



# Oregon

Kate Brown, Governor

## AGENDA ITEM NO. I.D.

**Real Estate Agency**  
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**State of Oregon Real Estate Agency**

### REAL ESTATE BOARD

#### Regular Meeting Minutes

April 4, 2016

#### MEMBERS PRESENT:

Chris Hermanski, Chair  
Coni Rathbone, Vice-Chair  
Alex MacLean  
Jef Farley  
Lawnae Hunter  
Pat Ihnat  
Marcia Edwards  
Dave Koch  
Joann Hansen

#### STAFF PRESENT:

Gene Bentley, Commissioner  
Dean Owens, Deputy Commissioner  
Selina Barnes, Regulations Division Manager  
Leandra Hagedorn, Board Liaison

#### GUESTS PRESENT:

Melody Beaudro, TR Hunter Real Estate Inc.  
Loretta Botta  
Ruby Chapman, Berkshire Hathaway Home Serv.  
Dahe Good, Bella Casa RE Group  
Michelle Hagle, Heritage NW Real Estate – Sweet  
Stacey Harrison, A1 Superior Schools  
Christine Hauser, Town & Country Realty  
Desiree Johnson, TR Hunter Real Estate Inc.  
Janice Kinslow, Berkshire Hathaway Home Serv.  
Jacki Nicklous, Heritage NW Real Estate – Sweet  
Delbert Phelps, Berkshire Hathaway Home Serv.  
Mary Simpson, Coldwell Banker Coast Real Estate  
Linda Westphal, Action Realty  
Melissa Williams, Berkshire Hathaway Home Serv.  
Tim Rist, Keller Williams  
Lionel Wilson, Keller Williams  
Brian Greer, Service Master

#### I. BOARD BUSINESS

- A. **Call to Order.** Chair Hermanski called the meeting to order at 10 a.m.
- B. **Roll Call/Chair Hermanski comments.** Chair Hermanski explained the function/role of the board, asked board members to introduce themselves, and the board liaison to conduct roll call. All nine board members were present.
- C. **Approval of the Agenda and Order of Business.** The Agenda and Order of Business were approved as submitted.

**MOTION TO APPROVE THE AGENDA AND ORDER OF BUSINESS AS SUBMITTED BY JOANN HANSEN**

**SECOND BY PAT IHNAT**

**MOTION CARRIED BY UNANIMOUS VOTE**

**D. Approval of 2.1.16, regular meeting minutes.** The 2.1.16 regular meeting minutes were approved as submitted.

**MOTION TO APPROVE THE 2.1.16 REGULAR BOARD MEETING MINUTES AS SUBMITTED BY JOANN HANSEN**

**SECOND BY PAT IHNAT**

**MOTION CARRIED BY UNANIMOUS VOTE**

**E. Date of Next Meeting: 6.6.16 at The Central Oregon Association of REALTORS®, 2112 NE 4<sup>th</sup> Street, Bend, OR 97701**

**II. PUBLIC COMMENT. None.**

- **This time is set aside for persons wishing to address the Board on matters not on the agenda. Speakers will be limited to five minutes.**
- **The Board Chair reserves the right to further limit or exclude repetitious or irrelevant Presentations. If written material is included, 12 copies of all information to be distributed to board members should be given to the Board Liaison prior to the meeting**
- **Action will not be taken at this meeting on citizen comments. The Board, however, after hearing from interested citizens, may place items on a future agenda so proper notice may be given to all interested parties.**
- **If no one wishes to comment, the next scheduled agenda item will be license.**

**III. REQUESTS FOR WAIVERS – Waiver Request Log.** Commissioner Bentley asked the board members if they preferred an expanded version of the Waiver Request Log and the board requested the history span be 5 years.

**A. Dahe Good requests waiver for principal broker license.** 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. Discussion: None.

**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**

**B. Lisa Neef requests waiver for principal broker license.** 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. 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.

**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**

**C. Tim Rist requests waiver for principal broker license.** 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. 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).

**MOTION TO APPROVE TIM RIST'S REQUEST FOR WAIVER OF EXPERIENCE FOR PRINCIPAL BROKER BY CONI RATHBONE**

**SECOND BY ALEX MACLEAN**

**MOTION CARRIED BY UNANIMOUS VOTE**

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

**A. Brian Greer will appear in person.** 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. Discussion: None

**MOTION TO APPROVE BRIAN GREER'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH**

**SECOND BY CONI RATHBONE**

**MOTION CARRIED BY UNANIMOUS VOTE**

**B. John Estrem will appear by phone.** 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. Discussion: None.

**MOTION TO APPROVE JOHN ESTREM'S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY CONI RATHBONE**

**SECOND BY PAT IHNAT**

**MOTION CARRIED BY UNANIMOUS VOTE**

V. **BOARD ADVICE ACTION – Commissioner Gene Bentley. Make recommendation to the Agency for filing on proposed rule.** Commissioner Bentley asked the board to provide feedback regarding the proposed rule. Joann Hansen asked Commissioner Bentley who had jurisdiction over reciprocal license violations and he responded that reciprocal issues are handled as they arise.

VI. **COMMUNICATIONS – Administrative Actions Summary**

VII. **REPORTS**

A. **Commissioner Gene Bentley**

-Anna Higley has accepted the Business and Technical Services Manager position at the Agency

-Thank you to board members for contributions to Governor's Food Drive

-Agency received a 2015 CFO goal star award thanks to Caty Karayel

-Schedule for future board meetings:

- 6.6.16-Bend
- 8.1.16-Pendleton
- 10.3.16-Portland
- 12.5.16-Salem

-Should REA Managers be present at board meetings? Board consensus was that REA managers should be present at the meetings held in Salem only.

-Short legislative session has concluded

- SB5702 requests Agency fee increase and is in Legislative process
- SB 1582 directs housing and community services and fast track affordable housing
- HB 4143 prohibits rent increases for month to month tenants

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

1. **Regulation Division – Selina Barnes.** Ms. Barnes explained that the Administrative Assistant recruitment has opened and all investigators attended a mandatory defensive driving training recently. She also reported that she recently spoke at the Oregon Land Title Association and would be presenting the CE class after the board meeting. Ms. Barnes also explained that she would be attending the upcoming ARELLO Mid-Year Conference & Investigator Workshop at which time Peter Bale would be receiving the Investigator of the Year Award.


2. **Land Development Division – written report by Michael Hanifin.** Deputy Commissioner Owens reviewed the statistics in provided in the division report.

3. **Education, Business and Licensing Division – Deputy Commissioner Owens.** Deputy Commissioner Owens explained that Anna Higley, Business and Technical Services Manager would be facilitating the modifications/upgrades/additions to the eLicense module and summarized the statistics provided in the division report. He also reported that no course reviews/submittals are in progress with the Education division currently and reviewed the information provided in the division report.

VIII. **ANNOUNCEMENTS – Next board meeting: 6.6.16 at The Central Oregon Association of REALTORS®, 2112 NE 4<sup>th</sup> Street, Bend, OR 97701.**

IX. **ADJOURNMENT**

Respectfully submitted:

  
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GENE BENTLEY, COMMISSIONER

Respectfully submitted:

  
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CHRIS HERMANSKI, BOARD CHAIR