



Oregon

Theodore R. Kulongoski, Governor

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Notice of Agenda
OREGON REAL ESTATE BOARD
Regular Meeting Agenda

Monday, April 6, 2009
Oregon Real Estate Agency
1177 Center Street NE
Salem, OR 97301

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

I. BOARD BUSINESS

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda and Order of Business
- D. Approval of February 2, 2009, regular meeting minutes
- E. Date of the Next Meeting: June 1, 2009 in Baker City, Oregon at the Best Western Sunridge Inn.

II. PUBLIC COMMENT

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 – Waiver request log.

IV. BOARD ADVICE/ACTION

- A. Team Advertising (handout included in packet-please be prepared to discuss)
- B. Civil penalties and unlicensed activity/expired license

V. COMMUNICATIONS – Administrative Actions Summary

VI. OREGON REAL ESTATE NEWS JOURNAL-Chair Kegler

VII. REPORTS

- A. Chair Kegler-Formal farewell to Troy Costales
- B. Commissioner Gene Bentley
 - 1. Introduction of George Slape as new public board member
 - 2. Legislative Update
- C. Agency division reports
 - 1. Regulation Division – Selina Barnes
 - 2. Licensing Division – Laurie Hall
 - 3. Education Division – Mesheal Heyman
 - 4. Land Development Division – Laurie Skillman
 - 5. Administration/Information Systems Division – Kate Nass

VIII. ANNOUNCEMENTS-Please note the change in the meeting sites below:

2009 Board meeting schedule

- April 6, Salem
- June 1, Baker City
- **August 3, Portland (previously Salem)**
- October 5, Mid-Columbia
- **December 7, Salem (previously Portland)**

IX. ADJOURNMENT. Board members to meet Julia Wu and Jon Cvetko, consultants with TEK Associates.

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

State of Oregon Real Estate Agency

REAL ESTATE BOARD

**Regular Meeting Minutes
February 2, 2009**

- MEMBERS PRESENT:** Art Kegler, Chair
Warren (Lee) Dunn, Vice-Chair
Chris Hermanski
Robert LeFeber
Marianne Wood
Michael Graeper
Byron Hendricks
Troy Costales
Kimberly Medford (by phone)
- MEMBERS ABSENT:** None
- STAFF PRESENT:** Gene Bentley, Commissioner
Dean Owens, Deputy Commissioner
Selina Barnes, Regulation Division Manager
Laurie Skillman, Land Development Division Manager
Kate Nass, Administrative Services Division Manager
Laurie Hall, Licensing Division Manager
Leandra Cooley, Board Liaison
- GUESTS PRESENT:** Paul Simmons
Jinean Florom, Property Management Services of Oregon, Inc.
Jana Jarvis, Oregon Association of Realtors
Kellie Sams

I. BOARD BUSINESS

- A. Commissioner Bentley welcomes new Chair and Vice-Chair**
- B. Call to Order.** Chair Kegler called meeting to order.
- C. Roll Call.** Board Liaison conducts roll call.
- D. Approval of the Agenda and Order of Business.** Agenda and Order of Business approved as submitted.
- E. Approval of December 1, 2008, regular meeting minutes.** December 1, 2008 minutes approved with one correction (add Chris Hermanski as being present at December 1, 2008 meeting).
- F. Date of Next Meeting: April 6, 2009 in Salem, Oregon.** Meeting scheduled for June 1, 2008 will be held in Baker City, Oregon.
- G. Recognition of Michael Graeper for service as Board Chair.** Chair Graeper turned the meeting over to Commissioner Bentley at this time. Commissioner Bentley presented Michael Graeper with a plaque from the

Agency and letter of appreciation from Governor Kulongowski for his service as the Oregon Real Estate Board Chairperson. Mr. Graeper expressed his pleasure of serving as board chairperson.

II. PUBLIC COMMENT. None.

III. REQUESTS FOR WAIVERS

A. Waiver Request Log. Michael Graeper asked Chair Kegler if it would be possible to include the reasons for denial and/or approval of waiver requests. Laurie Hall, Licensing Division Manager, responded that she would include this information in future waiver request logs.

B. Jinean Florom requests experience requirements waiver for a sole practitioner license (included in packet). Chair Kegler invited Ms. Florom to address her waiver request. Ms. Florom explained that she has been working as a property manager in La Grande, Oregon for three years. Chair Kegler asked Ms. Florom if she has had any involvement with the Real Estate Agency at any time and she responded that she was audited by the Real Estate Agency in November of 2007. Chair Kegler also asked Ms. Florom if she was currently involved with the Real Estate Agency and she responded that to her knowledge nothing was currently pending with the Real Estate Agency. Michael Graeper asked Ms. Florom to clarify the amount of time she is asking to be waived and how long has she been licensed. Ms. Florom responded that she applied for a property manager's license in 2005 and began practicing in 2006 and if she had any sales experience. Ms. Florom responded that she does not have sales experience however, she does own a mobile notary service and eighteen years of experience working with contracts of sales of new homes. Commissioner Bentley explained that typically a sole practitioner is a person who has had a minimum of three years of experience as a licensed broker and asked Ms. Florom if she was requesting to have all three required years waived. Ms. Florom indicated that she was requesting to have all three years waived because she believes she has enough experience based on her involvement with refinancing loans activities which have been strictly from a notary perspective.

MOTION TO DENY WAIVER REQUEST BY BYRON HENDRICKS

MOTION CARRIED BY UNANIMOUS VOTE. Chair Kegler encouraged Ms. Florom to obtain a brokers' license, practice under a principal broker to gain some experience and possibly apply for another waiver request at a later date.

C. Paul Simmons requests experience requirements waiver for a sole practitioner license (included in packet). Chair Kegler asked Mr. Simmons to give a brief introduction regarding his waiver request. Mr. Simmons provided a brief history of his background, which included twenty years of experience in the retail real estate development industry.

Bob LeFeber recused himself from voting on Mr. Simmons waiver request due to conflict of interest. Chair Kegler asked Mr. Simmons to explain what direction he would take if the waiver request was to be allowed. Mr. Simmons responded that he is interested strictly in commercial real estate activity. Byron Hendricks asked Mr. Simmons to explain why he chose not to obtain a brokers' license prior to submitting his waiver request and Mr. Simmons indicated that he did not want to go through the process when his ultimate goal is to become a sole practitioner. Marianne Wood stated that Mr. Simmons' references were impeccable and she did not doubt his qualifications, however, she indicated her concern was setting precedent with waiving the entire three year requirement.

MOTION TO DENY WAIVER REQUEST BY BYRON HENDRICKS

MOTION CARRIED BY UNANIMOUS VOTE WITH ONE ABSTENTION (LEFEBER). Byron Hendricks encouraged Mr. Simmons to submit another waiver request after one year.

D. Waiver requests packets

- 1. Return packets to Agency at conclusion of meetings-Chair Kegler.** Chair Kegler asked board members to submit all waiver request packets to the Agency for disposal.
- 2. Documents posted to Agency Website-Deputy Commissioner Owens.** Deputy Commissioner Owens explained that due to some of the personal information provided to the Agency in the waiver requests applications, the Agency has decided to only form that will be posted as part of the board packet on the Agency web site will be the "Experience Requirement Waiver Request Agency Synopsis" form.

BOARD ADVICE/ACTION-Kate Nass. Make recommendations to the Agency for filing on proposal rule. (memo and draft rule included in packet). Kate Nass clarified that the handout provided in the packet was the incorrect handout. The rule being addressed at this time relates to potential employees of the Oregon Real Estate Agency.

MOTION TO RECOMMEND THE AGENCY FILE PERMANENT RULE ON DIVISION 3, EMPLOYEE BACKGROUND CHECK RULES BY BYRON HENDRICKS.

MOTION CARRIED BY UNANIMOUS VOTE WITH ONE ABSTENTION (COSTALES).

IV. NEW BUSINESS-Deputy Commissioner Dean Owens

- A. Updated Agency Organization Chart (included in packet).** The Agency Organization Chart reflects the restructuring that occurred at the Agency in the beginning of January, 2009.
- B. Phone list (included in packet).** The Agency Phone List reflects the most recent phone numbers and extensions assigned to staff.

V. COMMUNICATIONS-Administrative Actions Summary

VI. OREGON REAL ESTATE NEWS JOURNAL-Chair Kegler. The board members who will write articles for the OREN-J in the following order are:

- Michael Graeper
- Byron Hendricks
- Chair Kegler

VII. REPORTS

A. Chair Kegler. Member handbooks (Waiver request log and Administrative Actions Summary). Chair Kegler suggested that board members make good use of their member handbooks that were provided to them by filing board packet documents in the handbooks.

B. Commissioner Gene Bentley

1. Bills carried by the Agency

- **SB 140 (included in packet).** First reading was held on January 15, 2009 and referred to the Business and Transportation Committee. A hearing or work session has not been scheduled at this time.
- **SB 141 (included in packet).** First reading was also held on January 15, 2009 and referred to Consumer Protection and Public Affairs. A public hearing and work session have been scheduled for February 3, 2009 at 3:00 p.m.

2. Bills carried by OAR. OAR has drafted two bills dealing with concepts developed from the Agency rule review. The bills are being drafted and the Agency's input is being implemented in these draft bills.

The Agency's first budget hearing is scheduled for February 10, 2009 at 3:00 p.m. and a work session is scheduled to follow on February 12, 2009 at 3:00 pm.

3. Report on ARELLO Board of Directors Meeting. The Board worked on the updating the strategic plan for ARELLO. The ARELLO Annual Conference will be held in North Carolina in April of 2009. ARELLO is forming a special committee to review reciprocal licenses for commercial practitioners and Commissioner Bentley indicated that he would be a participant in this committee and provide progress reports.

4. **Governors' Food Drive.** Commissioner Bentley asked the Board members to contribute to the food drive any way they can.
5. **Gold Star Award.** The Agency's fiscal staff earned a state controllers' gold star certificate for fiscal year 2008 for outstanding work.
6. **Agency Head Meeting.** All agency heads met on January 20, 2009 to discuss budget issues. The revenue decrease for 2009-2011 the estimated short fall will be between three hundred and six hundred million dollars and this is in addition to the hundred and forty-two million dollar deficit forecast. As an "other" funded agency, the Real Estate Agency is not anticipating the necessity for employee lay offs.
7. **History of Licensees.** As of December, 2008 the current total number of individual licensees is 23,602 which reflects a 4.1% decrease and Commissioner Bentley refers **Exhibit A**, which reflects this information.

Commissioner Bentley reported that Mr. Joseph Dent is originally licensed in August of 1945. Mr. Dent is currently 80 years old and is a sole practitioner.

C. Deputy Commissioner Dean Owens

1. **Draft of Agency's Strategic and Business Plan (included in packet).** The Strategic Plan memorializes some issues that were addressed at the last legislative session and presents unified view of division components and how the Agency will work towards reaching common goals. The Strategic Plan lays out the history, structure, basic fundamental, four common goals, business plans for each division of the Agency.

D. Agency division reports-Deputy Commissioner Owens (reports included in packet)

1. **Regulation Division-Selina Barnes.** Ms. Barnes reported that the division is focusing on getting back log cases completed within a timely fashion and also reported that the availability of appearing by phone at hearings has received positive feedback.
2. **Licensing Division-Laurie Hall.** Ms Hall reported that there has not been a decrease in existing brokers, however, there is an increase in inactive status licenses. The division is officially accepting documents by fax.
3. **Education Division-Mesheal Heyman.** Deputy Commissioner Owens reports in Mesheal Heyman's absence and as she mentioned earlier, there has been some restructure in the Education Division due to allocation of resources. The division suspended the client trust account audits temporarily. Deputy Commissioner Owens reviews the handout of statistics.

4. **Land Development Division-Laurie Skillman.** Ms. Skillman reported that decrease in filings continues and reviews the handout of statistics.
5. **Administrative/Information Systems Division-Kate Nass.** Ms. Nass refers to the handout provided that gives an overview of the Governor's Recommended Budget and reviews handouts provided in the board packet.

VIII. ANNOUNCEMENTS

A. 2009 Board meeting schedule

- **April 6, Salem** (Michael Graeper asked to be excused from this meeting)
- **June 1, Baker City**
- **August 3, Salem**
- **October 5, Mid-Columbia**
- **December 7, Portland**

B. **Agency's 90th Birthday.** Commissioner Bentley extends an invitation to all board members to attend this event.

IX. ADJOURNMENT. Board members to visit the Education and IT Education Divisions immediately following the meeting. Division visits were canceled due to staff scheduling conflicts and new date to be announced.

Exhibits distributed:

- A. History of Licensees, *Agenda Item No. VII. B. 7.*

Oregon Real Estate Board
 Experience Requirement Waiver Request Log
 2009

**AGENDA ITEM NO.
 III.**

| Date | Name | Type of License | | Board Decision | | Facts & Board Discussion |
|--------|----------------|-----------------|----|----------------|------|--|
| | | PB | SP | Approve | Deny | |
| 2/2/09 | Florum, Jinean | | X | | X | <p>FACTS: Active Property Manager since February 13, 2006; 88 credit hours Real Estate Certificate from Emily Griffith Opportunity School in Colorado in 1995.</p> <p>DISCUSSION: Ms. Florum explained that she has been working as a property manager in La Grande, Oregon for three years. Chair Kegler asked Ms. Florum if she has had any involvement with the Real Estate Agency at any time and she responded that she was audited by the Real Estate Agency in November of 2007. Chair Kegler also asked Ms. Florum if she was currently involved with the Real Estate Agency and she responded that to her knowledge nothing was currently pending with the Real Estate Agency. Michael Graeper asked Ms. Florum to clarify the amount of time she is asking to be waived and how long has she been licensed. Ms. Florum responded that she applied for a property manager's license in 2005 and began practicing in 2006 and if she had any sales experience. Ms. Florum responded that she does not have sales experience however, she does own a mobile notary service and eighteen years of experience working with contracts of sales of new. Commissioner Bentley explained that typically a sole practitioner is a person who has had a minimum of three years of experience as a licensed broker and asked Ms. Florum if she was requesting to have all three required years waived. Ms. Florum indicated that she was requesting to have all three years waived because she believes she has enough experience based on her involvement with refinancing loans activities which have been strictly from a notary perspective. Chair Kegler encouraged Ms. Florum to obtain a brokers' license, practice under a principal broker to gain some experience and possibly apply for another waiver request at a later date.</p> |

Oregon Real Estate Board
Experience Requirement Waiver Request Log
2009

| | | | | |
|---------------|-------------------------|----------|----------|--|
| <p>2/2/09</p> | <p>Simmons, Paul A.</p> | <p>X</p> | <p>X</p> | <p>FACTS: Inactive Broker effective 1/1/09; 20 years as VP Retail Development for WinCo Foods, LLC. DISCUSSION: Mr. Simmons provided a brief history of his background, which included twenty years of experience in the retail real estate development industry. Bob LeFeber recused himself from voting on Mr. Simmons waiver request due to conflict of interest. Chair Kegler asked Mr. Simmons to explain what direction he would take if the waiver request was to be allowed. Mr. Simmons responded that he is interested strictly in commercial real estate activity. Byron Hendricks asked Mr. Simmons to explain why he chose not to obtain a brokers' license prior to submitting his waiver request and Mr. Simmons indicated that he did not want to go through the process when his ultimate goal is to become a sole practitioner. Marianne Wood stated that Mr. Simmons' references were impeccable and she did not doubt his qualifications, however, she indicated her concern was setting precedent with waiving the entire three year requirement. Byron Hendricks encouraged Mr. Simmons to submit another waiver request after one year.</p> |
|---------------|-------------------------|----------|----------|--|

From: Andrea Bushnell [mailto:ABUSHNELL@oregonrealtors.org]
Sent: Thursday, March 05, 2009 1:44 PM
To: Bentley, Gene
Cc: Dannie Walker; Alan Mehrwein; Art Kegler
Subject: Team advertising

Hi Gene,

After our discussion on Friday I asked my staff for an analysis of the advertising rule as it pertains to teams and groups. As you will remember our concern is that the Agency's interpretation of the advertising rule requiring that our members include every licensee in a team or group to be included in all advertising (including business cards and yard signs) is of significant concern because it is simply not feasible. As you will see below, OAR also does not agree with the Agency's interpretation. The easy response is for our members to not use the team or group name in their advertising. The problem with the easy response is that many of our members have expended quite a lot of time and money in branding their teams and groups only to be told not to use the team or group name if the Agency's interpretation is problematic.

I have copied below OAR's analysis, suggestions and my offer to work together to help the Agency and help our members find a better and still workable solution.

Introduction

In the most recent Commissioner's Bulletin, the Real Estate Commissioner offered the following "explanation" of the advertising rule, OAR 863-015-0125: "[OAR 863-015-0125](#) states that if a licensee uses the term "team" or "group" in advertising, the licensed name of each licensee in the team or group must be used in such advertising. This means all licensees in the "team" or "group." The explanation went on to point out that "[a]dvertising includes business cards, yard signs, newspaper advertisements, etc." According to the Bulletin, "[t]he reason this [names of all team or group members on business cards, lawn signs and so on] is required is that the "team" or "group" name is not registered with the Agency. If someone calls in about a team or group, the Agency needs the names of the licensees in that team or group to look up information."

Needless to say, the explanation has caused considerable concern among REALTORS®, especially with respect to individual agent business cards and lawn signs. Large teams will simply not be able to comply with the rule given the space constraints of lawn signs (size regulated by local government ordinances) and business cards. They will thus have to give up using the terms "team" or "group" even though they may have expended a great deal of time and money branding their team or group name.

Analysis

It is not clear exactly what "information" the Agency would have to "lookup" if someone "calls in" about a "team" or "group" The advertising rule requires that "[t]he licensed name or registered business name of the principal real estate broker, sole practitioner, real estate broker, or property manager must be prominently displayed, immediately noticeable, and conspicuous in all advertising." The licensed or registered business name of the person in

whose name the advertising is done and who reviewed and approved the advertising, would seem the logical place to start if “someone calls in about a ‘team’ or ‘group’.” If there is a “problem” with the advertising, the responsible licensees will not be difficult to find.

What has no doubt happened is that Agency personnel have found they have no way (short of calling the principal broker) to find out who is on a “team” or “group.”^[1] That the Agency, for administrative reasons, might want information about teams and groups is understandable. What is not understandable is why the Agency would use the advertising rule to “solve” its administrative problem. The problem which exists, that Agency doesn’t have record of team or group membership within companies, is not in the advertising itself or caused by the advertising. Because the problem is not in the advertising, and the advertising rule is intended to deal with problems created by advertising, the new interpretation does not really fit the rule.

OAR 863-015-0125 does not actually say that “if a licensee uses the term “team” or “group” in advertising, the licensed name of each licensee in the team or group must be used in such advertising.” That is not the language of the rule. Nor is it consistent with structure or purpose of the rule. What the rule actually says is that a licensee may (permissive) use the term “team” or “group” in advertising if they meet all the requirements set out in OAR 863-015-0125(11). One requirement in subsection 11 is that: “The licensed members of the team or group use each licensee’s licensed name as required under section (3) of this rule.”

Parsing OAR 863-015-0125(11)(d) is no easy task. Although one might be able to read the provision to say that all advertising must include the names of all team or group members, what it actually says is that the licensed members of a team (as opposed to the unlicensed members) must each use their licensed name in the ad “as required by section (3)” of the rule. Section (3) doesn’t require ads to contain anyone’s name. It just says that if a licensee uses their name in advertising it must be their licensed name. OAR 863-015-0125(11)(d) expressly references section (3) and therefore incorporates the licensed name requirement. Taken together, subsection (11)(d) and section (3) can be read to simply require a licensee who is a member of a team to use their licensed name. The use-your-licensed-name-in-your-ads-if-you-use-team-or-group-in-the-ad applies to “each licensee” member of a team or group. The purpose of the rule is to make certain that when “team” or “group” is used in advertising, the licensee using the “team” or “group” term is identified. OAR 863-015-0125(11)(d) is necessary because otherwise the individual using the term could remain anonymous under section (3).

OAR’s interpretation is consistent with subsection (3). The purpose of subsection (3) is to make certain that ads that contain a name contain one the Agency can identify as that of a licensee. When a licensee uses the word “team” or “group” by itself in the licensee’s advertising, that identification is lost even though the ad is that of an individual agent. OAR 863-015-0125(11)(d), therefore, requires as an exception to section (3) the licensed name of the team member who is doing the advertising be in the ad. What is needed for advertising enforcement (the purpose of

^[1] The Association understands the regulatory difficulties that arise as the result of the industry movement toward “teams” and “groups” made up of licensees and licensed assistants that tend to operate as a “business within a business.” In anticipation of these regulatory needs, the Association added provisions to legislation it sponsored to give the Agency specific statutory authority to deal with “licensed assistants.” The legislation also provided for written office policies and practices regarding divided supervision and control of licensees. These provisions give the Agency express authority to require registration of teams and groups or to adopt other means of keeping track of relationships within companies.

OAR 863-015-0125) is the licensed name of the person who is advertising themselves as part of a “team” or “group,” not the names of everyone in the team or group.

Conclusions and Recommendation

Certainly, it should be clear to the Agency that OAR does not agree with the Agency’s recent interpretation. OAR will assist members with money and counsel if the rule, as interpreted, is enforced against a member. However, OAR will work with the Agency to develop new rules to deal with the administrative problems associated with teams and groups. While that work is underway, OAR 863-015-0125(11)(d) could be rewritten and enacted as a temporary rule that meets the Agency’s administrative needs without creating so great a burden on our members.

Another way to mitigate the concerns of members while still meeting the Agency’s administrative needs would be to exempt business cards and lawn signs from OAR 863-015-0125. It would be a simple matter to draft a temporary rule with such an exception. Another option would be to consider having the legislature offer the Agency statutory guidance on advertising.

^[1] The Association understands the regulatory difficulties that arise as the result of the industry movement toward “teams” and “groups” made up of licensees and licensed assistants that tend to operate as a “business within a business.” In anticipation of these regulatory needs, the Association added provisions to legislation it sponsored to give the Agency specific statutory authority to deal with “licensed assistants.” The legislation also provided for written office policies and practices regarding divided supervision and control of licensees. These provisions give the Agency express authority to require registration of teams and groups or to adopt other means of keeping track of relationships within companies.

Please let me know if you have any questions Gene. I am offering to assist the Agency in writing temporary rules or in looking at other options that will allow the Agency to be able to solve its identification issues while not causing our members undue hardship under this rule. Let me know how we can help.

Andrea
Andrea Bushnell, CEO and General Counsel
Oregon Association of REALTORS

ADMINISTRATIVE ACTIONS

January 22, 2009 thru March 20, 2009

REVOCATIONS

Halpin, J. Paul (Redmond) Broker #840500092

Default Order dated January 7, 2009, effective January 7, 2009. Halpin commingled \$750 of his money with security deposits; Halpin failed to show from whom the funds were received in the security deposit account; Halpin failed to maintain a bank statement; Halpin failed to maintain all cancelled and voided checks as part of the records maintained; Halpin failed to identify the property charged; Halpin failed to account for checks; Halpin failed to identify the reason for disbursement; Halpin transferred security deposit funds into his business operating account; Halpin failed to maintain security deposits in the security deposit account; Halpin allowed bank fees to be withdrawn from the CTA; Halpin overdrew his CTA; Halpin allowed NSF fees to be withdrawn from his CTA; Halpin conducted his property management business in a name other than his licensed name; and Halpin committed fraud or engaged in dishonest conduct substantially related to his fitness to conduct professional real estate activity.

Violations: ORS 696.241(8), 696.301(1)(14); OAR 863-025-0025(1)(3a)(9), 025-0030(1), 025-0035(1b), 025-0040(2), 025-0065(3)(5)

Stacey, Ronald W. (Portland) Broker #980600142

Hearing order dated November 24, 2008, effective December 1, 2008. Stacey was convicted of a felony or misdemeanor related to his trustworthiness or competence to engage in professional real estate activity; Stacey failed to advise OREA of his federal conviction; and Stacey applied for a real estate license after agreeing not to do so.

Violations: ORS 696.301(13), (26) (prior to 1-1-06), OAR 863-015-0175(1)

SUSPENSIONS

Kidder, William H. (Salem) Broker #200106162

Default order dated February 2, 2009, issuing a 60 day suspension effective February 2, 2009. Kidder took personal loans from a client, provided the client with NSF checks for repayment, and did not repay the loans until his principal broker became involved; Kidder advised the buyer that repairs itemized had been completed when they had not.

Violations: ORS 696.301(14)

Konev, Lazar N. (Salem) Broker #200004075

Default order dated November 13, 2008, issuing a 6 month suspension effective November 13, 2008. Konev advertised in MLS and on a flyer that water and sewer utility connections had been made to vacant land offered for sale by his client, when in fact no such connections had been made.

Violation: OAR 863-015-0125(5)(a)

Murr, Leo Orozco (Beaverton) Broker #200509081
Default order dated November 4, 2008, issuing a 6 month suspension effective December 1, 2008. Murr obtained the commission check payable to his brokerage, signed his name on the back of the check, and deposited the check into his personal bank account.

Violation: ORS 696.301(14)

Seal, Charlie B. (Grants Pass) Broker #200302132
Default order dated February 2, 2009, issuing a 60 day suspension effective February 2, 2009. Seal failed to provide a copy of a listing agreement to the seller and to his principal broker; Seal failed to maintain a current mailing address of record with OREA.

Violations: OAR 863-015-0062(1), 015-0130(1), 015-0255(2)

REPRIMANDS

Gurzi, Steve (Grants Pass) Broker #870200039
Stipulated order dated January 28, 2009. Gurzi allowed the buyer access to the subject property by giving him the security gate access code to the subject property.

Violation: ORS 696.810(3)(a)

Spear, Donna J. (Coos Bay) Broker #990700154
Stipulated order dated January 5, 2009. Spear advertised two properties without the written permission of the property owners or owners' authorized agent; Spear failed to submit her proposed advertising to her principal broker for review and receive her principal broker's approval before publicly releasing the advertising.

Violations: OAR 863-015-0125(2)(e), (5)(a)

Stern, Lisa Ann (Medford) Broker #200606099
Stipulated order dated February 9, 2009. Stern allowed a yard sign to be placed that did not include the licensed registered business name of her principal broker, was not identified as advertising of a licensee where the telephone number listed on the sign led callers to her contact information, and was not submitted to her principal broker for approval; Stern allowed a recorded message to be used that was not identified as advertising of a licensee, and stated that she was the owner of the property when she was not.

Violations: OAR 863-015-0125(2)(a)(b), (4), (5)(a)

Terway, Janice K. (Dallas) Broker #961000231
Hearing order dated April 14, 2006. The Agency order was appealed and the Court of Appeals affirmed the Agency order on November 5, 2008. Terway failed to disclose the flood plain information in her possession to the buyers or their agent, which was a material fact, which created a reasonable probability of damage or injury. Terway failed to disclose the flood plain information to the buyers or their agent, which was a material fact known to the licensee and not readily apparent or ascertainable to a party.

Violations: ORS 696.301(1) and 696.805(2)(c) (2003 Edition)

Winqvist, John C. (Tigard) Property Manager #920800151
Stipulated Order dated November 13, 2008. Winqvist failed to maintain a copy of a management agreement in his records; Winqvist failed to deposit security deposit funds within three banking days; Winqvist failed to hold security deposits in an account labeled "Clients' Trust Account – Security Deposits"; and Winqvist failed to provide the amount of and the reason for all funds paid by the tenant to the property manager.

Violations: OAR 863-025-0035, 025-0030(1)(2), 025-0045(1)(c)

CIVIL PENALTIES

Expired — OAR 863-015-0050(2) — 31-60 days — \$100

Childs, Gregg E. (Portland) #980200122 – 36 days – 12-10-08 Stipulated Order

Expired — OAR 863-015-0050(2) — 61-90 days — \$600

Brandon-Lasko, Christine L. (Portland) #950300171 – 80 days – 1-13-09 Stipulated Order

Chase, Stephen M. (St Helens) #990900066 – 69 days – 11-18-08 Hearing Order

Crane, Jennifer Lupton (Ashland) #200604045 – 75 days – 11-17-08 Stipulated Order

Expired — OAR 863-015-0050(2) — 91-120 days — \$1,100

Johnston, Janet M. (Roseburg) – #790800312 – 108 days - 11-17-08 Stipulated Order

Masters, Gina Christine (Lake Oswego) 3-19-09, 110 days, Stip

Expired — OAR 863-015-0050(2) — 151-180 days — \$2,100

Galaski, Julie N. (Portland) #951000151 – 164 days – 1-6-09 Stipulated Order

Expired — OAR 863-015-0050(2) — 211-240 days — \$3,100

Culick, Marietta "Molly" Huxham (Salem) #200602063 – 226 days – 12-10-08 Stipulated Order. Prior to renewal, Culick changed her name and OREA did not mail her license after the name change, which caused problems in tracking the renewal, resulting in a \$1,550 civil penalty.

Wyszynski, Christina (Portland) #970700063 – 244 days – 12-10-08 – Stipulated Order. Wyszynski maintained a full time job outside of real estate and was involved in only one transaction during the time her license was expired, which was completed in under 30 days, resulting in a \$100 civil penalty.

Expired — OAR 863-015-0050(2) — 331-360 days — \$5,100

Kramer, Kristan Nicole (Portland) 200504525 – 346 days – 11-24-08 – Stipulated Order

Unlicensed Activity

Byer, Scott W. (Portland) Unlicensed

Stipulated order dated January 26, 2009 issuing a \$1,600 civil penalty. Byer managed property owned by someone else from June 1, 2007 to October 1, 2007 without a real estate or property manager license.

Violation: ORS 696.020.

Kent, Danie'l (Beaverton) Unlicensed

Default order dated February 2, 2009 issuing a \$6,500 civil penalty. Kent managed property owned by someone else from September 2007 to March 2008 without a real estate or property manager license. The property owner incurred financial damage.

Violation: ORS 696.020

Shirk, Tonya M. (Portland) Unlicensed

Default order dated February 4, 2009 issuing a \$7,500 civil penalty. Shirk conducted unlicensed professional real estate activity in 8 different transactions.

Violation: ORS 696.020

Winchell, Derek (Medford) Unlicensed

Stipulated order dated January 20, 2009 issuing a \$200 civil penalty. Winchell offered to set up an appointment to show a property.

Violation: ORS 696.020

OTHER

None

**REAL ESTATE BOARD
REGULATION DIVISION REPORT
April 6, 2009**

Manager: Selina Barnes
Compliance Manager: Kris Ebelmesser
Administrative Specialist: Denise Lewis
Financial Investigators: Donald Barrett, Gae Lynne Cooper, Aaron Grimes,
 Ralph Harding, Deanna Hewitt, Shari Ohmer, Judith Parker,
 Rob Pierce, Aimee Wiley
Vacancies: None

Section Overview

This division receives complaints and determines validity and assignment for investigation. Investigators gather facts, complete report and submit to Manager for review. The Manager determines whether the evidence supports charging a person with a violation of Agency statutes or administrative rules.

Workload and Activity Indicators

| Statistics | Mar 2008 | Apr 2008 | May 2008 | Jun 2008 | Jul 2008 | Aug 2008 | Sep 2008 | Oct* 2008 | Nov 2008 | Dec 2008 | Jan 2009 | Feb* 2009 |
|-------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|----------------------|---------------------|---------------------|---------------------|----------------------|
| Complaints Received | 45 | 72 | 36 | 48 | 43 | 35 | 52 | 105 | 48 | 85 | 53 | 176 |
| Investigations Opened | 34 | 55 | 13 | 43 | 30 | 18 | 58 | 90 | 59 | 61 | 74 | 193 |
| Inv Open at Month-End | 178 | 202 | 204 | 221 | 213 | 219 | 231 | 255 | 230 | 230 | 264 | 239 |
| Complaints & Inv Closed | 15 | 28 | 22 | 14 | 29 | 6 | 29 | 64 | 53 | 64 | 45 | 163 |
| Final Orders Issued | 9 | 3 | 4 | 14 | 7 | 2 | 2 | 2 | 8 | 4 | 7 | 4 |
| Hearings Held | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

* Increase in complaints and investigations are due to clearing up backlog of renewal issues.

Program Changes, Future Projects, Streamlining

Investigators have attended training related to real estate transaction fraud and interview techniques.

**REAL ESTATE BOARD
LICENSING DIVISION REPORT
April 6, 2009**

Manager: Laurie Hall

Section Overview

The Licensing Division has five staff members who are responsible for public and licensee information services, real estate, property management and escrow licensing transactions and the registration of real estate business names. The staff is also responsible for reception, phones and mail processing.

There are approximately 28,000 individuals and facilities throughout the state of Oregon that are licensed and registered with the Agency. This generates an average of 2,000 transactions and 2,800 phone calls each month that must be received and processed by the Licensing Division. Although we have seen a drop in the number of new licensees, the number of existing licensed individuals and facilities has only decreased by 1,200 since a peak number of 29,164 in October of 2007.

Workload and Activity Indicators

| Licensed Individuals | JUNE 2008 | JULY | AUG | SEP | OCT | NOV | DEC | JAN 2009 | FEB |
|--------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|--------------|
| ALL BROKERS | 23,523 | 23,458 | 23,317 | 23,036 | 23,112 | 22,970 | 22,844 | 22746 | 22591 |
| Active | 20,277 | 20,150 | 20,060 | 19,745 | 19,766 | 19,574 | 19,287 | 18960 | 18726 |
| Inactive | 3,246 | 3,308 | 3,257 | 3,291 | 3,346 | 3,396 | 3,557 | 3786 | 3865 |
| ALL PROPERTY MGRS | 679 | 680 | 679 | 693 | 700 | 702 | 707 | 710 | 716 |
| Active | 601 | 600 | 601 | 612 | 619 | 622 | 628 | 631 | 635 |
| Inactive | 78 | 80 | 78 | 81 | 81 | 80 | 79 | 79 | 81 |

Online renewals were up to 46% in January and at 34% in February.

Program Changes, Future Projects, Streamlining

The recruitment process has been initiated to fill a Public Service Representative 4 position, which was vacated by Kris Nordquist on March 31.

We have started working with our database system vendor to determine if there are additional transactions the system is capable of processing online, similar to online renewals.

**REAL ESTATE BOARD
EDUCATION DIVISION REPORT
April 6, 2009**

Manager: Mesheal Heyman
Compliance Specialist: Danette Rozell

Division Overview

This division carries out the Agency's mission by striving for a competent licensed real estate community. The division does this by approving pre-license and post-license courses, coordinating license exam services, developing informational publications and websites, providing customer services via phone and electronic mail, and conducting compliance reviews and mail-in audits.

Workload and Activity Indicators

| <u>Exams Administered</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> | <u>Jan</u> | <u>Feb</u> |
|----------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| ALL LICENSING EXAMS Total | 131 | 138 | 141 | 103 | 131 | 111 |
| Broker | 122 | 129 | 122 | 91 | 113 | 95 |
| Property Manager | 9 | 9 | 19 | 12 | 18 | 16 |

Exam year to date totals for February 2009 showed a 38% decrease from the number of exams administered for same period in 2008.

| <u>Public Inquires</u> | <u>Sept</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> | <u>Jan</u> | <u>Feb</u> |
|-------------------------------|--------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Phone | 437 | 607 | 432 | 460 | 537 | 549 |
| E-Mails | 77 | 100 | 65 | 91 | 99 | 103 |
| Walk-Ins | 8 | 2 | 11 | 8 | 1 | 2 |
| TOTAL | 522 | 709 | 508 | 559 | 637 | 654 |

The Agency developed an exhibit for the Capitol that was displayed during the week of March 16th. The display was in conjunction with the Capitol's celebration of Oregon's 150th birthday.

Program Changes, Future Projects, Streamlining

The Education Division has temporarily suspended mail-in clients' trust account mail-in audits for the 1st quarter of 2009 to focus on public inquiry and compliance review development.

**REAL ESTATE BOARD
LAND DEVELOPMENT DIVISION REPORT
April 6, 2009**

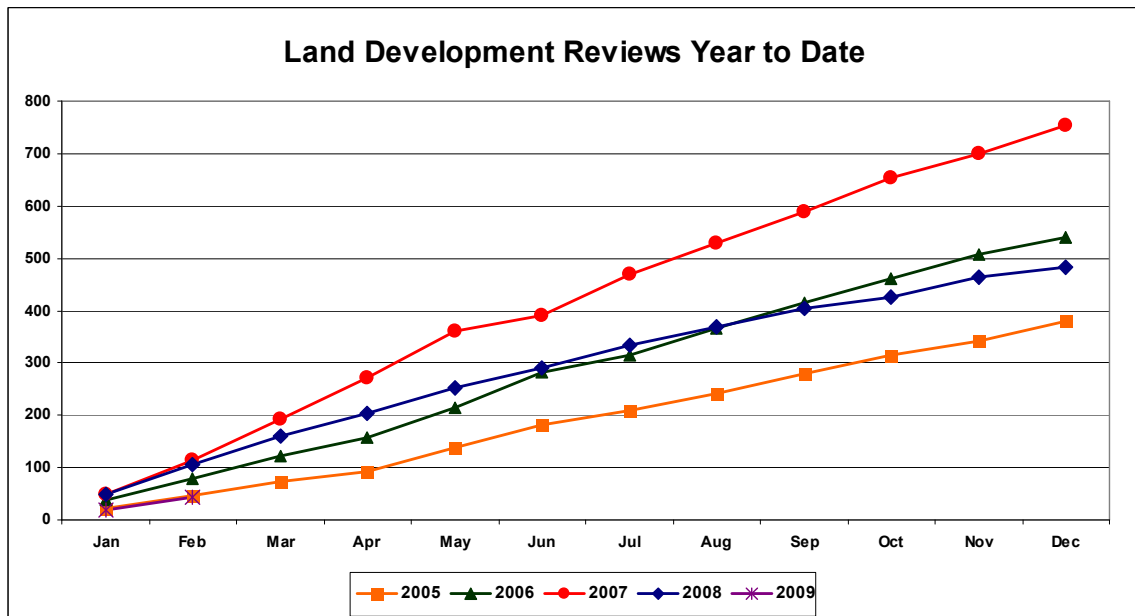
**AGENDA ITEM NO.
VII. C. 4.**

Manager: Laurie Skillman
Administrative Specialist: Stacey Harrison
Vacancies: None

Section Overview

This Division reviews land development filings, including condominiums.

Workload and Activity Indicators



The average number of land development reviews for 2008 was 483, compared to 753 for 2007. The monthly statistics for the first two months of 2009 track the number of filings for 2005. The decrease in filings is due in large part to housing markets and the difficulty of obtaining financing for project development and for long-term financing of residential condominiums. The stakeholders (including attorneys, developers and association managers) in condominium and subdivision development prepared legislative concepts over the past six months. These concepts are in SB 963, which revises a number of provisions in the Condominium Act (ORS Chapter 100) and in the statutes relating to planned communities and homeowner associations (ORS 94.550 to 94.783). The section reviews and approves manufactured home subdivisions (conversion from parks to subdivisions), and there are a number of bills relating to these specialized subdivisions,

Program Changes, Future Projects, Streamlining

We continue to work toward a land development database and are also working on revisions to our forms. We continue to work with stakeholders on legislation that impact land development.

**REAL ESTATE BOARD
ADMINISTRATIVE SERVICES DIVISION REPORT
February 1, 2009**

Manager: Kate Nass

Administrative Specialists: Leandra Cooley and Linda MacPherson

Public Service Representative: Stacey Harrison and Rae McFarland (part-time)

Information Systems Specialist: Greg DeMaderios and LeRoy Helton

Accounting Tech Intern: Anna Higley (part-time)

Student Workers: Vitaly Putinsev and Katie Archumbault (both part-time)

Section Overview

The Administrative Services Section acts as support to the agency. This section manages budget/allotment preparation, accounting, information technology, purchasing and contracting, inventory control, facilities, payroll and personnel contacts, and special projects.

2007-09 Budget Update

- Agency Budget – projected limitation remaining of approximately \$1,020,000 at end of biennium.
- Personal Services: Savings of approximately \$337,000;
 - Current Savings: The agency currently has two vacancies, the budget is estimated on the assumption that we will not be filling those two positions this biennium.
 - Previous Savings: The Agency has also experienced vacancy savings throughout the biennium, those vacancies have been filled, however at a lower pay step than budgeted for.
- Services & Supplies: Savings of approximately \$683,000;
 - Professional Services: Criminal Background Checks are down approximately 50% from last year and the estimated expenditures are projected at this lower volume. Also, included in professional services is the expense of the licensing system independent consultant, at approximately \$90,000.
 - Agency Program Related S&S: Exams administered are down approximately 40% from last year and the estimated expenditures are projected to continue at this lower volume. Similar to background checks, if the market takes an upward turn we may see more exams administered.
- Cash Flow: The agency is projecting to spend approximately \$355,000 more than projected revenue.

See budget spreadsheets for more information.

2009-11 Budget Update

The Agency held the 2009-2011 biennium Work Session in front of the Transportation and Economic Development sub-committee of the Joint Committee of Ways and Means on Thursday March 19th. The budget was recommended in whole with one budget note which addresses agency publications to move from paper and be available and distributed online.

Program Changes

- The Administrative Services Division has been working on a new month-end reporting process now that the un-booked revenue has been identified.
- Progress is being made on the DAS policies that need to be implemented; Information Asset Classification, Information Security Plan, Incident Response Plan, and Business Continuity Plan.
- Administrative Services implemented a customer satisfaction survey where internal customers can provide feedback to the division. The first round of surveys were returned early March and came back with a 84% favorable rating.

Real Estate Agency
2007-2009 Budget - Biennium to Date
Cash Flow Projections

| Fiscal Months 2007-08 | Actuals* | | | | | | | | | | | | Totals |
|---------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | Jul-07 | Aug-07 | Sep-07 | Oct-07 | Nov-07 | Dec-07 | Jan-08 | Feb-08 | Mar-08 | Apr-08 | May-08 | Jun-08 | |
| Beginning Monthly Balance | 4,648,151 | 4,743,803 | 4,744,021 | 4,724,481 | 4,706,986 | 4,664,822 | 4,637,658 | 4,667,974 | 4,668,681 | 4,663,292 | 4,678,955 | 4,698,307 | |
| REVENUE | 357,956 | 329,665 | 291,482 | 346,088 | 288,309 | 264,432 | 335,178 | 283,746 | 276,213 | 301,977 | 302,676 | 350,740 | 3,728,462 |
| TRANSFER IN | | | | | | | | | | | | | |
| TRANSFER OUT | | | | | | | | | | | | | |
| PERSONAL SERVICES | 199,587 | 207,747 | 208,702 | 213,713 | 223,514 | 208,141 | 195,068 | 192,836 | 200,583 | 208,358 | 187,517 | 196,053 | 2,441,818 |
| SERVICES AND SUPPLIES | 62,717 | 121,700 | 102,319 | 149,870 | 106,960 | 78,372 | 103,019 | 90,204 | 81,019 | 65,079 | 95,807 | 152,046 | 1,209,114 |
| ADDITIONAL EXPENDITURES | - | - | - | - | - | - | - | - | - | - | - | - | - |
| CAPITAL OUTLAY | | | | | | 5,083 | 6,774 | - | - | 12,877 | - | - | 24,734 |
| Total Expenditures | 262,304 | 329,447 | 311,021 | 363,583 | 330,474 | 291,596 | 304,861 | 283,040 | 281,602 | 286,314 | 283,324 | 348,099 | 3,675,665 |
| Monthly Fund Balance | 4,743,803 | 4,744,021 | 4,724,481 | 4,706,986 | 4,664,822 | 4,637,658 | 4,667,974 | 4,668,681 | 4,663,292 | 4,678,955 | 4,698,307 | 4,700,948 | |

| Fiscal Months 2008-09 | Actuals* | | | | | | | | Estimates** | | | | Totals |
|---------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|-----------|-----------|-----------|-----------|
| | Jul-08 | Aug-08 | Sep-08 | Oct-08 | Nov-08 | Dec-08 | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 | |
| Beginning Monthly Balance | 4,700,948 | 4,665,607 | 4,670,831 | 4,694,216 | 4,660,188 | 4,609,401 | 4,557,753 | 4,565,574 | 4,505,918 | 4,413,516 | 4,368,503 | 4,325,729 | |
| REVENUE | 267,574 | 277,072 | 272,187 | 244,070 | 204,836 | 235,637 | 246,531 | 208,691 | 220,970 | 241,582 | 242,141 | 280,592 | 2,941,883 |
| TRANSFER IN | | | | | | | | | | | | | |
| TRANSFER OUT | | | | | | | | | | | | | |
| PERSONAL SERVICES* | 190,235 | 193,924 | 194,795 | 201,415 | 205,728 | 212,135 | 201,054 | 196,228 | 196,672 | 191,679 | 191,751 | 192,212 | 2,367,828 |
| SERVICES AND SUPPLIES** | 112,680 | 77,924 | 54,007 | 76,683 | 49,895 | 75,150 | 37,656 | 72,119 | 116,700 | 94,915 | 93,165 | 119,627 | 980,521 |
| ADDITIONAL EXPENDITURES | - | - | - | - | - | - | - | - | - | - | - | - | - |
| CAPITAL OUTLAY | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Total Expenditures | 302,915 | 271,848 | 248,802 | 278,098 | 255,623 | 287,285 | 238,711 | 268,347 | 313,372 | 286,594 | 284,916 | 311,839 | 3,348,349 |
| Monthly Fund Balance | 4,665,607 | 4,670,831 | 4,694,216 | 4,660,188 | 4,609,401 | 4,557,753 | 4,565,574 | 4,505,918 | 4,413,516 | 4,368,503 | 4,325,729 | 4,294,482 | |

Notes:

* 2009 Fiscal Year Revenue down approximately 20% from 2008 Fiscal Year

** Revenue is estimated for remainder of 07-09 biennium at 20% less than 2008 revenue.

NOTE: Revenue reported on Cash Flow projections is actual revenue received each month, revenue had been underbooked each month due to a License 2000 reporting issue. The Agency has identified the unbooked revenue as of January 2009 - \$327,507 booked to account for reporting error.

| | |
|---------------------------------------|------------------|
| Beginning Balance - 07/01/2007 | 4,648,151 |
| Revenue | 6,670,345 |
| Expenditures | |
| Personal Svcs | 4,809,646 |
| S&S | 2,189,635 |
| Capital Outlay | 24,734 |
| Expenditures total | 7,024,014 |
| Estimated Ending Bal. 06/30/09 | 4,294,482 |
| Total available limitation | 8,045,250 |
| Total estimated exp | 7,024,014 |
| Limitation remaining | 1,021,236 |

**Real Estate Agency
2007-2009 Budget - Biennium to Date
Through February 2009**

| | <u>05-07 Actual Expenditures</u> | <u>Legislative Approved Budget</u> | <u>Total Limitation w/ June E-Board</u> | <u>Expected Total Expenditures for Biennium (as of Feb 2009)</u> | <u>Expected Total Expenditures for Biennium (current)</u> | <u>Expected Remaining Limitation at end of Biennium</u> | <u>Notes</u> |
|---|----------------------------------|------------------------------------|---|--|---|---|--|
| Total Personal Services | 4,380,433 | 4,877,514 | 5,146,221 | 4,797,349 | 4,809,646 | 336,575 | |
| Services & Supplies and Capital Outlay Detail: | | | | | | | |
| Travel | 82,333 | 98,613 | 98,613 | 104,563 | 98,231 | 382 | Includes both instate & out of state travel |
| Program Related Office Expenses | 350,592 | 428,687 | 428,687 | 335,220 | 320,747 | 107,940 | Includes employee training & recruitment, office expenses, postage, office furniture, private collection company fees & VISA and Mastercard processing fees. |
| Publicity & Publications | 129,331 | 160,502 | 160,502 | 128,343 | 133,471 | 27,031 | No longer printing Q & A books - includes OJEN-J, "Blue Manuals" and licensing forms & packets |
| Telecom/Tech Services & Support | 92,319 | 72,000 | 72,000 | 98,016 | 97,421 | (25,421) | DAS increased data line/connection monthly fee |
| Data Processing | 17,715 | 70,400 | 67,328 | 4,993 | 4,903 | 62,425 | Server support & data processing (ie customer service survey processing and email subscription service) |
| IT Professional Services | 52,484 | 136,000 | 136,000 | 72,516 | 87,831 | 48,169 | Includes database contracts and maintenance agreements (including System Automation maint. agrmt) |
| IT Expendable Property | 48,967 | 63,991 | 63,991 | 91,311 | 91,175 | (27,184) | Includes all IT related equipment - computers, printers, monitors etc. that cost less than \$5,000 |
| Capital Outlay - Telcom & IT Equipment | 8,357 | 0 | 0 | 24,734 | 24,734 | (24,734) | New IT security appliances for SB 583 requirements and new switch for telephone system upgrade. |
| State Govt Service Charge | 186,031 | 195,628 | 195,628 | 204,001 | 200,819 | (5,191) | Includes DAS Assessments, Treasury charges, State Library service charges, etc... |
| Attorney General Legal Fees | 155,528 | 192,447 | 192,447 | 175,700 | 166,919 | 25,528 | AG Legal Services down from earlier in biennium - expenditures estimated to increase slightly, however not to earlier biennium expenditures. |
| Facilities Rent, Taxes & Maintenance | 376,414 | 375,004 | 375,004 | 379,231 | 379,345 | (4,341) | Includes temporary storage units and parking space rent for visitor and Agency's State cars. |
| OSP Criminal Background Checks | | | 388,339 | | 165,276 | 223,063 | Decrease approximately 50% since last year - expected expenditures based on continued downward trend. |
| Hearings Officers, EAP & Legis. Counsel | | | 101,565 | | 45,654 | 55,912 | |
| Professional Service Contracts | | | 107,540 | | 159,406 | (51,866) | Includes professional contracts for rule review work groups, independent consultant for online licensing system review and other professional services. |
| Total Professional Services | 570,515 | 597,444 | 597,444 | 393,115 | 370,335 | 227,109 | |
| Agency Program Related S&S | 461,893 | 511,385 | 511,385 | 255,292 | 239,962 | 271,423 | Decrease in Exams approximately 40% from last year - expected biennium expenditures based on continued downward trend |
| Total Services & Supplies and Capital Outlay | 2,532,478 | 2,902,101 | 2,899,029 | 2,267,035 | 2,215,894 | 683,135 | |
| Totals | 6,912,911 | 7,779,615 | 8,045,250 | 7,064,384 | 7,025,540 | 1,019,710 | |

Oregon Real Estate Agency

Criminal Background Check, Exam Applications and Exams Administered Statistics

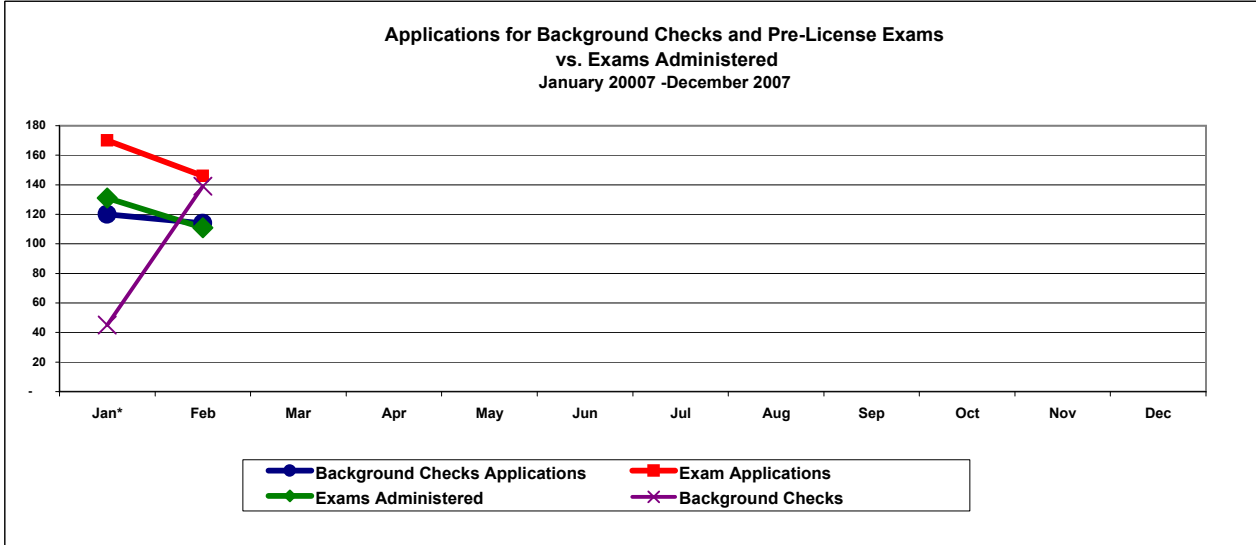
Source: Kate Nass, Laurie Hall, Mesheal Heyman

Date: February 2009

2009 Background Checks vs. Exam Applications vs. Exams Administered

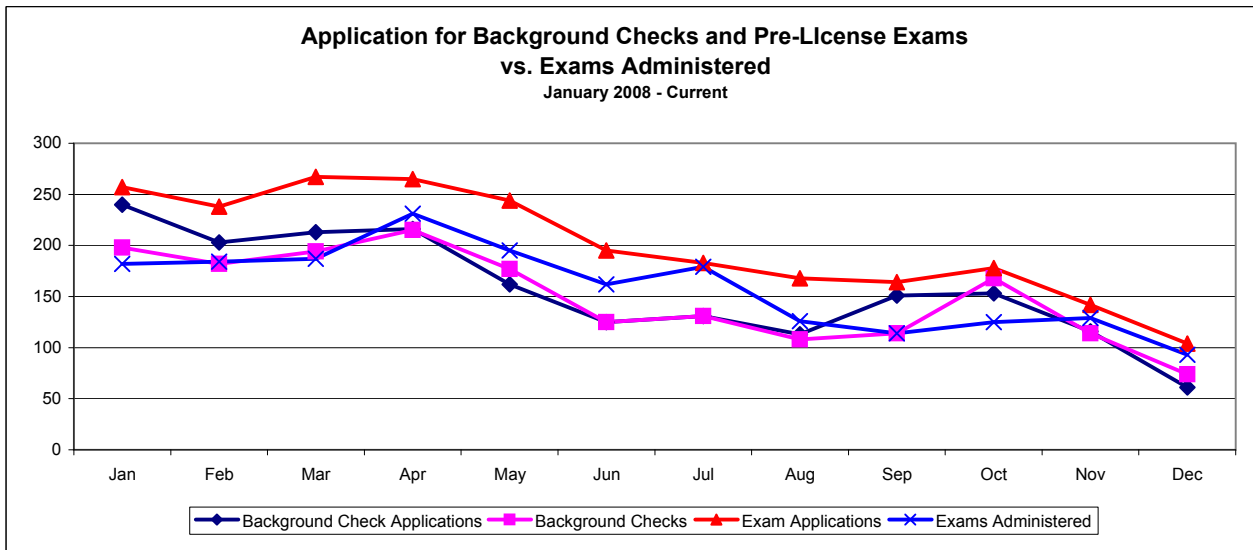
| | Jan* | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|---------------------------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Background Checks Applications | 120 | 114 | | | | | | | | | | | 234 |
| Background Checks | 45 | 139 | | | | | | | | | | | 184 |
| Exam Applications | 170 | 146 | | | | | | | | | | | 316 |
| Exams Administered | 131 | 111 | | | | | | | | | | | 242 |

*Jan Majority of Background Check applications received at end of month - OSP did not process until Feb.



2008 Background Checks v. Exam Applications v. Exams Administered

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Background Check Applications | 240 | 203 | 213 | 216 | 162 | 125 | 131 | 113 | 151 | 153 | 116 | 61 | 1884 |
| Background Checks | 198 | 182 | 194 | 215 | 177 | 125 | 131 | 108 | 114 | 168 | 114 | 74 | 1800 |
| Exam Applications | 257 | 238 | 267 | 265 | 244 | 195 | 183 | 168 | 164 | 178 | 142 | 104 | 2405 |
| Exams Administered | 182 | 184 | 187 | 231 | 195 | 162 | 179 | 126 | 114 | 125 | 129 | 93 | 1907 |

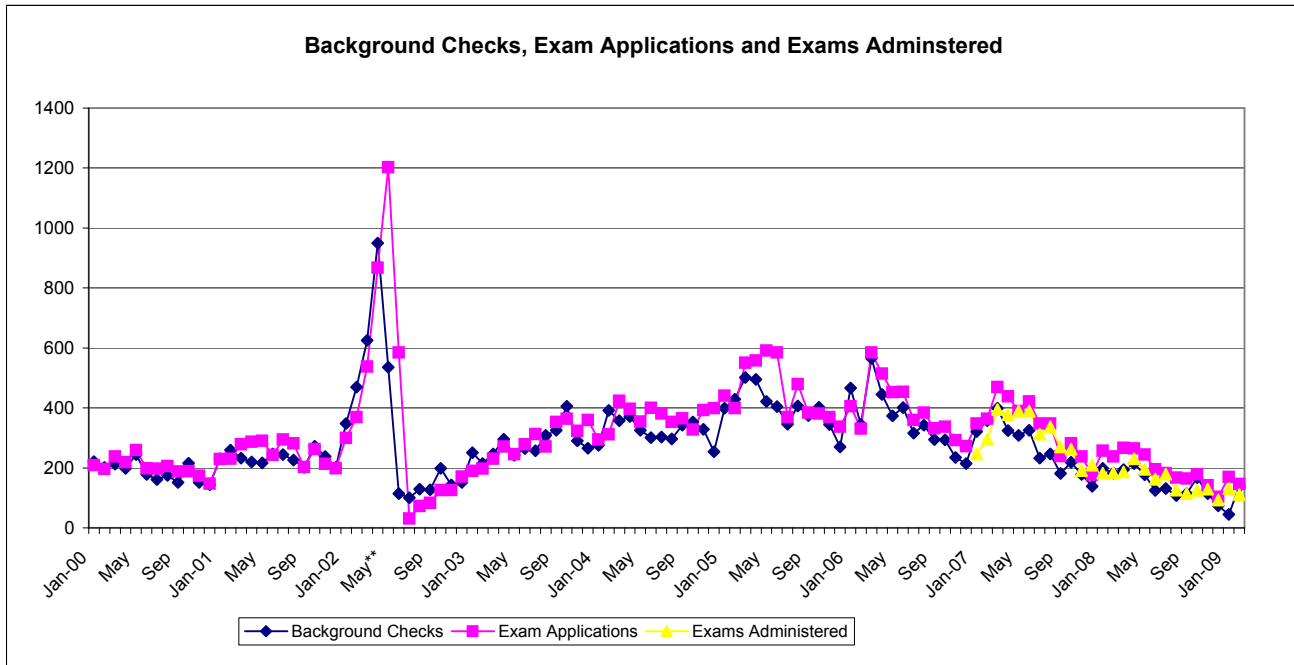


Oregon Real Estate Agency

Criminal Background Check, Exam Applications and Exams Administered Statistics

Source: Kate Nass, Laurie Hall, Mesheal Heyman

Date: February 2009



** Note: Peak in graph due to law change - must pass exam to become a broker

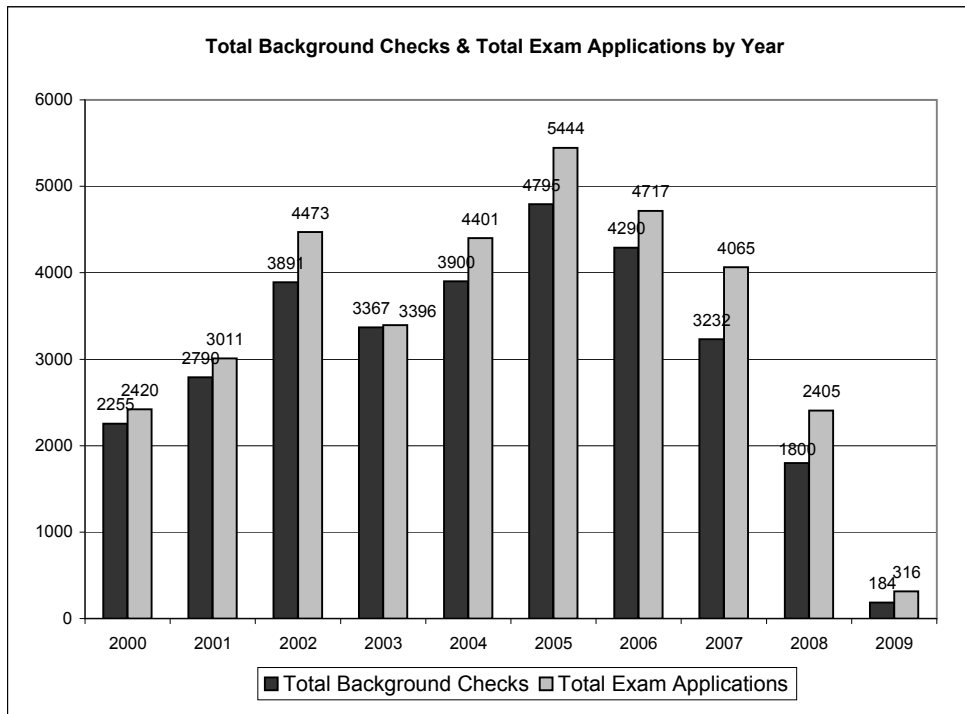
| 2009 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|
| Background Check Applications | 120 | 114 | | | | | | | | | | | 234 |
| Background Checks | 45 | 139 | | | | | | | | | | | 184 |
| Exam Applications | 170 | 146 | | | | | | | | | | | 316 |
| Exams Administered | 131 | 111 | | | | | | | | | | | 242 |
| 2008 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Check Applications | 240 | 203 | 213 | 216 | 162 | 125 | 131 | 113 | 151 | 153 | 116 | 61 | 1884 |
| Background Checks | 198 | 182 | 194 | 215 | 177 | 125 | 131 | 108 | 114 | 168 | 114 | 74 | 1800 |
| Exam Applications | 257 | 238 | 267 | 265 | 244 | 195 | 183 | 168 | 164 | 178 | 142 | 104 | 2405 |
| Exams Administered | 182 | 184 | 187 | 231 | 195 | 162 | 179 | 126 | 114 | 125 | 129 | 93 | 1907 |
| 2007 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 321 | 358 | 399 | 324 | 308 | 325 | 233 | 247 | 181 | 219 | 178 | 139 | 3232 |
| Exam Applications | 348 | 364 | 470 | 439 | 390 | 422 | 348 | 348 | 239 | 282 | 238 | 177 | 4065 |
| Exams Administered | 246 | 296 | 395 | 378 | 389 | 389 | 313 | 337 | 270 | 263 | 191 | 209 | 3676 |
| 2006 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 466 | 345 | 566 | 445 | 373 | 401 | 316 | 342 | 294 | 293 | 235 | 214 | 4290 |
| Exam Applications | 405 | 331 | 585 | 514 | 452 | 453 | 360 | 384 | 332 | 337 | 292 | 272 | 4717 |
| 2005 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 399 | 429 | 502 | 495 | 421 | 404 | 346 | 407 | 375 | 402 | 345 | 270 | 4795 |
| Exam Applications | 441 | 399 | 551 | 558 | 591 | 585 | 369 | 479 | 384 | 381 | 369 | 337 | 5444 |
| 2004 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 275 | 392 | 357 | 371 | 325 | 301 | 303 | 297 | 343 | 353 | 329 | 254 | 3900 |
| Exam Applications | 295 | 312 | 424 | 397 | 354 | 400 | 381 | 353 | 365 | 328 | 393 | 399 | 4401 |
| 2003 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 251 | 215 | 246 | 296 | 242 | 265 | 257 | 308 | 325 | 406 | 290 | 266 | 3367 |
| Exam Applications | 190 | 197 | 231 | 271 | 245 | 278 | 313 | 271 | 353 | 364 | 323 | 360 | 3396 |
| 2002 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
| Background Checks | 348 | 469 | 625 | 950 | 536 | 114 | 100 | 129 | 127 | 198 | 143 | 152 | 3891 |
| Exam Applications | 229 | 230 | 278 | 287 | 290 | 243 | 295 | 282 | 203 | 262 | 213 | 199 | 3011 |

Oregon Real Estate Agency

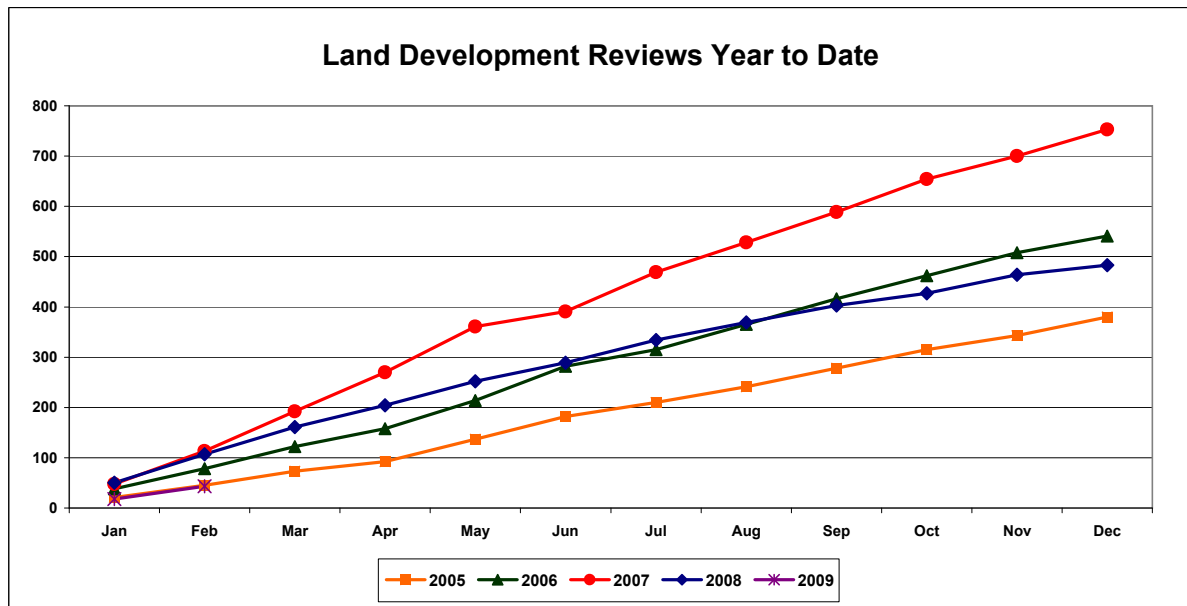
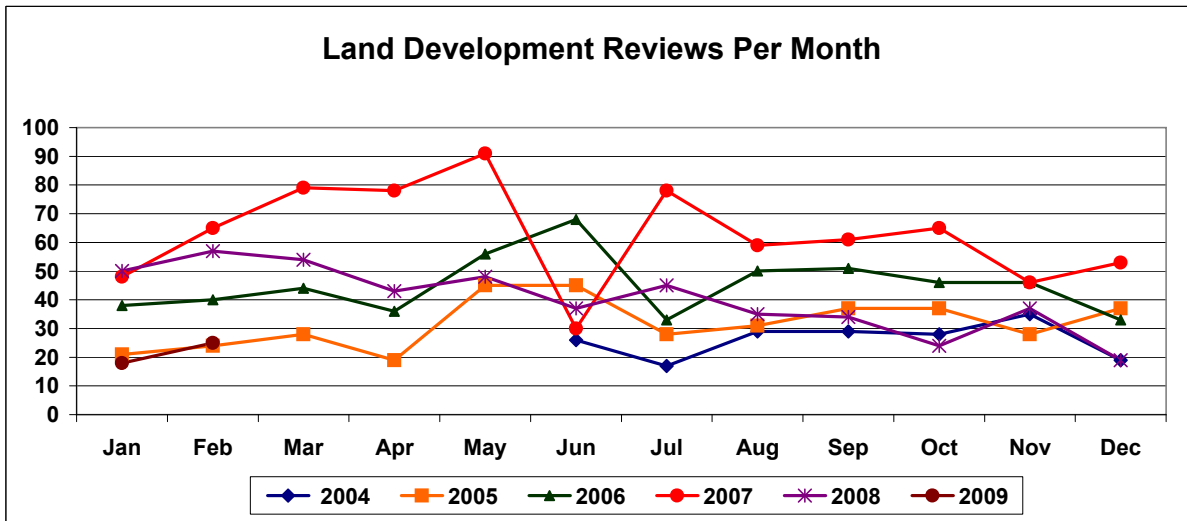
Criminal Background Check, Exam Applications and Exams Administered Statistics

Source: Kate Nass, Laurie Hall, Mesheal Heyman

Date: February 2009



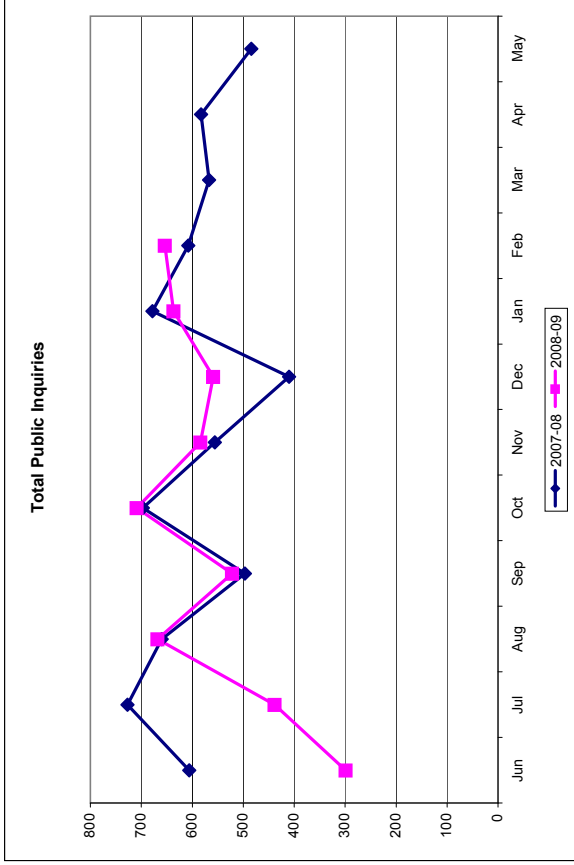
| Land Development Reviews/Month | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Average |
|--------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|
| 2004 | | | | | | 26 | 17 | 29 | 29 | 28 | 35 | 19 | 26 |
| 2005 | 21 | 24 | 28 | 19 | 45 | 45 | 28 | 31 | 37 | 37 | 28 | 37 | 32 |
| 2006 | 38 | 40 | 44 | 36 | 56 | 68 | 33 | 50 | 51 | 46 | 46 | 33 | 45 |
| 2007 | 48 | 65 | 79 | 78 | 91 | 30 | 78 | 59 | 61 | 65 | 46 | 53 | 63 |
| 2008 | 50 | 57 | 54 | 43 | 48 | 37 | 45 | 35 | 34 | 24 | 37 | 19 | 40 |
| 2009 | 18 | 25 | | | | | | | | | | | |
| Average | 35 | 47 | 51 | 44 | 60 | 45 | 46 | 44 | 46 | 43 | 39 | 36 | |



Oregon Real Estate Agency
Education Statistics
Source: Mesheal Heyman
Date: February 2009

| | 2007 | | | | | | | | | | | | 2008 | | | | | | | | | | | | 2009 | | |
|---|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|------|-----|-----|-----|-----|-----|-----|--|--|--|------|--|--|
| | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug* | Sep | Oct | Nov | Dec | Jan | Feb | | | | | | |
| Phone Room Calls received during Month | 559 | 683 | 592 | 443 | 642 | 509 | 382 | 598 | 543 | 507 | 511 | 442 | 260 | 392 | 547 | 437 | 607 | 508 | 460 | 537 | 549 | | | | | | |
| Email Inquiries received during Month | 35 | 31 | 56 | 39 | 46 | 36 | 18 | 66 | 58 | 53 | 51 | 37 | 30 | 44 | 111 | 77 | 100 | 65 | 91 | 99 | 103 | | | | | | |
| Walk-In Inquiries received during Month | 12 | 13 | 12 | 15 | 9 | 11 | 10 | 14 | 7 | 7 | 21 | 5 | 9 | 2 | 10 | 8 | 2 | 11 | 8 | 1 | 2 | | | | | | |
| Total Public Inquiries | 606 | 727 | 660 | 497 | 697 | 556 | 410 | 678 | 608 | 567 | 583 | 484 | 299 | 438 | 668 | 522 | 709 | 584 | 559 | 637 | 654 | | | | | | |
| Compliance Reviews Completed during Month | 15 | 19 | 10 | 16 | 19 | 17 | 7 | 7 | 8 | 7 | 9 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | |

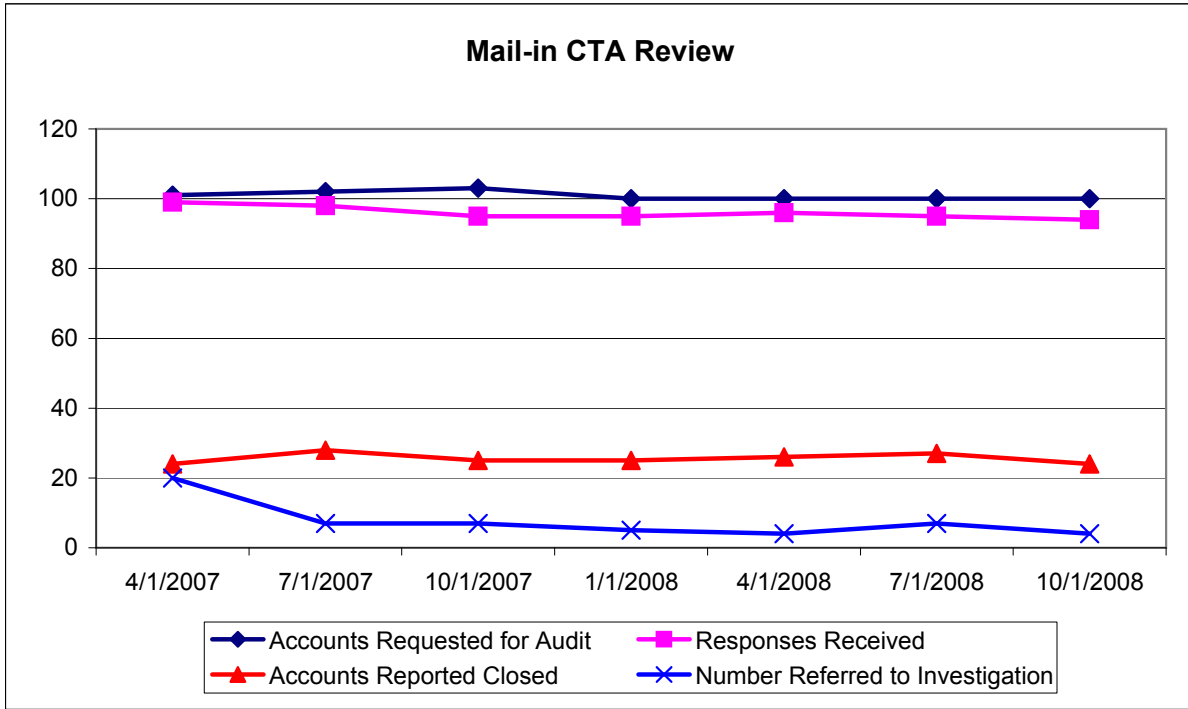
| | |
|---------------------------|-----|
| Average Total Inquiries | 578 |
| Average Phone Calls | 510 |
| Average Email Inquiries | 59 |
| Average Walk-In Inquiries | 9 |



* In August 2008, The Education Division implemented the use of an online public inquiry data base which changed the way we tracked the public inquiry data.

Oregon Real Estate Agency
Mail-in CTA Statistics
Source: Mesheal Heyman
Date: February 2009

| Mail-in Review | 4/1/2007 | 7/1/2007 | 10/1/2007 | 1/1/2008 | 4/1/2008 | 7/1/2008 | 10/1/2008 |
|--|----------|----------|-----------|----------|----------|----------|-----------|
| Accounts Requested for Audit | 101 | 102 | 103 | 100 | 100 | 100 | 100 |
| Responses Received | 99 | 98 | 95 | 95 | 96 | 95 | 94 |
| Accounts Reported Closed | 24 | 28 | 25 | 25 | 26 | 27 | 24 |
| Number Referred to Investigation | 20 | 7 | 7 | 5 | 4 | 7 | 4 |
| Percent of Mail-in Audits to Investgiation | 19.80% | 6.86% | 6.80% | 5.00% | 4.00% | 7.00% | 4.00% |

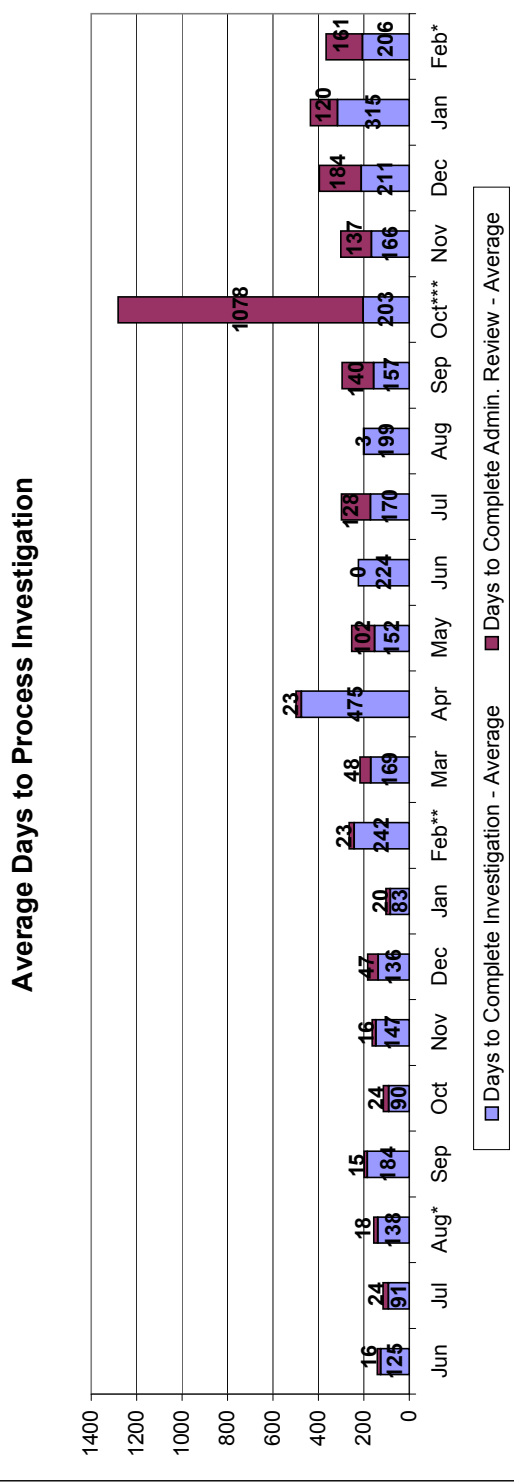


* Note: No CTA Mail-in Audit for 1st Quarter 2009 while Education is down staff.

| | 2007 | | | | | | | | | | | | 2008 | | | | | | | | | | | | 2009 | | |
|--|------|-----|------|-----|------|-----|-----|-----|-------|-----|-----|-----|------|-----|-----|-----|--------|-----|-----|-----|------|--|--|--|------|--|--|
| | Jun | Jul | Aug* | Sep | Oct | Nov | Dec | Jan | Feb** | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct*** | Nov | Dec | Jan | Feb* | | | | | | |
| Investigations: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Days to Complete Investigation - Average | 125 | 91 | 138 | 184 | 90 | 147 | 136 | 83 | 242 | 169 | 475 | 152 | 224 | 170 | 199 | 157 | 203 | 166 | 211 | 315 | 206 | | | | | | |
| Days to Complete Investigation - Median | 73 | 71 | 94 | 128 | 1055 | 126 | 109 | 47 | 132 | 102 | 148 | 122 | 185 | 125 | 150 | 132 | 168 | 159 | 178 | 228 | 149 | | | | | | |
| Number Investigations Completed | 34 | 33 | 24 | 19 | 20 | 20 | 17 | 13 | 9 | 12 | 23 | 21 | 16 | 17 | 15 | 14 | 17 | 12 | 16 | 11 | 13 | | | | | | |
| Administrative Review: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Days to Complete Admin. Review - Average | 16 | 24 | 18 | 15 | 24 | 16 | 47 | 20 | 23 | 48 | 23 | 102 | 0 | 128 | 3 | 140 | 1078 | 137 | 184 | 120 | 161 | | | | | | |
| Days to Complete Admin. Review - Median | 6 | 10 | 7 | 7 | 6 | 6 | 18 | 5 | 20 | 21 | 10 | 16 | 0 | 38 | 3 | 140 | 1078 | 142 | 62 | 120 | 186 | | | | | | |
| Number Completed | 34 | 27 | 34 | 16 | 19 | 15 | 7 | 16 | 4 | 10 | 17 | 6 | 0 | 8 | 1 | 2 | 1 | 33 | 7 | 18 | 23 | | | | | | |

* Background check workload transferred to Licensing during August 2007.
 ** One lengthy file closed (over a thousand days) in 2/2008 bringing average to close investigation up significantly.
 *** October 2008 - Regulation Manager finalizing outstanding cases, one old case closed.
 * Feb 2009 141 Renewal cases opened & closed while catching up.
 Regulation Manager position vacant from 4/29/08 - 6/9/08

| Averages: | 185 | Number of Investigations Completed per month | 18 |
|--------------------------------|-----|--|----|
| Days to Complete Investigation | 111 | Number of Administrative Reviews Completed per month | 14 |

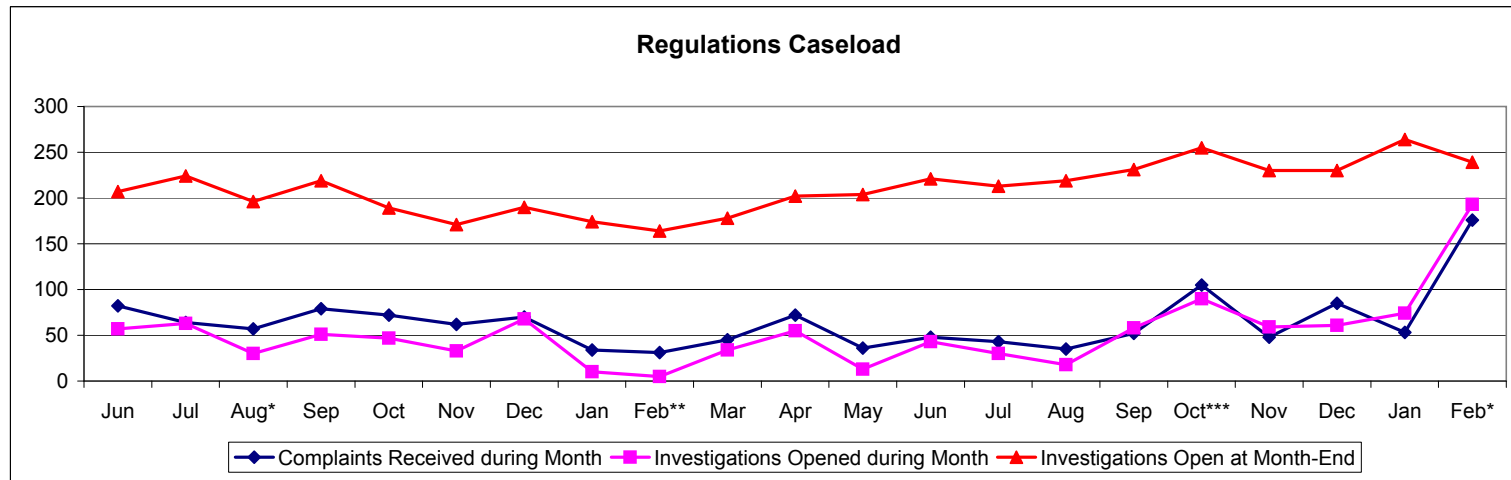


Oregon Real Estate Agency
Regulations Workload Statistics
 Source: Selina Barnes
 Date: February 2009

| Regulation's Monthly Statistics | 2007 | | | | | | | 2008 | | | | | | | | | | | | 2009 | |
|------------------------------------|------|-----|------|-----|-----|-----|-----|------|-------|-----|-----|-----|-----|-----|-----|-----|--------|-----|-----|------|------|
| | Jun | Jul | Aug* | Sep | Oct | Nov | Dec | Jan | Feb** | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct*** | Nov | Dec | Jan | Feb* |
| Complaints Received during Month | 82 | 64 | 57 | 79 | 72 | 62 | 70 | 34 | 31 | 45 | 72 | 36 | 48 | 43 | 35 | 52 | 105 | 48 | 85 | 53 | 176 |
| Investigations Opened during Month | 57 | 63 | 30 | 51 | 47 | 33 | 68 | 10 | 5 | 34 | 55 | 13 | 43 | 30 | 18 | 58 | 90 | 59 | 61 | 74 | 193 |
| Investigations Open at Month-End | 207 | 224 | 196 | 219 | 189 | 171 | 190 | 174 | 164 | 178 | 202 | 204 | 221 | 213 | 219 | 231 | 255 | 230 | 230 | 264 | 239 |
| Complaints & Investigations Closed | 47 | 31 | 56 | 34 | 49 | 52 | 46 | 25 | 17 | 15 | 28 | 22 | 14 | 29 | 6 | 29 | 64 | 53 | 64 | 45 | 163 |
| Final Orders Issued during Month | 9 | 10 | 7 | 6 | 15 | 12 | 5 | 8 | 2 | 9 | 3 | 4 | 14 | 7 | 2 | 2 | 2 | 8 | 4 | 7 | 4 |
| Hearings Held during Month | 4 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

* Background check workload transferred to Licensing during August 2007.
 ** One lengthy file closed (over a thousand days) in 2/2008 bringing average to close investigation up significantly.
 *** October 2008 - Regulation Manager finalizing outstanding cases, one old case closed.
 * Feb 2009 141 Renewal cases opened & closed while catching up.
 Regulation Manager position vacant from 4/29/08 - 6/9/08

| Averages | | | | | |
|---|----|--------------------------------|---|--|-----|
| Average Complaints Rec'd per Month | 64 | Average Final Orders per Month | 7 | Average Investigations Open at Month-End | 210 |
| Average Investigations Opened Per Month | 52 | Average Hearing Held per Month | 1 | Average Complaints & Investigations Closed per Month | 42 |



Oregon Real Estate Agency
 Total Licensing Statistics
 Source: Laurie Hall
 Date: February 2009

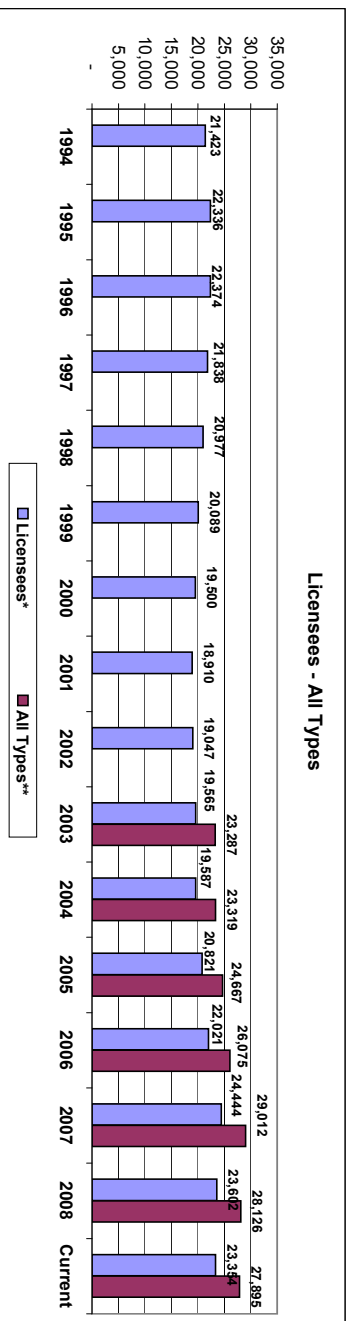
Total Licenses

| | | | | | | | | | | | | | | | |
|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | Current |
| 21,423 | 22,336 | 22,374 | 21,838 | 20,977 | 20,089 | 19,500 | 18,910 | 19,047 | 19,565 | 19,587 | 20,821 | 22,021 | 24,444 | 23,602 | 23,354 |
| All Types** | | | | | | | | | 23,287 | 23,319 | 24,667 | 26,075 | 28,012 | 28,126 | 27,895 |

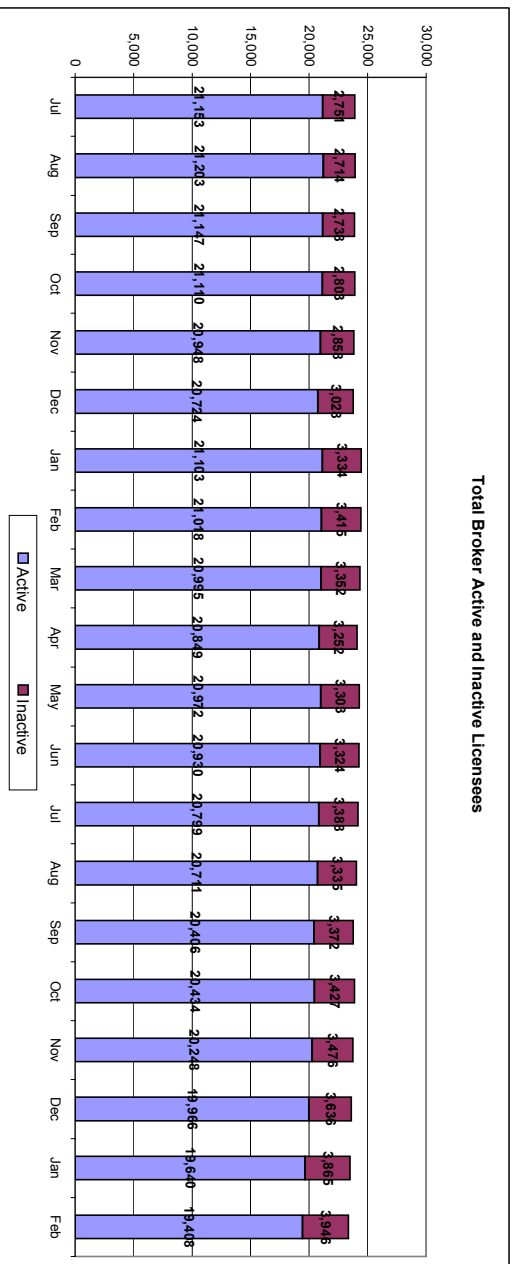
NOTE: Data is approximately from year-end of each year.

* Licensee figure is people only, does not include organizations and branch offices.

** All Types includes Organizations and Branch Offices



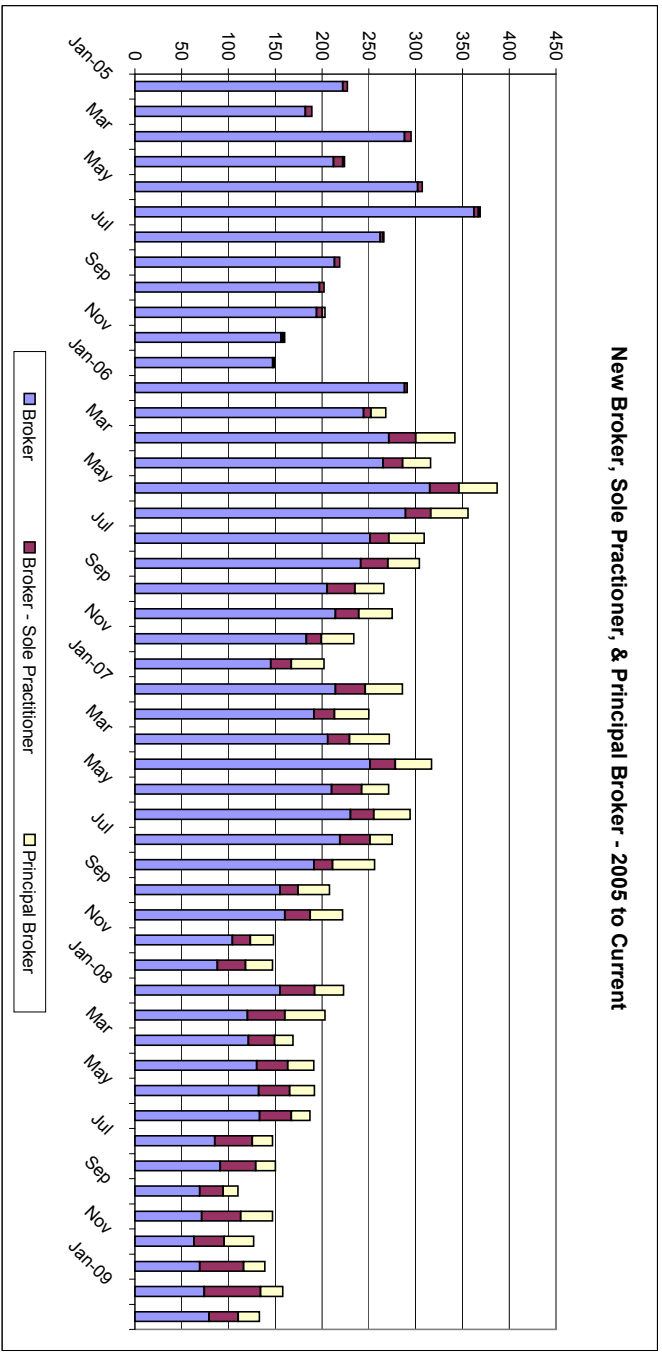
| Total Licensees | 2007 | | | | | | | | | | | | 2008 | | | | | | | | | | | | 2009 | |
|-----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--|--|--|--|------|--|
| | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | | | | | | |
| Active | 21,133 | 21,203 | 21,147 | 21,110 | 20,948 | 20,724 | 21,103 | 21,018 | 20,995 | 20,849 | 20,972 | 20,930 | 20,799 | 20,711 | 20,406 | 20,434 | 20,248 | 19,966 | 19,640 | 19,408 | | | | | | |
| Inactive | 2,751 | 2,714 | 2,738 | 2,803 | 2,858 | 3,028 | 3,334 | 3,415 | 3,352 | 3,252 | 3,303 | 3,324 | 3,388 | 3,335 | 3,372 | 3,427 | 3,476 | 3,636 | 3,865 | 3,946 | | | | | | |
| Total | 23,904 | 23,917 | 23,885 | 23,913 | 23,806 | 23,752 | 24,437 | 24,433 | 24,347 | 24,101 | 24,275 | 24,254 | 24,187 | 24,046 | 23,778 | 23,861 | 23,724 | 23,602 | 23,505 | 23,354 | | | | | | |



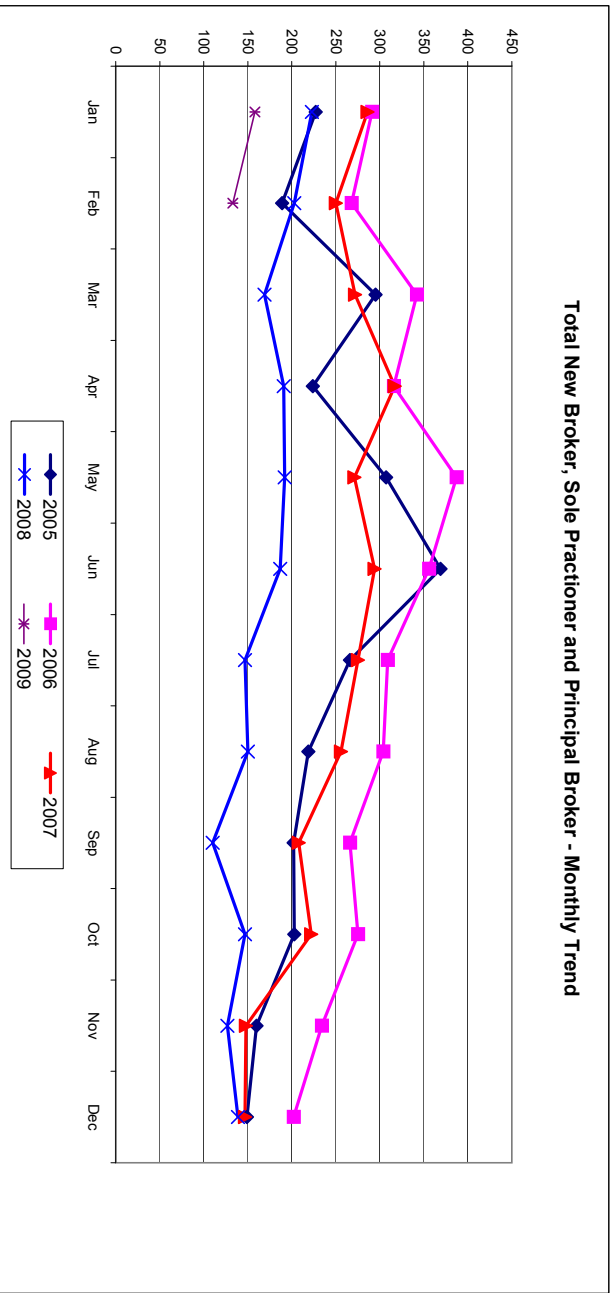
Total New Broker, Sole Practitioner, & Principal Broker

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| 2005 | 227 | 189 | 295 | 224 | 307 | 369 | 266 | 219 | 202 | 203 | 160 | 149 | 2810 | 234 |
| 2006 | 291 | 268 | 342 | 316 | 387 | 356 | 309 | 304 | 266 | 275 | 234 | 202 | 3550 | 296 |
| 2007 | 286 | 250 | 272 | 317 | 271 | 294 | 275 | 256 | 208 | 222 | 148 | 147 | 2946 | 246 |
| 2008 | 223 | 203 | 169 | 191 | 192 | 187 | 147 | 150 | 110 | 147 | 127 | 139 | 1985 | 165 |
| 2009 | 158 | 133 | 270 | 262 | 289 | 302 | 249 | 232 | 197 | 212 | 167 | 159 | 291 | 146 |
| Average | 237 | 209 | 270 | 262 | 289 | 302 | 249 | 232 | 197 | 212 | 167 | 159 | 291 | 146 |

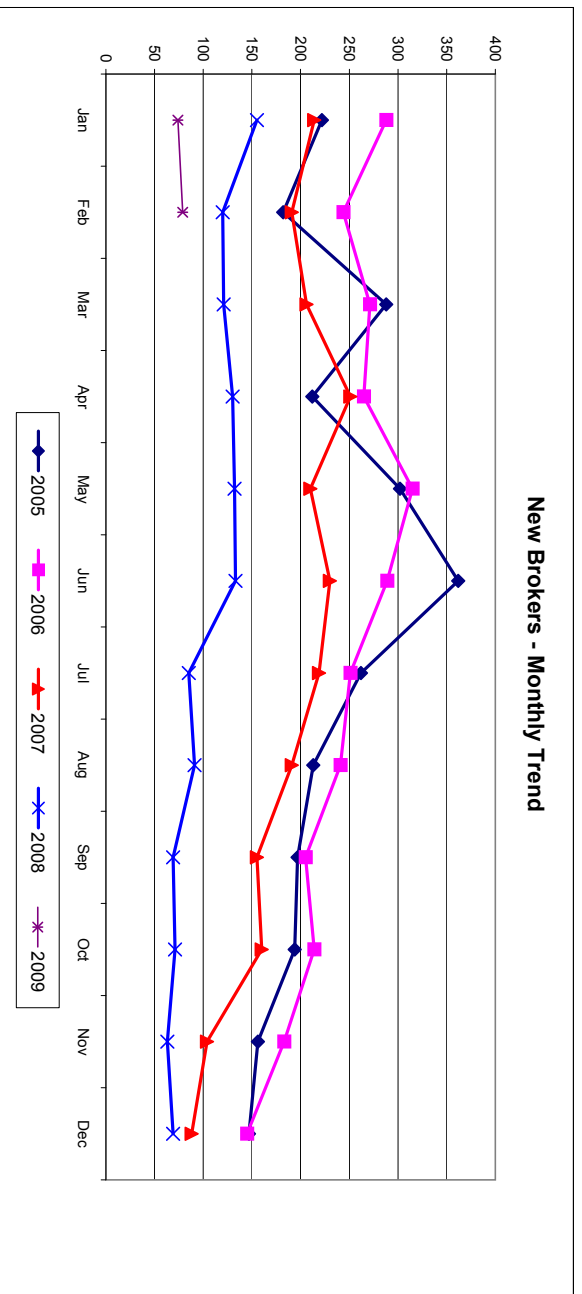
New Broker, Sole Practitioner, & Principal Broker - 2005 to Current



Total New Broker, Sole Practitioner and Principal Broker - Monthly Trend



| New Broker | | | | | | | | | | | | | | |
|------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
| 2005 | 222 | 182 | 288 | 212 | 302 | 362 | 262 | 213 | 197 | 194 | 156 | 147 | 2737 | 228 |
| 2006 | 288 | 244 | 271 | 265 | 315 | 289 | 251 | 241 | 205 | 214 | 183 | 145 | 2911 | 243 |
| 2007 | 214 | 191 | 206 | 251 | 210 | 230 | 219 | 191 | 155 | 160 | 104 | 88 | 2219 | 185 |
| 2008 | 155 | 120 | 121 | 130 | 132 | 133 | 85 | 91 | 69 | 71 | 63 | 69 | 1239 | 103 |
| 2009 | 74 | 79 | | | | | | | | | | | | 153 |
| Average | 220 | 163 | 222 | 215 | 240 | 254 | 204 | 184 | 157 | 160 | 127 | 112 | | 77 |



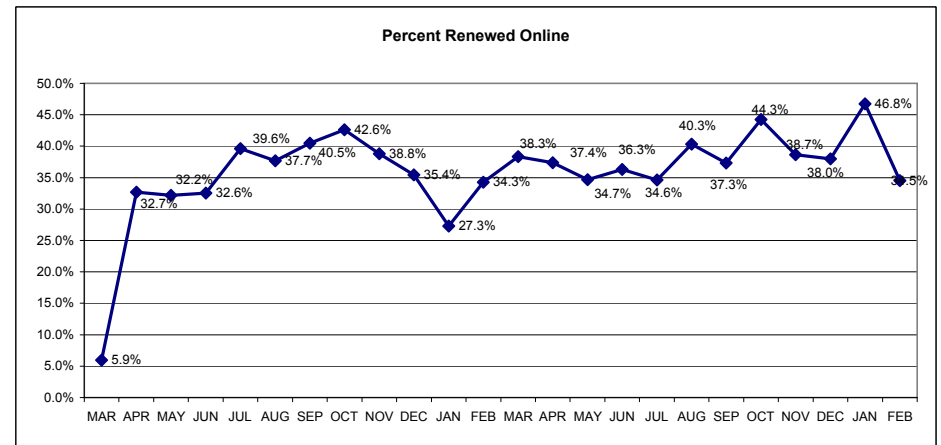
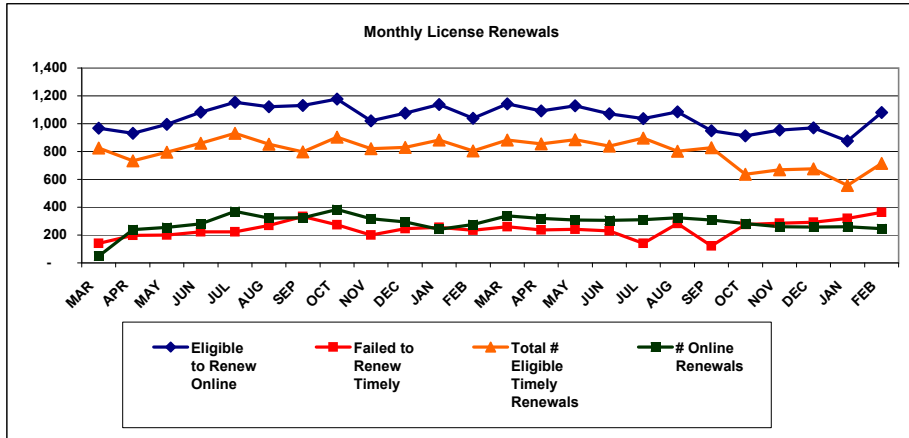
| New Broker - Sole Practitioner | | | | | | | | | | | | | | |
|--------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
| 2005 | 5 | 7 | 7 | 7 | 10 | 5 | 3 | 6 | 5 | 6 | 2 | 2 | 63 | 5 |
| 2006 | 3 | 8 | 29 | 21 | 31 | 27 | 20 | 29 | 30 | 25 | 16 | 22 | 261 | 22 |
| 2007 | 32 | 22 | 23 | 27 | 32 | 25 | 32 | 20 | 19 | 27 | 19 | 30 | 308 | 26 |
| 2008 | 37 | 40 | 28 | 33 | 33 | 34 | 40 | 38 | 25 | 42 | 32 | 47 | 429 | 36 |
| 2009 | 60 | 31 | | | | | | | | | | | | 91 |
| Average | 27 | 22 | 22 | 23 | 25 | 23 | 24 | 23 | 20 | 25 | 17 | 25 | | 46 |

| New Principal Broker | | | | | | | | | | | | | | |
|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
| 2005 | 0 | 0 | 0 | 2 | 0 | 2 | 1 | 0 | 0 | 3 | 2 | 0 | 10 | 1 |
| 2006 | 0 | 16 | 42 | 30 | 41 | 40 | 38 | 34 | 31 | 36 | 35 | 35 | 378 | 32 |
| 2007 | 40 | 37 | 43 | 39 | 29 | 39 | 24 | 45 | 34 | 35 | 25 | 29 | 419 | 35 |
| 2008 | 31 | 43 | 20 | 28 | 27 | 20 | 22 | 21 | 16 | 34 | 32 | 23 | 317 | 26 |
| 2009 | 24 | 23 | | | | | | | | | | | | 47 |
| Average | 19 | 24 | 26 | 25 | 24 | 25 | 21 | 25 | 20 | 27 | 24 | 22 | | 24 |

| New Property Manager | | | | | | | | | | | | | | |
|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|---------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | Average |
| 2005 | 12 | 16 | 5 | 8 | 7 | 7 | 12 | 5 | 10 | 5 | 5 | 9 | 101 | 8 |
| 2006 | 6 | 5 | 7 | 7 | 12 | 12 | 3 | 10 | 12 | 10 | 7 | 4 | 95 | 8 |
| 2007 | 6 | 2 | 4 | 8 | 12 | 9 | 7 | 9 | 11 | 9 | 5 | 17 | 99 | 8 |
| 2008 | 9 | 11 | 10 | 9 | 11 | 10 | 5 | 12 | 11 | 10 | 12 | 6 | 116 | 10 |
| 2009 | 8 | 9 | | | | | | | | | | | | 17 |
| Average | 8 | 9 | 7 | 8 | 11 | 10 | 7 | 9 | 11 | 9 | 7 | 9 | | 9 |

| | 2007 | | | | | | | | | | | 2008 | | | | | | | | | | | 2009 | |
|----------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB |
| Eligible to Renew Online | 967 | 932 | 996 | 1,082 | 1,155 | 1,121 | 1,131 | 1,177 | 1,021 | 1,077 | 1,138 | 1,039 | 1,142 | 1,093 | 1,128 | 1,071 | 1,037 | 1,085 | 950 | 912 | 954 | 969 | 876 | 1,080 |
| Failed to Renew Timely | 141 | 198 | 201 | 222 | 224 | 269 | 333 | 274 | 201 | 247 | 255 | 234 | 260 | 237 | 242 | 231 | 141 | 282 | 122 | 275 | 284 | 292 | 320 | 364 |
| Total # Eligible Timely Renewals | 826 | 734 | 795 | 860 | 931 | 852 | 798 | 903 | 820 | 830 | 883 | 805 | 882 | 856 | 886 | 840 | 896 | 803 | 828 | 637 | 670 | 677 | 556 | 716 |
| # Online Renewals | 49 | 240 | 256 | 280 | 369 | 321 | 323 | 385 | 318 | 294 | 241 | 276 | 338 | 320 | 307 | 305 | 310 | 324 | 309 | 282 | 259 | 257 | 260 | 247 |
| Percent Renewed Online | 5.9% | 32.7% | 32.2% | 32.6% | 39.6% | 37.7% | 40.5% | 42.6% | 38.8% | 35.4% | 27.3% | 34.3% | 38.3% | 37.4% | 34.7% | 36.3% | 34.6% | 40.3% | 37.3% | 44.3% | 38.7% | 38.0% | 46.8% | 34.5% |
| Percent Failed to Renew Timely | 14.6% | 21.2% | 20.2% | 20.5% | 19.4% | 24.0% | 29.4% | 23.3% | 19.7% | 22.9% | 22.4% | 22.5% | 22.8% | 21.7% | 21.5% | 21.6% | 13.6% | 26.0% | 12.8% | 30.2% | 29.8% | 30.1% | 36.5% | 33.7% |

NOTE: Opened for online transactions 3/21/07 (no advertisement). Flyers first sent with renewal applications in April, 2007.
 NOTE: If the licensee is making a change (e.g. changing status, license category, or RBN), they may not renew online.



NOTE: Online renewals seem to be steady at about 35% to 38% - many companies do not want to have their brokers renew online because the online renewal process does not notify the principal broker or give the principal broker the opportunity to review/approve the licensee's continuing education before allowing the licensee to renew online.