

Transcript of public hearing on rulemaking activity for WAC 308-124C-105 Required records

May 23, 2024

Ellis Starrett (00:01):

Good morning. This is a public hearing before the Washington State Department of Licensing being held to elicit public testimony, both oral and written, with regard to proposed rules amending WAC 308-124C. These proposed rules are intended to provide clarity concerning required document maintenance for real estate licensees.

(00:24):

This hearing is being held via Zoom and in person at 1125 Washington Street Southeast, Olympia, Washington. This hearing is taking place at 10:00 AM on May 23rd, 2024. Public notice of this hearing was given by notice number WSR 24-09-085, filed with the Code Reviser's Office on April 17th, 2024. The department posts all of our rulemaking information on dol.wa.gov/about/rulemaking-activity, and this is where you can access all rulemaking notices and proposed language for this rulemaking. The sign-in sheet, your testimony, and any documents you provide are public documents. This rule is proposed pursuant to the provisions of RCW 18.85.041.

(01:19):

My name is Ellis Starrett and my title is Rules and Policy Manager. The Director of Licensing has designated me to preside over this hearing. Representatives of the Washington State Department of Licensing are present today if there are questions.

(01:36):

I'm going to go with Bill Dutra, Boards and Outreach Administrator, and Kelsey Stone, Legislative and Policy Analyst. I apologize if I miss folks who are on the call.

(01:47):

The procedure today will be as follows. The department is required to make a record of this hearing by stenographic, mechanical, or electronic means. Therefore, we are audio recording this hearing. For virtual attendees wishing to testify, please provide your name and contact information in the chat, or unmute and tell me you would like to testify when I call on your screen name.

(02:11):

For those in the room wishing to testify who have not already noted their desire to testify on the sign-in sheet, please wait for me to ask the room if there's anyone else willing to testify and notify me at that time. I will ask you to provide your contact information, which will be added to the sign-in sheet. This sign-in sheet will be used to call forward individuals for testimony and is later used to ensure hearing participants are notified of rulemaking results and the agency's

response to comments. You will be called to testify in the order in which I collect your information.

(02:42):

To assist in preparing the record of this public hearing, individuals testifying today should state their name, who they represent, if they are testifying on behalf of others, and whether they support or oppose the proposed rules.

(02:54):

The department has received written comments on these proposed rules. For those wishing to provide written comments, please hand them to us or email them to rulescoordinator@dol.wa.gov, and we will include them in the formal record and our response to questions. Copies of these written comments will be added to the rulemaking file.

(03:16):

Now we will hear oral statements from those present. First up, can we have Mary Holdrarity?

Mary Holdrarity (03:25):

Yes. Thank you. Good morning. My name is Mary Holdrarity for the record here on behalf of Washington Realtors. We appreciate the work of the Department of Licensing and the opportunities to engage here.

(03:36):

In response to the referenced update to WAC 308-124C, specific provision 105, we would like to submit a mild amendment for consideration.

(03:46):

In reading the proposed language, we believe a rearrangement of the inserted language may help to provide some clarity and readability. That said, we submit the following suggestion: to instead remove the last edition of the broker price opinions, and referral agreements, and instead have it read, "Other records to see a transaction folder containing all agreements, receipts, contracts, documents, leases, closing statements," then insert the new language, "Broker price opinions, referral agreements and material correspondence," with the remaining of the submitted rulemaking to read as originally submitted and distributed.

(04:30):

Happy to answer any questions.

Ellis Starrett (04:33):

Thank you so much for your testimony, Mary. Appreciate you being here today.

(04:38):

All right, do we have anyone else wishing to testify today? I'm going to give a moment for hands and I'm looking through attendees as well just to see if there's anyone else who is maybe gesturing or ... I know sometimes Zoom can be tricky.

(05:01):

At this time, if you are wishing to testify, just go ahead and unmute so you don't miss your opportunity.

(05:16):

Thank you for your comments. The department will prepare a concise explanatory statement, which will, among other things, summarize all the oral and written comments received regarding the proposed rules and respond to them by category or subject matter. Copies of the concise explanatory statement will be forwarded to all those who have made oral written comments.

(05:35):

This hearing is adjourned. You can stop the recording, Kelsey.