



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

DATE: Thursday February 15, 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 (Excused)
Keith Bruce-Jones, Commissioner
Ruth Fabiola Macias, Commissioner
Sabrina Jones-Schroeder, Commissioner
Shelly Schmitz, Commissioner

STAFF MEMBERS: Katherine Naegeli, Administrator
Tanya Hessler, Program Manager
Bill Dutra, Administrator
Debra Allen-Bâ, Assistant Administrator
Taylor Hughes, Management Analyst
Tim Allen, Education Manager
Sandy Baur, Program Specialist
Saundra Schaefer, Program Specialist

1. Call to Order

Chair Jenifer Clawson called the meeting to order at **10:00 a.m.**

2. Roll Call

Program Specialist Saundra Schaefer conducted roll call. All Commission members were present except Commissioner Casey Brazil who was **excused**.

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 November 16, 2023 Minutes

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

5. Awards/Recognition

5.1. Introduction: Taylor Hughes

Taylor Hughes will introduce herself to the Commission and provide a summary of her position and how it relates to the industry.

Ms. Hughes introduced herself to the Commission and provided information about her background. She briefly discussed the work that she will be doing for the Department of Licensing (DOL) and how it will relate to the industry.

6. Old Business

6.1. Professional Service Industries (PSI) Update

Information Only: Staff will provide an update to the Commission.

Chair Clawson provided a PSI update. She said there was a DOL team that was meeting with PSI weekly, and that she met with them monthly to keep on top of customer service and testing issues. She also said DOL was looking at the requirements for a new bid for a testing vendor. She estimated it would be six to seven months before DOL could request proposals from the industry.

Commissioner Jones-Schroeder asked whether DOL Leadership meeting with PSI was helping. Chair Clawson said she was disappointed in the lack of progress but, DOL would continue to work up PSI's chain of command to find solutions.

Commissioner Jones-Schroeder asked how many test vendors there were. Chair Clawson said DOL was aware of two vendors and had experienced issues with both vendors. She said the lack of vendors may be due to the requirement that exams need to be certified by Association of Real Estate License Law Officials (ARELLO). DOL's next step will be contacting ARELLO to see if they can offer support.

6.2. Senate Bill (SB) 5191 Update

Information only: Staff will provide an update to the Commission.

Central Investigations & Audit Unit Administrator Catherine Naegeli provided a SB 5191 update to the Commission. She said there would be listening sessions to hear public comments about the language changes. She said there would also be a ListServ announcement sent out with a link to a short survey.

Commissioners Jones-Schroeder and Schmitz went on record to state that DOL's proposed definition of "as soon as reasonably practical" was unacceptable to the SB 5191 Subcommittee and that it did not reflect the intent of the bill.

Vice Chair Chang said, with the most recent proposed language, he would need to consider it. He said he felt DOL had not listened to the Subcommittee.

Boards, Commissions, and Outreach Unit Administrator Bill Dutra clarified that the form would need to be provided to the client within the time frame. He said the client would not need to sign it, acknowledging that DOL could not force anyone to sign the document.

7. New Business

7.1. Annual Election of Vice Chair (Pages 23)

The Commission will elect a Vice Chair to serve for one year.

Commissioner Schmitz made a **MOTION** to appoint Eddie Chang as Vice Chair for 2024. Commissioner Macias **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

7.2. Composition of Subcommittees for 2024

The Commission will revisit the composition of subcommittees to determine whether new membership is needed.

Ms. Schaefer reviewed the current composition of the subcommittees with the Commission. Ms. Baur provided additional clarification on the subcommittee assignments.

Commissioner Jones-Schroeder made a **MOTION** for Commissioners Brazil, Jones-Schroeder, and Schmitz to comprise the Education Subcommittee for 2024. Commissioner Bruce-Jones **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

Commissioner Jones-Schroeder made a **MOTION** for Commissioners Bruce-Jones, Jones-Schroeder, and Schmitz to comprise the Licensed Transaction Coordinator Subcommittee for 2024. Commissioner Schmitz **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

Commissioner Jones-Schroeder made a **MOTION** for Commissioners Brazil, Bruce-Jones, and Fabiola Macias to comprise the Record Keeping Definition Subcommittee for 2024. Vice Chair Chang **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

Commissioner Jones-Schroeder made a **MOTION** for Vice Chair Chang, and Commissioners Fabiola Macias and Schmitz to comprise the Team Names

Subcommittee for 2024. Commissioner Schmitz **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

Commissioner Jones-Schroeder made a **MOTION** for Vice Chair Chang, and Commissioners Jones-Schroeder and Schmitz to comprise the Senate Bill 5191 Subcommittee and to recall the subcommittee only if needed. Vice Chair Chang **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

Commissioner Jones-Schroeder asked for clarification on the intent of the SB 5399 Subcommittee. Vice Chair Chang provided the requested clarification and recommended that Commissioner Brazil be added to the subcommittee as a representative of the commercial real estate industry.

Commissioner Jones-Schroeder made a **MOTION** for Vice Chair Chang, and Commissioners Brazil and Fabiola Macias to comprise the Senate Bill 5399 Subcommittee for 2024. Commissioner Bruce-Jones **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

7.3. In-Person Meeting Information

Staff will provide the Commission with information on a 2024 in-person meeting.

Program Specialist Sandy Baur shared that Commission staff was working on holding in-person meetings for all the boards and commissions supported by DOL. She said the August 15, 2024 meeting was scheduled to be held in person, provided that a quorum of commissioners planned to attend.

Ms. Baur said there would be a virtual option available for anyone who could not attend in person.

Vice Chair Chang made a **MOTION** to hold the August 15, 2024 meeting in-person, with a virtual option, asking for a roll-call vote. Commissioner Bruce-Jones **SECONDED** the motion. The motion was approved, with Vice Chair Chang and Commissioners Schmitz, Fabiola Macias, and Bruce-Jones voting yea and Commissioner Jones-Schroeder abstaining.

ACTION ITEMS: Staff to coordinate travel and lodging for any commissioners living 50 miles or more from Olympia, WA.

7.4. Continuing Education Credit for Instructors

Commissioner Jones-Schroeder will lead Commission discussion on this topic.

Commissioner Jones-Schroeder said there was no option in Washington State for instructors to receive Continuing Education Credits (CE) for topics they teach. She said the Education Subcommittee was of the opinion that instructors who develop and teach a class should receive CE for that subject, and that they wanted to bring the topic to the full Commission for discussion.

The Commission discussed the topic, including that most likely teaching the CORE Curriculum and fair housing should count as CE with no further education, and that instructors of specialty courses would need to be attend a separately taught class on that topic in order to receive CE.

The Commission determined the Subcommittee had more work to do before an official decision could be made.

Commissioner Jones-Schroeder made a **MOTION** to send this item back to the Education Subcommittee to continue exploring rulemaking with the consensus of the Commission. Commissioner Schmitz **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0.

8. Reports

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

8.1. Subcommittee Reports

8.1.1. Education Subcommittee Update

Commissioner Jones Schroeder shared that the Subcommittee was working on instructors receiving CE, low test pass rates of state test, review of managing broker curriculum, review of pre and post licensing statute to determine whether it is broad enough to ensure schools stay up to date with their curriculum.

8.1.2. Record Keeping Definition Subcommittee Update

Ms. Baur shared that the subcommittee had met and developed a scope of work. She said the Subcommittee would discuss next steps at their next meeting.

8.1.3. Licensed Transaction Coordinator Subcommittee Update

Commissioner Jones Schroeder shared that the subcommittee had met once and developed a scope of work to define “transaction coordinator” for licensees who offer transaction coordinator services. She said there was concern with a brokers licensed under one firm, and performing transaction coordinator services for another, it was unclear who was responsible/liable for the work performed.

8.1.4. Team Names Subcommittee Update

Commissioner Schmitz shared that the Subcommittee was working on clarifying what a “team” was, people’s roles and responsibilities in a team, refining the guidelines around advertising for a team, and the difference between team name vs. designated/assumed names.

Commissioner Schmitz said listening sessions were scheduled for March 22, 2024, March 29, 2024, and April 19, 2024. She said the listening sessions

were an opportunity for industry professionals and members of the public to provide their thoughts and opinions on the topic.

ACTION ITEM: Staff to send Team Names listening session information out via ListServ.

8.1.5. SB 5191 Subcommittee Update

Vice Chair Chang said this topic had been covered earlier in the meeting. No additional reports were provided.

8.1.6. SB 5399 Subcommittee Update

Commissioner Fabiola Macias provided a report on the Subcommittee's activities to the commission. She said that they had discussed 2024scope of work, data gathering options, and what their future meetings would look like.

8.2. Central Investigations and Audits Unit

8.2.1. Complaint Case Count Report

Ms. Baur reviewed the Complaint Case Count Report with the Commission.

Vice Chair Chang asked if the Commission could get categories of the types of complaints reflected in the report. Ms. Baur stated that this information had been requested and would be available by the next meeting.

Commissioner Jones-Schroeder asked about the timeframe for the report and asked for additional clarification of the statistics provided. Ms. Naegeli provided additional information and clarification.

ACTION ITEMS: Staff to provide a detailed breakdown of the types of complaints coming in.

8.3. Licensee and Customer Support Services

8.3.1. Licensee Count Report

Ms. Baur reviewed the Licensee Count Report with the Commission.

Commissioner Jones-Schroeder asked for clarification on some of the statistics provided, which Ms. Baur and Program Manager Tanya Hessler provided.

Vice Chair Chang said the statistics presented indicated there were firms not doing what they should be regarding team names and assumed names. He asked for a comparison of previous years to see new issues and renewal data.

Commissioner Jones-Schroeder asked for the Team Names Subcommittee to discuss advertising under different names and how to address assumed

names not being utilized properly. She asked to see overall trends and how they tied to market activity.

8.3.2. Customer Call & Email Data

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

Commissioner Jones-Schroeder asked if there was a voicemail for people to leave questions. Ms. Baur said there was not. Ms. Baur noted that there may be times with longer or shorter wait times and said that this report did not include times when the wrong prompt was selected for a different call type.

Commissioner Jones-Schroeder asked whether there was data on how long it took to resolve the average call. She also asked what call topics were most frequent, whether there were patterns of repeat questions. She said more education could be done to target those topics and help licensees find answers to high frequency questions on their own.

Vice Chair Chang said it was great to see progress being made and asked whether there were target goals for average call and email wait times and how the program could get there, which Ms. Baur addressed.

Chair Clawson asked that Licensing and Customer Support Services Administrator, Chantelle Petrone, Marker address these topics at the next Commission meeting. She said DOL was working to bring a new phone system online to help answer some of these questions.

Commissioner Jones-Schroeder asked how this data compared to other states and whether Secure Access Washington (SAW) is still causing delays and issues. She provided an example from the Idaho commission and said she doesn't want to waste time digging for data that wouldn't help. She also asked whether the state was fighting for systems that don't work and create backlogs and frustrations, which Chair Clawson addressed.

ACTION ITEM: Staff to provide data on the average length of customer call conversations and a comparison of other states' call data. Staff to look into ways to track call subject types.

AGENDA ITEM: Chantelle Petrone Marker to attend next Commission meeting and provide more detailed information on customer call data.

8.4. Boards, Commissions, and Outreach Unit

8.4.1. Review of Master Action Items 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.

A member of the public, Natalie Danielson, addressed the Commission and said the managing broker exam was outdated and the curriculum did not match the exam. She asked whether the new agency law would be on the exam. She also said she would like to see instructors get clock hours for continuing education, and it should not be limited to the topics of fair housing and CORE.

A member of the public, Tara Pease, addressed the Commission and said the firm they worked for had been having many issues with new broker test scores, updated results in SAW accounts, and renewing fingerprints.

A member of the public, George Lassiter, wanted to address the Commission but had technical issues. They were instructed to email comments to be read at the next meeting.

10. Conclusion

10.1. Announcements

None.

10.2. Requests for Future Agenda Items

Ms. Schaefer asked the Commission for any items they would like to discuss during the next meeting. Commissioner Jones-Schroeder requested to see budgetary information at the next meeting. It was discussed and determined that staff would continue to share a Budget Report annually at the last meeting of the year.

10.3. Review of Action Items and Items for Next Meeting

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

AGENDA ITEMS:

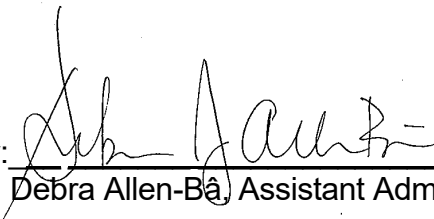
- Ms. Marker to attend the next Commission meeting and provide more detailed information on customer call data.

ACTION ITEMS:

- Staff to send Team Names listening session information out via ListServ.
- Staff to provide a breakdown of types of complaints coming in via calls and emails.
- Team Names Subcommittee to gather data on how many teams are operating under team name and not an assumed name.
- Staff to provide comparison data for licensee New Issues/Renewals year-over-year.
- Staff to provide data on the average length of customer calls.
- Staff to look into ways to track call subject type.

11. Adjournment

Chair Clawson adjourned the meeting at **11:59 a.m.**

Submitted by: 
Debra Allen-Ba, Assistant Administrator

May 16, 2024
Date

Approved by: Jennifer Clawson
Jennifer Clawson, Commission Chair

6-10-2024
Date

Next Board Meeting:

May 16, 2024

10:00 a.m.

Virtual via Microsoft Teams