



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
PO Box 9021, Olympia, Washington 98507-9021
REAL ESTATE COMMISSION MEETING
MINUTES

DATE: September 20, 2011

PLACE: Dept. of Labor and Industry
Conference Room 4
901 N. Monroe Street
Spokane, WA 99201

CONTACT PERSON: Jerry McDonald, Administrator
(360) 664-6525
Email: jmcdonald@dol.wa.gov

CALL TO ORDER: Cate Moye/ Vice Chair 9:00 a.m.

A. Attendance

Commissioners Present: Cate Moye/Vice Chair, Jeff Thompson, Dave Azose, Jess Salazar, George Pilant, Kyoko Wright

Staff Present: Jerry McDonald, Administrator

B. Approval of Agenda - Agenda approved as amended (Item I moved to follow item L)

C. Approval of Minutes

- a) June 9, 2011 Commission Meeting - Approved as presented
- b) August 4, 2011 Special Commission Meeting - Approved as presented

D. Updates or Unresolved Issues for the Changing Business Practices

Jerry McDonald updated the commission on the status of the following:

- a) Home Inspector Referral – CR 101 filed and moving forward with the rule adoption process.
- b) Unlicensed Assistant Guidelines – are completed and updated on the department's web site.
- c) Trust Fund Handling - sent back to the Changing Business Practices with Georges recommendation to add "if broker instructed to deliver."
- d) Other proposed rules were previously approved and awaiting the expiration of the Governors' moratorium on rule to expire to begin the process.

E. New Issues

- a) RFP –After discussion Cate Moyer moved, Kyoko Wright seconded, and the commission approved; Education Sub Committee will review options/ideas to create new education tools using the Education monies.
- b) After discussion it was moved, seconded and approved; Education Subcommittee will review and update Instructor Competencies with the idea to have providers involved.
- c) There was a discussion regarding allowing clock hours for attending commission meetings. The issue was tabled.
- d) A lengthy discussion was initiated by a letter from The King County Association of Realtors asking the commission to review the classification Managing Broker. The commission agreed that the issue needs to be addressed and recommended that a task force be formed. The task force will identify organizations to be included in addressing the concerns expressed in the letter. Kyoko Wright agreed to head the task force.

F. AMP Broker Simulation Test – Jerry presented an overview of the new format and read a letter from a broker who found it much better suited to calculating a broker’s knowledge of day-to-day operations. All commissioners were pleased with the results.

G. Continuing Education – 15 carryover hours – There was a discussion regarding the wording of WAC 308-124A-790. Jerry will consult with the AG to determine if WAC 308-124A-790 is supportable although it does limit the statute. Depending on AG’s opinion it may be returned to the Education Subcommittee.

H. Licensees – Branch Office - Discussion regarding the allowance of a DB to appoint themselves as a Branch Office was generally accepted. Well need further discussion with Changing Business Practices Subcommittee.

I. WSU Database of courses – Moved to follow L

J. Rules for Returning to Broker Level – Rules for Managing Broker returning to Broker is referred to Changing Business Practices Subcommittee.

K. Continuing Education – Most continuing education courses are reviewed by department staff and commissioners as a matter of policy/procedure. Jerry McDonald pointed out that only one course in 572 from the last 8 months had been disapproved and that was upheld by the commission. Jerry McDonald proposed that department staff would review and approve all courses. If staff was going to deny a course, then it would go to a commissioner. The commission agreed that all review of courses to now be done by Real Estate Program staff unless disapproved. Commissioners ask staff if they have any questions to forward to Real Estate Commission.

In a separate discussion the Real Estate Commission agreed that the WCRER database of approved courses be discontinued as providers were not updating their information.

L. **WSU Review** – Glen Crellin reported that he will be moving his program to the University of Washington. He asks that any ideas for the next news letter be forwarded to him.

M. **Budget** – Jerry McDonald presented an overview of the budget.

N. **Open Forum** –

- Mr. Salazar voiced concerns about the new e-signature and asked for input from others.
- Jerry McDonald stated he had been contacted and was asked to have the commissioners consider changing the current practices on not allowing an instructor credit for teaching a class. After a short discussion the commission stated they did not want to give instructors clock hour credit for teaching.

O. **Summary of Action Items** – Jerry McDonald presented a summary of the action items from this commission meeting.

- a. Trust fund handling – send back to the Changing Business Practices – George’s recommendation to add “if broker instructed to deliver.”
- b. RFP – Have education Sub Committee review ideas for potential new ideas so that department would have much quicker response time.
- c. Instructor Competencies to Education Subcommittee with idea to have providers give recommendation to Subcommittee.
- d. SCAR letter regarding licensee names Commission ask department to develop Task Force, chaired by Kyoko with George and Jess as supporting commissioners. Kyoko and Jerry will work on 1st meeting and identify groups to include.
- e. WAC 308-124A-790 seek counsel from AG if we need to change rule – appears to conflict with statute regarding 15 carryover-hours. Commission thought carryover no longer serves a need.
- f. Discussion regarding the allowance of a DB to appoint themselves as a Branch Office was generally accepted. Will need further discussion with changing Business Practices Subcommittee.
- g. Rules for Managing Broker returning to Broker is referred to Changing Business Practices Subcommittee
- h. Review of courses will now be done only by staff unless disapproved. Commissioners ask staff if they have any restrictions to forward to Real Estate Commission.
- i. Refer any idea for next news letter to Glen Crellin
- j. The commission agreed and instructed WCRER to discontinue their database of approved courses.
- k. The commission wants to continue our current practice of not allowing instructors credit for teaching a class.

P. Adjourn

Respectfully submitted,

Jerry McDonald
Administrator

We are committed to providing equal access to our services. If you need accommodation, please call 360-664-6525 or TTY 360-664-0116.