

NEVADA REAL ESTATE COMMISSION
CONTINUING EDUCATION WORK GROUP
MARCH 18, 2010

March 18, 2010
Bradley Building
2501 E. Sahara Ave
Suite 303
Las Vegas, Nevada 89104

March 18, 2010
Nevada Association of Realtors
760 Margrave Dr.
Suite 200
Reno, Nevada 89502

MINUTES

Chairman Soози Jones Walker called the meeting to order at 9 a.m.

1. COMMISSION/DIVISION BUSINESS

A) Introduction of Task Force members.

In Las Vegas: Soози Jones Walker, Devin Reiss. Division staff: Gail Anderson, Administrator; Safia Anwari, Education/Information, Officer-Ex Officio member; Susan Clark, Licensing Manager; Teresa Rice, Publications Writer/Webmaster; Linda Pierson, Commission Coordinator.

Via telephone: Deonne Contine, Deputy Attorney General, Commission Counsel; Teresa McKee, Amy Lessinger, Kathryn Bovard. Janice Copple was unable to participate at this meeting.

B) Discussion and possible action to approve minutes from the March 8, 2010 meeting.

Devin Reiss moved to approve the minutes. Seconded by Kathryn Bovard. Motion carried.

C) Discussion and possible action including but not limited to:

1. Discussion from Division staff regarding licensing issues and tracking of continuing education credits

Ms. Anderson addressed the topic of continuing education uploads and online license renewal:

- Should be able to start experimenting with education uploads in a few months.
- Current focus is the online renewals; the target to implement is 7/1/2011.
- Have fashioned a work around in the education area for online renewal that involves a declaration by the licensee. There will be a report for the Commission at the April meeting.
- Regarding the providers submitting rosters, the regulation for that must be in place before it can take effect; if the draft is back from LCB in time, there could be an adoption hearing in April.

Susan Clark, Licensing Manager discussed how the education changes will impact Licensing staff.

- Education is tied to the renewal process:
 - continuing education tied to application for renewal and is received together
 - In four year renewal process with mid-term continuing education, implementing will involve staff developing some process to track whether requirements are met.

Teresa Rice, Publications Writer, confirmed that a customization to the data system would be required to track mid-term renewals.

Ms. Anderson stated:

- The system would produce a report.
- The staff would physically have to determine if a licensee met the requirements.
- A determination would have to be made regarding what to do about those who did not meet the requirement.
 - May involve a change in law, at least a change in regulations;
 - Would need authority to discipline;
 - Couldn't be a suspension which would require a hearing, but could be an "involuntary inactivation";

Ms. Clark stated that a review of the regulation shows that the continuing education must be submitted during the licensing period. Ms. Clark stated further that other jurisdictions have had trouble enforcing and tracking mid-term continuing education requirements during a four year cycle, and that Arizona is changing back to a two year cycle.

Kathryn Bovard asked if a cost-analysis was done regarding changing from two year to four year licensing. Ms. Anderson stated no. Ms. McKee stated that the change was done as a convenience to brokers and licensees in the rural areas, and that at the time it didn't appear that it would result in a budget problem for the Division.

Ms. Anderson stated that in a "perfect world" all of the license renewals and education uploads from sponsors will be done online and completely paperless with no paper certificates. Ms. Clark stated that the Division expects that initially the online renewal process will be somewhat cumbersome, irrespective of whether it is a two-year or four-year time frame.

Ms. Anderson stated that the system will need to be customized to recognize when someone takes two courses of the same designation; right now the system will recognize only one course in a given designation.

Ms. Jones Walker asked Ms. Clark how far in advance the Division knows that a licensee is not going to renew. Ms. Clark stated that renewal notices are sent out 45 days prior to renewal date, and an expiration run is done 10 days after the renewal expiration date. This allows mailed renewals to be processed.

Discussion ensued on the impact of requiring original licensees to complete 30-hours of post licensing and an additional 12 hours of continuing education during their firsts two years. Ms. Clark stated that managing that would not have as big an impact as managing interim continuing education for a renewing licensee since there are fewer original licensees.

2. Other US jurisdiction's laws regarding required continuing education credits.

No discussion beyond the discussion included in number one above.

3. Post-Licensing vs. Renewal hours required and when

4. Impact of recommendations on Real Estate Division Staff and ability to manage.

D) Discussion and possible action regarding issues that may require changes to Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC).

E) Discussion and possible action regarding recommendations to the Real Estate Commission.

These items were discussed jointly.

Ms. Jones Walker read into the record an e-mail from Ms. Copple:

Janice Copple's statement:

Here is my input as requested and because I cannot be part of the call tomorrow.

1. The legislative update class should be a requirement every two years and I have been a proponent of this for several months.

2. Post licensing: Since the statute extended the time period for post licensing to two years, I would like to see the an additional 12 CE credits being discussed be a part of any new regulation but without the restriction of requiring all post licensing to be completed in the first year and CE the second year. I believe these licensees should be allowed to take CE classes whenever they want to during the two years. Taking a class with more seasoned licensees would be of great benefit to these people as our market is changing daily.

3. I'm an educator and I fully recognize the importance of education for our industry. I don't see a benefit of requiring a certain number of CE's to be taken the 1st two years and the rest in the following two years. It would impose a greater hardship on the real estate division to track. It is our responsibility to obtain what is required now to renew our license and I see no reason to impose what I feel is an unnecessary part of any new regulation. I teach but I can't make someone learn. If a licensee waits until the last month to get their credits it is their fault and not the responsibility of the RED.

General discussion and agreement amongst Work Group members:

- 48 hours of continuing education over a four year renewal license period;
- Interim accountability necessary with continuing education being required every two years is preferable to an "honor system";
- Division of hours between live and online – general consensus is to at least 50% should be live;
- 30-hours of post-licensing should be live; majority feel second 12 hours should be live as well;

Ms. Anderson:

- Consider having the mid-term requirements be at least 24 hours; if they took 30 would extra six hours count toward second year?
- Consider in four years/48 hours, at least 24 hours must be by live classroom

Ms. Rice stated that the only time the system checks the number of hours is during the actual renewal process; not sure if we can get a customization to check on the mid-term hours. Ms. Anderson stated that we will work on finding out if that can be done. Ms. Jones Walker asked if the information could be reported at the next work group meeting. Ms. Anderson stated yes.

What exactly is an involuntary inactivation and how will it be enforced by the Division? Ms. Clark stated that the framework is already in place for a reinstatement process for an involuntary inactivation.

Ms. Clark stated that the Division would like to have the "hardship" clause removed from license renewal regulations, which provided extensions to renewing licensees who claim a hardship.

All agreed that there must be double education requirements for Business Broker and Property Manager Permits with four year renewals.

Ms. McKee stated that she would like to see the work group members be part of the workshop process as well. Ms. Jones Walker agreed.

F) Discussion and possible action regarding date, time, place and agenda items for upcoming meetings.

How action against a licensee will be enforced for failure to comply with the every two year continuing education requirement.

2. PUBLIC COMMENT

J.C. Arens – Arens and Arens, Inc.

- Eliminate evaluations of courses;
- On reports generated, suggests using “if then” statements;
- Don’t dissuade people from taking continuing education with a maximum set number of hours;
- Regarding two year initial license, have an “if then” statement in the system which will cause a status change to four year license after initial post-licensing education completed.
- Likes recommendation for post-licensing courses and core courses of 30 hours in the first years and 12 in the second. And like to see more Contracts; and
- Prefers substantial live education as interaction stimulates learning.

3. ADJOURNMENT

Meeting adjourned at 10:45 a.m.

Respectfully submitted

Linda Pierson
Commission Coordinator