address listed on the site is similar, but not the same, as the legitimate company. The phone numbers are real Oregon numbers, but are owned by the scammers.

The fake website will tout how genuine and trustworthy the real company and its licensees are, often using links to the Oregon Real Estate Agency's and the Secretary of State's websites as "proof" that the company is real.

The scammers will also create a fake online presence for an escrow company. This company is held out to be a neutral third-party that will hold the buyer's and seller's funds.

Having set up the fake online presence, the scammers cold call owners of timeshares. They tell the owner that they have a buyer who has made a generous offer for their timeshare. The owner is told the money is available straight away, and that they will

not have to pay anything up front.

If the owner is interested, the scammers send them paperwork to sign from the "company" they have set up. There is a brief period where the scammers exchange communications with the owner. This may include a copy of a "statement" showing the funds have been received from the buyer.

As the closing date approaches, the scammers will request money to cover a "fee" or "tax" required by the Mexican government or other local entity. The amount is usually between \$2,500.00 and \$3,000.00.

If the owner pays this amount, the scammers will request more money for more governmental "fees" or "taxes." So the owner has to decide whether to pay more to make the "deal" go through. If the owner doesn't pay and asks for a refund, the scammers say there is a cancellation fee, and as soon as that is paid the original funds will be refunded. Of course, the owner never gets any money back.

If you have information about this type of scam, contact the [Oregon Department of Justice](#). If you learn about a different scam impacting licensees or real estate consumers, please let the Agency know. ■



Agency Staff Changes

Michael Hanifin was promoted to Land Development Manager in January 2014.

Mr. Hanifin graduated from Willamette University College of Law in 2004. He spent six years in private practice, focusing on real property and business law. He joined the Oregon Army National Guard

in 2010, and is currently a commissioned officer and judge advocate. After leaving his active duty role in 2012, Mr. Hanifin was initially hired by the Agency as a Land Development Specialist.

The Agency congratulates Mr. Hanifin on his new role. ■



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Reset Form Print Form

CONTINUING EDUCATION RECORD
Rev. 4/2014

INSTRUCTIONS

1. As a real estate licensee, you are **REQUIRED** to use this form to record all eligible continuing education courses taken. OAR 863-020-0015
2. The Law and Rule Required Course is a 3-hour course required for each 2-year license period. Use the row after the "example" row to record your completion of this course.
3. Find the information required to complete this form on your Certificates of Attendance, provided by the Certified Continuing Education Providers.
4. You **MUST** maintain all certificates of attendance you received from continuing education providers upon completion of each eligible course, along with this form, for three years after the renewal date for which the continuing education credit applies.

Licensee Name _____ License Number _____

Renewal period beginning _____ ending _____ (Note: Refer to your license for your current renewal period.)
Date Date

Name of Certified Continuing Education Provider	Provider Number	Course Name	Course Number	Eligible Course Topic or LARRC, AP or BASS	Date of Course	Course Location	Name of Instructor	Course Hours
EXAMPLE: Oregon CE Provider LLC	9999	Subdividing in Oregon	9950	Subdivisi	1/01/2013	Salem, OR	Sam Instructor	2
		Law and Rule Required Course Required for all licensees		LARRC				3

RETAIN FOR YOUR RECORDS - DO NOT SEND THIS FORM TO THE AGENCY UNLESS REQUESTED BY THE AGENCY

Sample of required Continuing Education Record Form

Online CE Course Reporting Starts with May Renewals

Have continuing education records available when renewing.

Your next active license renewal after April 30 will require specific information on each continuing education course you took. (Note: Inactive licensees are not required to complete continuing education.)

As part of the renewal application process in eLicense, you will need to show that you completed at least 30 hours from certified continuing education providers, including the 3-hour Law and Rule Required Course (LARRC).

The required information can be found on your certificates of attendance and completed [Continuing Education Record Form](#):

- Provider Number
- Course Name
- Course Number
- Course Topic

- Date of Course
- Course Location
- Name of Instructor
- Course Hours

For most licensees, it should take no longer than 15 minutes to enter course information into eLicense.

Remember, the Agency is still conducting random continuing education audits (see the [October 2013 issue](#) of the *News-Journal*).

Be prepared for renewal by:

- Completing the 3-hour LARRC.
- Taking at least an additional 27 hours from certified providers.
- Completing the CE Record Form using your certificates of attendance.
- Knowing your license expiration date.

First time renewers of broker and property manager licenses must take specific Advanced Practices courses.

Please see [Continuing Education Requirements](#) for more information about your specific requirements.

Administrative Actions

February 20, 2014 through March 26, 2014

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

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

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



REPRIMANDS

[Coronado, Tonya](#) (Monmouth) Property Manager 201110034, Stipulated Order dated February 24, 2014.

CIVIL PENALTIES

Expired - Late Renewals

Civil penalties for late renewals are computed using each 30-day period as a single offense. The civil penalty for the first 30-day period can range from \$100-\$500, with each subsequent 30-day period ranging from \$500-\$1,000. (ORS 696.990)

[Downing, Linda](#) (Eugene) Broker 200601025. Stipulated Order dated February 19, 2014 issuing a \$2,600 Civil Penalty for a late renewal.

[Ausland, Chelsea](#) (Portland) Broker 200506155. Stipulated Order dated February 20, 2014 issuing a \$100 Civil Penalty for a late renewal.

[Sobotka, Gregory](#) (Portland) Principal Bro-

ker 200501215. Stipulated Order dated February 25, 2014 issuing a \$600 Civil Penalty for a late renewal.

[Selliken, Alicia](#) (Portland) Broker 200702062. Stipulated Order dated February 26, 2014 issuing a \$100 Civil Penalty for a late renewal.

[Nordahl, Gerald](#) (Medford) Principal Broker 800200177. Stipulated Order dated February 27, 2014 issuing a \$1,600 Civil Penalty for a late renewal.

[Harnish, Justin](#) (Lake Oswego) Principal Broker 200112017. Stipulated Order dated March 10, 2014 issuing a \$2,500 Civil Penalty for a late renewal.

[Farnsworth, Brandon](#) (Eugene) Broker 200212090. Stipulated Order dated March 13, 2014 issuing a \$600 Civil Penalty for a late renewal.

[Chamberlain, Christopher](#) (Eagle Point) Principal Broker 200502281. Stipulated Order dated March 18, 2014 issuing a \$1,600 Civil Penalty for a late renewal. ■

Highlighting Clients' Trust Accounts

A **CLIENTS' TRUST ACCOUNT** is a bank account opened by a **principal broker or property manager**. It **PROTECTS** your clients' funds by keeping them **SEPARATE** from your personal or business funds.

Use [eLicense](#) to notify the Agency when you **OPEN OR CLOSE** a clients' trust account.

No COMMINGLING
Your personal or business funds must not be mixed with your clients' funds.

Use Oregon Department of State Lands [procedures](#) for **UNCLAIMED TRUST FUNDS**.

3-WAY RECONCILIATIONS
must be done monthly. The Agency conducts random audits requesting information from reconciliations.

Do you **MANAGE PROPERTY FOR OTHERS?** You must have **AT LEAST 1** clients' trust account for property management. You need at least 2 trust accounts if you handle **SECURITY DEPOSITS**.

**Find out more about
clients' trust accounts requirements:**

[ORS 696.241 and 696.361](#)

[OAR 863-015-0250 through 863-015-0275](#)

[OAR 863-025-0025 through 863-025-0065](#)

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Mesheal Heyman, Editor
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