



**STATE OF WASHINGTON
DEPARTMENT OF LICENSING
REAL ESTATE COMMISSION
MEETING MINUTES**

DATE: Thursday, May 16, 2024
TIME: 10:00 a.m.
LOCATION: Virtual via Microsoft Teams

BOARD MEMBERS: Jennifer Clawson, Chair, Assistant Director
Eddie Chang, Vice Chair
Casey Brazil, Commissioner
Keith Bruce-Jones, Commissioner
Ruth Fabiola Macias, Commissioner (excused absence)
Sabrina Jones-Schroeder, Commissioner
Shelly Schmitz, Commissioner

STAFF MEMBERS: Catherine Naegeli, Administrator
Nathan Buck, Investigations Supervisor
Jessica Koning, Legal Services Manager
Tanya Hessler, Program Manager
Debra Allen-Bâ, Assistant Administrator
Sandy Baur, Program Specialist
Saundra Schaefer, Program Specialist
Linda Gallivan, Administrative Assistant

1. Call to Order

Chair Jennifer Clawson called the meeting to order at **10:01 a.m.**

2. Roll Call

Program Specialist Saundra Schaefer conducted roll call. All Commissioners were present except Commissioner Ruth Fabiola Macias who had an excused absence.

3. Approval of Agenda

Vice Chair Eddie Chang made a **MOTION** to approve the agenda as presented. Commissioner Sabrina Jones-Schroeder **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

4. Approval of Minutes

4.1. Approval of February 15, 2024 Minutes

Vice Chair Chang made a **MOTION** to approve the Regular Meeting Minutes of November 16, 2023, as presented. Commissioner Jones-Schroeder **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

5. Awards/Recognition

5.1. Recognition of Ruth Fabiola Macias' Service

Commissioners and staff will recognize Commissioner Fabiola Macias' three years of service to the Commission.

Program Specialist Sandy Baur and Commissioners shared departing thoughts and words of appreciation for Commissioner Fabiola Macias. Ms. Baur stated that staff would send Commissioner Fabiola Macias a recording of their well-wishes since she was not able to attend the meeting.

6. Old Business

6.1. Professional Service Industries (PSI) Update

Staff will provide an update to the Commission.

Chair Clawson shared that the Department of Licensing (DOL) continued to work with PSI to improve their customer service. She said DOL leadership had twice-weekly meetings, which would continue until the issues were resolved.

6.2. Senate Bill (SB) 5191 Update

Staff will provide an update to the Commission.

Chair Clawson discussed the impacts of SB 5191 rulemaking. She said DOL leadership would audit and investigate the language further.

Administrator Catherine Naegeli said DOL would not move forward with defining, "as soon as reasonably practical" but would move forward with the other language in the bill. She said there would be a rules hearing on May 23, 2024.

7. New Business

7.1. In-Person Meeting Update

Staff will provide meeting location and time updates.

Administrative Assistant Linda Gallivan provided information for the in-person Commission meeting scheduled to take place on August 15, 2024.

8. Reports

Report-outs and/or data will be shared on the following topics.

8.1. Subcommittee Reports

Each subcommittee will provide a report-out on the progress they have made since the last Commission meeting.

8.1.1. Education Subcommittee

Commissioner Shelly Schmitz said the subcommittee looked into the option of instructors receiving continued education credits for teaching a class and that it would require a legislative change. She said the Subcommittee would not pursue it at that time.

Commissioner Schmitz also provided information on the curriculum review the Subcommittee was working on.

8.1.2. Licensed Transaction Coordinator Subcommittee

Commissioner Jones-Schroeder said the Subcommittee looked at sample transaction coordinator contracts, lists of tasks performed, disclosure of language, and other information and data related to transaction coordinators. She said the Subcommittee was working to gain an understanding of the type of work they perform and determine whether they should require licensure per real estate statute.

Commissioner Jones-Schroeder said the Subcommittee was discussed reviewing the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) associated with brokerage services. They talked about translating the RCW and WAC into plain talk to make a reference resource that was more accessible to the public.

8.1.3. Record Keeper Definition Subcommittee

Ms. Baur said the Subcommittee was reviewing WAC 308-124C-105 language to determine whether updates were needed.

8.1.4. Team Names Subcommittee

Vice Chair Chang said three listening sessions had taken place, and the Subcommittee was reviewing public comments from them. He said the Subcommittee's next step was to develop a recommendation based on the feedback.

8.1.5. Senate Bill (SB) 5399 Subcommittee

Commissioner Brazil said the subcommittee had done extensive research associated with SB 5399, including reviewing other states' legislation and Attorney General cases. He also shared there was a survey sent out in April 2024, that garnered over 600 responses and another survey was sent out May 13, 2024.

Commissioner Brazil said two listening sessions were scheduled in June of 2024 to get public feedback on this topic.

8.2. Centralized Investigations and Audits Unit

8.2.1. Complaint Case Count Reports

Investigations Supervisor Nathan Buck reviewed the Complaint Case Count Report with the Commission.

8.2.2. Top Complaints by Type Report

Mr. Buck reviewed the common complaints that come into the intake unit.

Legal Services Manager Jessica Koenig reviewed the most common sanctions imposed by her unit.

Commissioner Jones-Schroeder asked if the complaints were mostly from customers or licensees and Mr. Buck said it was an even mix of both.

Vice Chair Chang asked what could alleviate the advertising complaints and Mr. Buck said it really comes down to advertising firm name and or the doing business as (DBA) name.

Commissioner Jones-Schroeder said other states published de-identified complaint findings and asked if DOL could do the same. Chair Clawson said it had been done in the past, but it was difficult to provide the information equitably and consistently in all professions.

8.3. Licensee and Customer Support Services

8.3.1. Licensee Count Reports

Program Manager Tanya Hessler reviewed the Licensee Count Report with the Commission.

8.3.2. Customer Call & Email Data

Ms. Hessler reviewed customer call and email data with the Commission.

Commissioner Jones-Schroeder said the six-minute call hold and 15-day email response times were an improvement, but still too long. Chair Clawson acknowledged the comment and said that DOL was continuing to work on it.

8.4. Boards, Commissions, and Outreach

8.4.1. Pass/Fail Rate Reports

Ms. Baur provided a snapshot review of the report data and said the full report was in the Commissioners' meeting packets.

8.4.2. Housing Market Report

Ms. Baur provided a snapshot review of the report data and said the full report was in the Commissioners' meeting packets.

8.4.3. Review of Master Action Item List

Ms. Schaefer reviewed the Master Action Item List with the Commission.

9. Public Comments

The public may address the Commission on matters within the Commission's jurisdiction, either verbally during the meeting or by submitting written comments. Verbal comments are limited to one three-minute comment. Written comments are limited to no more than 500 words and must be emailed to DOLBoards@dol.wa.gov no less than two business days prior to the meeting with the subject line "Public Comment: Real Estate Commission." In response to all public comments, the Commission is

limited to requesting that the matter be added to a future agenda for discussion or directing staff to study the matter further. Inflammatory comments and language will not be permitted.

Ms. Baur read a written public comment from Linn Larsen. Linn's comment addressed Senate Bill (SB) 5539, stating it was a bad idea that aimed at anti-competition and created adverse implications and complications. Linn's comment suggested a solution.

Ms. Baur read a written public comment from Leanne Finlay, owner and designated broker of Piper Finlay Real Estate. Leanne's comment addressed brokers using Team Names and stated that firm and last names should be displayed in advertising. Additionally, Leanne suggested a financial penalty to those who do not display them or a better process to ensure professional licensing information was identifiable.

Ms. Baur read written public comment from Michael Ballou. Micheal's comment addressed the unregulated large population of licensees that spend too much time battling with competition. Michael said there should be better support for licensees to ease the high attrition rate.

A member of the public, Christina Nelson, addressed the Commission and asked whether in-person instruction would resume in the future.

10. Conclusion

10.1. Announcements

Commissioner Jones-Schroeder announced it was her last official Commission meeting. She expressed pleasure and gratitude for the opportunity to serve and be a part of the Commission's work.

10.2. Requests for Future Agenda Items

Vice Chair Chang requested to add a review of the subcommittee composition at the next Commission meeting.

Vice Chair Chang inquired about Commission participation at the Association of Real Estate License Law Officials (ARELLO) annual conference. Chair Clawson directed staff to determine Commissioner attendance and coordinate travel preparations for the conference.

10.3. Review of New Action Items and Items for Next Meeting

Ms. Schaefer shared the new agenda and action items she captured during the meeting.

- Discussion about whether Washington can report out identified information on common complaints and providing information online or published.
- Follow-up on ARELLO attendance and travel.
- Education Subcommittee to address education pass/fail rate public comment question and provide a report at the next meeting.
- Composition of Subcommittees

11. Adjournment

Chair Clawson adjourned the meeting at **11:02 a.m.**

Next Commission Meeting:

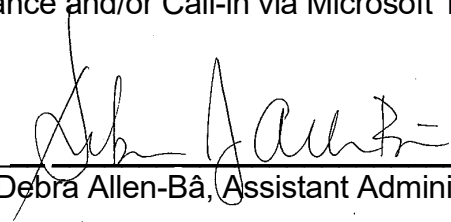
Thursday, August 15, 2024
10:00 a.m.

In Person Option:

South Puget Sound Community College's Lacey Campus
4220 6th Ave SE
Lacey, WA 98503

Remote Options:

Virtual Attendance and/or Call-in via Microsoft Teams

Submitted by: 
Debra Allen-Bâ, Assistant Administrator

August 15, 2024
Date

Approved by: Jennifer Clawson
Jennifer Clawson, Commission Chair

September 6, 2024
Date