



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
REAL ESTATE COMMISSION
MEETING MINUTES

DATE: February 16, 2023
TIME: 10:00 AM
LOCATION: Virtual via Teams

BOARD MEMBERS: Jennifer Clawson, Chair, Assistant Director
Casey Brazil, Commissioner
Eddie Chang, Commissioner
Ruth Fabiola Macias, Commissioner
Sabrina Jones-Schroeder,
Shari Song, Commissioner
Shelly Schmitz, Commissioner

STAFF MEMBERS: Debra Allen-Bâ, Assistant Administrator
Sandy Baur, Program Specialist
Saundra Schaefer, Program Specialist

1. Call to Order

Chair Jennifer Clawson called the meeting to order at **10:00AM**.

2. Roll Call

Program Specialist Saundra Schaefer conducted roll call and all commissioners and staff were present.

3. Approval of Agenda

Commissioner Eddie Chang made a **MOTION** to approve the agenda as presented. Commissioner Casey Brazil **SECONDED** the motion, and it was approved.

4. Approval of Minutes

4.1. September 22, 2022 Minutes

Commissioner Chang made a **MOTION** to approve the September 22, 2022 minutes as presented. Commissioner Shari Song **SECONDED** the motion, and it was approved.

4.2. December 15, 2022 Minutes

Commissioner Chang made a **MOTION** to approve the December 15, 2022 minutes as presented. Commissioner Brazil **SECONDED** the motion, and it was approved.

5. Awards/Recognition

5.1. Recognition of Commissioner Chang

Commissioner Chang testified on behalf of the Commission to the legislature.

Program Specialist Sandy Baur shared that the House Consumer Protection and Business Committee requested a presentation from the Real Estate Commission on a brief history about how professions, licensing and dual agency laws have changed over the years, licensing requirements, buyer agent versus seller agent and additional pieces of information. With short notice, Commissioner Chang prepared a presentation and testified. His presentation was fantastic and well received.

6. Old Business

6.1. 2023 Calendar Approval via “Teams”

Staff will present the proposed 2023 calendar for Commission approval.

Ms. Baur presented the proposed 2023 Real Estate Commission Meeting dates of February 16, 2023, May 18, 2023, August 17, 2023, and November 16, 2023. She said the Department of Licensing (DOL) is testing technology to have effective hybrid meetings. Once the technology is in place, there will be at least one hybrid meeting with the in-person attendees meeting in Olympia.

Commissioner Jones-Schroeder made a **MOTION** to approve the 2023 meeting schedule as presented. Commissioner Shelly Schmitz **SECONDED** the motion, and it was approved.

6.2. Elect Vice Chair

The Commission will elect a Vice Chair.

Chair Clawson opened the floor for Vice Chair nomination. She clarified that it is set in statute that the DOL Director or a designee will sit as the Chair of the Real Estate Commission, and the Vice Chair role is elected by the Commission.

Ms. Baur said the Vice Chair acts as Chair, in any capacity, when the Chair is not available or able to do those duties. Responsibilities include facilitating meetings, requesting the vote, leading discussion, attending agenda setting and monthly check-in meetings, and more.

Commissioner Jones-Schroeder **NOMINATED** Commissioner Song.
Commissioner Song **NOMINATED** Commissioner Jones-Schroeder.

Discussion:

Commissioner Jones-Schroeder expressed interest in the Education Subcommittee, and that she would only do one or the other. Commissioner Chang offered to be the Vice Chair because he has more capacity than the other Commissioners.

Commissioner Brazil made a **MOTION** to nominate Commissioner Chang. Commissioner Schmitz **SECONDED** the motion, and it was approved.

6.3. Appoint Members to Subcommittees

The Commission will nominate Commission Members to participate in Subcommittees.

Chair Clawson opened the floor for Education Subcommittee and the Team Names Subcommittee nominations. Nominations were opened for both subcommittees at once due to the great interest in participation and the limit of three commission members per committee in order to avoid a quorum.

Commissioner Jones-Schroeder made a **MOTION** to nominate herself for the Education Subcommittee.

Commissioner Schmitz made a **MOTION** to nominate herself for the Education Subcommittee.

Commissioner Brazil made a **MOTION** to nominate himself for the Education Subcommittee.

Commissioner Fabiola Macias made a **MOTION** to nominate herself for the Education Subcommittee.

Discussion:

Commissioner Fabiola Macias said she would be willing to be on the Team Names Subcommittee instead of the Education Subcommittee. Commissioners Schmitz and Jones-Schroeder confirmed that they are also interested in the Teams Names Subcommittee.

Commissioner Jones-Schroeder made a **MOTION** to nominate Commissioners Jones-Schroeder, Schmitz, and Brazil to the Education Subcommittee and Commissioners Fabiola Macias, Schmitz, and Song to the Team Names Subcommittee. Commissioner Chang **SECONDED** the motion, and it was approved.

7. New Business

Commissioner Jones-Schroeder said she would like to discuss the budget during the next meeting.

8. Reports

8.1. Professional Service Industries (PSI) Report Out

Staff will provide information on customer service issues and Professional Service Industries (PSI) website updates.

Ms. Baur gave an update regarding PSI. DOL has scheduled monthly meetings with PSI to address customer service issues. During the February meeting, staff and PSI discussed several issues including wait times and registering for exams. PSI is working on prioritizing our candidates and will upload their data right away to decrease wait times. They will also investigate call wait times and monitor recorded calls for teachable moments.

Staff asked PSI to work with their executive leadership to streamline their process of notifying students when a testing site is closed unexpectedly.

Staff let PSI know that some candidates couldn't schedule both exams within six months. PSI will examine their programming to determine the cause.

Staff brought up candidate complaints regarding registration, where they have paid for the exam but cannot find their registration. The PSI team believes it's possible the candidates did not complete the final steps of registration.

Ms. Baur added the issue of registering and paying for exams is very difficult for PSI to research without a specific name to look up. She encouraged candidates to reach out to DOL if they encounter this issue. Assistant Administrator Debra Allen-Bâ said if a candidate has this, or any, issue and are having trouble getting through to PSI, they should reach out to DOL via the Real Estate Licensing unit at realestate@dol.wa.gov.

In response to a public comment during the last meeting regarding the availability of sample exam and practice tests on the website, PSI has updated their website and added appropriate language. Additionally, Ms. Baur provided step by step instructions on how to find the practice tests on the PSI website.

Ms. Baur recommended the newly formed Education Subcommittee work with DOL to review and update the Managing Broker prequalification curriculum.

Chair Clawson suggested the Commission use research dollars to hire the University of Washington (UW) to look at the pass/fail rates across the nation for comparison. Commissioner Schmitz asked if the research data would be PSI specific or include other testing companies. Chair Clawson said we can specify whether the data should include only PSI states or all states, it is up to the Commission and what data they want to request.

ACTION ITEM: Staff to request research from UW: Country-wide pass/fail rates for licensing test.

8.2. Licensee Counts

Staff will provide information on the current number of Licensees.

Ms. Baur reviewed the data from the Licensee Count report.

Commissioner Jones-Schroeder interpreted the licensee count to reflect about 12,000 team names that have been approved by the DOL.

Commissioners and staff discussed the complexities of team names, assumed names, "Doing Business As," and the issues caused by confusion between them. The new Team Names Subcommittee will tackle these issues and work on updating the Revised Code of Washington (RCW) for clarity. Chair Clawson is hopeful to have something produced by the subcommittee for the next legislative session. Ms. Baur will be the liaison for the subcommittee and will provide research and additional support.

8.3. Review Master Action Item List

Staff will review the Master Action Item List from the December 15, 2022, meeting.

Ms. Schaefer reviewed the Master Action Item List:

- Audit guidelines are posted on the DOL website – Complete
- PSI update customer service complaints and Managing Broker Exam – Ongoing
- Research Broker/Managing Broker licensing names, firm assumed names – Subcommittee will continue research.
- License Look-Up check-in and adding licensees to firm – In Progress

Chair Clawson shared Licensee Lookup will be live March 15, 2023. An additional issue with a license number not populating with name and information should be fixed and will go live on March 15, 2023.

Commissioner Jones-Schroeder asked staff to fix or remove the "add licensee" button on the website that does not work.

ACTION ITEM: Staff to research and fix or remove the "add licensee" button.

9. Public Comment

Marianna V addressed the Commission and said people hire their friends, and they don't know how the industry functions. With assumed names, realtors are the brand, and it represents them and what they do. Realtors spend a lot of money developing the brand. Mariana suggested finding a way to attach the assumed name to the initial licensee rather than tying the realtors to brokerages.

Natalie Danielson addressed the Commission and said, when trying to reschedule with PSI, there are lost tests and errors. One student has been trying to schedule a test for weeks. She asked who to refer people to for assistance.

Ms. Danielson said she believes the manager broker practice test is the old pre-license test that PSI has renamed and that there are concerns with what the practice test is testing and how it is scored.

Natalie Kelly addressed the Commission and said she can't reschedule someone because they have failed an exam and need help rescheduling. She asked if there is movement in the process of being able to see what tests someone has passed.

Sreeni Gorthi addressed the Commission and said the first time she attempted managing broker exam, the computer system was very slow, so she had to finish the exam at a second location. PSI needs better computers for efficient testing.

10. Conclusion

10.1. Announcements

Chair Clawson announced that Bill Dutra has been appointed as the interim Administrator for our Boards, Commissions, and Outreach team.

Ms. Baur shared the release of the New Fair Housing 3-Clock Hours curriculum outline, which has been shared via ListServ.

Commissioner Jones-Schroeder asked whether all current licensees have to complete the six-hour fair housing course by June 1, 2023. She also asked, since there was a new adoption with the fair housing requirement, how new licensees know whether they need three or six hours of the fair housing course.

Ms. Baur will send a ListServ with more scenarios of the New Fair Housing 3-Clock Hours curriculum outline to alleviate questions.

Commissioner Jones-Schroeder asked if the six-hour current issues course will include the fair housing course, or if they will be two separate classes. She also asked if current issues will be its own 3-hour class with fair housing as a separate three-hour class and whether licensees will be required to have the two separate classes required for their 30.

Ms. Baur will consult the Department's education expert on Commissioner Jones-Schroeder's questions and include answers with the 3-Clock Hour curriculum outline updated scenarios ListServ.

10.2. Requests for Future Agenda Items

Commissioners requested staff to add items to future meeting agendas or the Master Action Item list, based on public comments and other discussions.

- Commissioner Jones-Schroeder: Budget Discussion to be added to the next agenda.
- Chair Clawson: Subcommittee Report-Outs to be added to the next agenda.
- Commissioners Song and Schmitz: Managing Broker title issue to be addressed by the Team Names Subcommittee.

10.3. Review of Action and Agenda Items for Next Meeting

Ms. Schaefer reviewed agenda items for the next meeting and the new action items from this meeting.

Agenda Items:

- Discuss budget
- Subcommittee report outs

New Action Items:

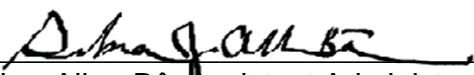
- Staff to research public comment regarding if a person fails one part of the test but not the other, how can you take the second part.
- Staff to request research from UW: Country-wide Pass/Fail rates for licensing test.
- Ms. Baur and subcommittee to compile history of assumed names
- Staff to put in a service ticket for the non-working "add a licensee" link on the DOL website.
- Staff to send new ListServ regarding 3-Clock Hour Update that includes the changes/updates that were discussed in this meeting.

11. Adjournment

Chair Clawson adjourned the meeting at **11:12 AM**.

Next Board Meeting:

May 18, 2023, at 10:00 AM
Virtual via Teams

Submitted by: 
Debra Allen-Bâ, Assistant Administrator

06-7-2023
Date

Approved by: 
Jennifer Clawson, Chair

6-7-2023
Date