

Oregon Real Estate News-Journal

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Commissioner
Gene Bentley

Most tasks can be done “virtually,” but **100% Virtual Offices Don’t Work in Oregon**

Gene Bentley, Real Estate Commissioner

With all the technology available to conduct business without actually seeing clients face-to-face, real estate licensees may forget that Oregon real estate offices cannot be 100 percent “virtual.”

Oregon Real Estate License Law ([ORS 696.200](#)) requires each principal broker and property manager to have a place of business designated as a main office that is physically located in Oregon.

As a principal broker or property manager, how can you work “virtually” without breaking the law?

1. Notify the Agency of the physical address of your designated main office.

This doesn’t mean that all your business must be done in the physical office. It doesn’t mean that *any* of your business has to be done in the physical office. It simply means that you must register with the Oregon Real Estate Agency a physical

location and address in Oregon for your designated main office.

A main office can be a standard office, an office space you share with other businesses, or your home (check with city or county codes). *It cannot be a post office box or mail drop location.*

It would be expected that someone at the location would be able to provide information on how to reach you.

2. Have a sign at the physical location of your designated main office.

The main office must have a sign with your registered business name or, if you don’t have one, your full licensed name.

This may be problematic for main offices located in homes. Make sure to check that city codes or CC&Rs don’t prohibit signs.

Additional information about the about sign requirements can be found in [ORS 696.200](#) and [OAR 863-015-0125](#).

*Please see **Virtual Offices** on page 2*



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Virtual Offices

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3. Maintain your records as required by law.

Your records of professional real estate activity must be available for inspection by the Oregon Real Estate Agency. You must provide paper copies of records as requested by the Agency.

Records must be stored **in Oregon** at:

- The designated main office,
- A registered branch office (only for records generated at that location), or
- In a single location other than the main office or branch office, with written notification to the Agency, written authorization to the Agency to inspect the records,

and instructions on how to gain access to the records. See [OAR 863-015-0260](#) for more information.

Property management records may also be stored outside the state, but in the United States, with notice to the Agency. See [OAR 863-025-0035](#) for more information.

Electronic records storage is allowed as long as it meets the requirements found in [OAR 863-015-0260](#). You still must meet the other requirements of location and production of paper copies as requested.

Although a fully virtual office is not possible, you can arrange your business so you can conduct most of it virtually. ■

Great reasons to attend the

Oregon Real Estate Board Meeting in Brookings

August 4, 2014, 10:00 a.m.

[Best Western Plus Beachfront Inn](#)

- **MEET THE BOARD** and learn how they work with the Oregon Real Estate Agency.
- **GET INSIGHT** into the operations of the Agency.
- **TALK WITH AGENCY STAFF** about how the Agency can serve you better.
- **EARN 3 HOURS OF CONTINUING EDUCATION** if you [pre-register](#) with the Oregon Association of Realtors. (The meeting is open to the public, but you must register if you want continuing education hours.)

Following the Board meeting, the Oregon Association of Realtors is offering [another continuing education opportunity](#) featuring Agency managers Selina Barnes and Stacey Harrison.

Active. Inactive. Expired. Lapsed.

Know Your License Status, Avoid Becoming Unlicensed

The Real Estate Agency often receives calls from people who want to “reactivate their license” when **in fact they no longer have a license**. How does this happen?

Most often these people don’t renew their licenses and then fail to understand the differences between Active, Inactive, Expired and Lapsed license statuses.

Active License

You must have an active license to legally conduct professional real estate activity. The definition of “professional real estate activity” can be found in [ORS 696.010](#).

To have and maintain an active license, you must:

- Keep up with your [continuing education](#).
- Renew your license and pay the \$230 active renewal fee in [eLicense](#) every two year license period.
- Be associated with a principal broker or a property manager.¹

Conducting professional real estate activity without an active license may lead to an assessment of civil penalties (fines).

Inactive License

An inactive license status allows you to maintain access to your license when you are not actively engaging in professional real estate activity.

To maintain an inactive license you must renew your license and pay the \$110 inactive renewal fee in eLicense every two-year license period.

By holding an inactive license, you can get back to conducting professional real estate **without having to retake pre-license education and the license examination**.²

Expired License

When you don’t renew your license on time, your license becomes expired. **While expired, you cannot do professional real estate activity**. But the law gives you one

*Please see **License Status** on page 4*



License Status

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year to renew your license late without having to start over with education or examinations.

Lapsed License

After your license has been expired for a year, it becomes lapsed. At this point, **you are no longer licensed**. To conduct professional real estate activity, you would have to apply for a new license, meet the current pre-license education requirements, pass the license exam, and be associated with a principal broker or property manager again.

Your License Status

The Agency sends e-mails to licensees when their licenses are up for renewal, when they expire, and when they lapse. Maintaining a good e-mail address in eLicense means you can stay updated on your license status.³

You can also check your license status by logging in to your eLicense account.

Tips for Maintaining Your License

1. Renew your license on time.
2. If you must take a break from professional real estate activity, consider inactivating your license instead of letting it expire.
3. If you accidentally let your license expire, renew it as soon as possible. (You only have one year.)
4. Notify the Agency of any changes to your e-mail address using eLicense.

¹ *Principal brokers, you need to be associated with another principal broker or under your own licensed or registered business name. Property managers, you need to be associated with a principal broker, another property manager, or your own licensed or registered business name*

² *Continuing education and a reactivation exam may be needed.*

³ *You are required by administrative rule to keep a your e-mail address updated in eLicense. ■*

Code of Ethics Course Is Not LARRC

As the Agency continues to evaluate the results of recent continuing education audits, it appears that some licensees are confusing the Realtors Code of Ethics course (Ethics course) and the 3-hour Law and Rule Required Course (LARRC).

LARRC - A 3-hour course required to renew your license

All real estate licensees (brokers, principal brokers and property managers) are required by law to take the 3-hour LARRC from a certified continuing education provider each license period. The Oregon Real Estate Board approves new curriculum for the course every two years. The course counts toward the

30 total hours required for license renewal.

Ethics Course - A course required for members of the National Association of Realtors

For licensees who belong to the National Association of Realtors, the Ethics course is a requirement for membership. The Ethics course, when offered for credit to Oregon licensees **by a certified continuing education provider**, can be used toward the 27-hour continuing education requirement. But it is not required by license law.

Visit www.oregon.gov/rea to find out more about your specific continuing education 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.



REVOCATIONS

[Hacker, Wendi](#) (Tillamook) Broker 200204200. Final Order dated April 8, 2014.

[Crabtree, Jim](#) (Lincoln City) Property Manager 201204772. Stipulated Order dated May 7, 2014.

SUSPENSIONS

[Lyell, Philip](#) (Portland) Broker 810504147. Stipulated Order dated April 21, 2014, suspending license until 150 hours of education are completed.

REPRIMANDS

[Ziegler, Raya](#) (Coos Bay) Principal Broker 200403019. Stipulated Order dated April 4, 2014.

[Henthorn, Geraldine](#) (Salem) Principal Broker 840800127. Stipulated Order dated April 16, 2014.

[Matthews, Robbie](#) (Lake Oswego) Broker 200911095. Stipulated Order dated April 22, 2014.

[Vaughan, Mary](#) (Medford) Broker 200110141. Stipulated Order dated April 23, 2014.

[Hoff, Tamara](#) (Canyonville) Principal Broker 980700145. Stipulated Order dated April 24, 2014, issuing a Reprimand with a limited license.

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)

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License Status

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Mesheal Heyman, Editor

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[Court, Kari](#) (Portland) Broker 200911099. Stipulated Order dated April 2, 2014, issuing a \$100 civil penalty for a late renewal.

[Desbrow, Mark](#) (Portland) Broker 200509155. Stipulated Order dated April 2, 2014, issuing a \$4,600 civil penalty for a late renewal.

[Emick, Carolyn](#) (Bend) Broker 890400097. Stipulated Order dated April 3, 2014, issuing a \$1,600 civil penalty for a late renewal.

[Bartolome, Brad](#) (Payette, ID) Broker 200602228. Stipulated Order dated April 15, 2014, issuing a \$100 civil penalty for a late renewal.

[Cottel, Donald](#) (Eugene) Broker 910900031. Stipulated Order dated April 15, 2014, issuing a \$100 civil penalty for a late renewal.

[Schmiedeskamp, Susan](#) (Portland) Broker 900400263. Stipulated Order dated April

29, 2014, issuing a \$1,550 civil penalty for a late renewal.

[Richards, Donald](#) (Sherwood) Principal Broker 860200209. Stipulated Order dated May 7, 2014, issuing a \$1,100 civil penalty for a late renewal.

[Fish, Rae-Diane](#) (Springfield) Principal Broker 200604349. Stipulated Order dated May 8, 2014, issuing a \$3,100 civil penalty for a late renewal.

[Borcherding, Kimberly](#) (Portland) Broker 201108054. Stipulated Order dated May 15, 2014, issuing a \$1,100 civil penalty for a late renewal.

Unlicensed Activity

[Stacey, Ronald](#) (Clackamas) Unlicensed. Default Order dated March 27, 2014, issuing a \$500 civil penalty. ■

New Broker? New Property Manager? Take Advanced Practices Course

Are you a recently licensed broker or property manager? Remember that you must take two specific courses to qualify for your first active license renewal.

New brokers need to take the **27-hour Broker Advanced Practices course and the 3-hour Law and Rule Required Course (LARRC)** before their first license renewals.

New property managers have to take the **27-hour Property Manager Advanced Practices course and the 3-hour LARRC Course** before their first license renewal.

These courses must be completed from Agency-approved providers. Completion of these required courses meet your continuing education requirements for your first license renewal.

Agency Staff Change

Colleen Peissig has been hired as the Land Development Assistant. Ms. Peissig previously held this position from 2010 to 2013. She also has 15 years of experience in the

title and escrow industry, including several years as a title officer.

The Agency welcomes back Ms. Peissig and her experience in land development. ■