

**NEVADA REAL ESTATE COMMISSION'S
POST-EDUCATION WORKGROUP**

MINUTES

MAY 21, 2014

Bradley Building
2501 East Sahara Avenue
Second Floor Conference Room
Las Vegas, Nevada 89104

The meeting was called to order at 3:00 PM

INTRODUCTION OF COMMITTEE MEMBERS IN ATTENDANCE

At Bradley Building in Las Vegas: Neil Schwartz, Committee Chairperson, Forrest Barbee;
Commission Counsel: Rose Marie Reynolds

Via Telephone: Soozie Jones-Walker, Committee Co-Chairperson; Kandas Myer,

INTRODUCTION OF DIVISION STAFF IN ATTENDANCE

At Bradley Building in Las Vegas: Rebecca Hardin, Commission Coordinator

INTRODUCTION STATEMENT FROM NEIL SCHWARTZ:

I'd like to take one extra moment to make a short opening statement about what we're going to be doing on this committee in the next couple of months. First of all good afternoon and welcome to the Post-Education Workgroup. At the last Commission meeting I requested that a Workgroup be formed in order to review the present post-education program being offered to new licensees. The Commission agreed to form the Workgroup and, as you all know, this is our first meeting. Since this is a statewide education program, I'm glad that we were able to have members of the Workgroup representing all of the areas in our state, North and, of course, down South. The post-education program was established under NRS 645.575 in November 30, 2004 and provided, along with NAC 645.4442 and NAC 645.444 and NAC 645.446, the details and the curriculum. The program began on January 1, 2006 in an effort to get new licensees off to a good start in their careers and make sure that the public was being well protected. Our goal today is to discuss the items on the agenda and bring back the workgroup's findings to the Commission in our meeting at the end of June. No decisions will be made on any items that we discuss today.

PUBLIC COMMENTS:

There were no public comments.

DISCUSSION:

Neil Schwartz:

How do we know the program is working? Has an in-depth survey been done to establish the program value? Does anybody here have any input regarding their thoughts on how they think the program is working?

Soozie Jones Walker:

A big part of the intent of post licensing is to make the new licensee aware of the day-to-day type of business in a very basic way. It makes you really aware of the day-to-day things that you have to do. The business model has changed so dramatically over the years. It used to be that a broker would sit on top of that licensee, but now many of these folks are in different offices or different business models where they don't have a broker training them.

Cindy Weber:

The first thing I read in my pages was, "What is the goal of post licensing?" and I know that Ms. Walker just said that it was to make you aware of the day-to-day things that you need to know. I'm interested in first establishing the goal. Is the goal for the licensee to know what the broker wants them to know? Is it for additional training that they didn't get tested on with prelicensing? What is the goal? What are you trying to establish with post licensing requirements?

Safia Anwari:

I will just say in a phrase: practical applications. That's what Post licensing is about. The NAC 645 4442 requires that the course be taught to teach a new licensee the practical applications of doing the business of real estate. That in a nutshell is the goal of the program.

Forrest Barbie:

I think we got ahead of ourselves. We were back on how do we know the program is working. Maybe the Division could do some research to help us with that. If we look at people in the business 3 to 5 years, versus somebody that's been in the business five years or more, who's getting into more trouble in terms of complaints and sanctions from the Division? What's the track record of the newer agents versus the others?

Neil Schwartz:

Do we know anybody who could give us any input about if they really feel that this program, established the way it was, is doing its job. Is it making the first time licensees get off to a good start? Is it the right kind of education in order to do that and also, at the same time, protect the public? I don't know how we know if that's happening or not.

Kandas Myer:

I've been teaching post-licensing for several years and many times the students that do offer feedback, in addition to the evaluation, will come up and say to me that they're really glad that they did this. They thought that maybe it was going to be a waste of time but they actually learned a lot. Verbal and written feedback I've gotten over the years has all indicated that the program works.

Neil Schwartz:

I think if we really plan to make any changes, now or in the future, there should be a better written evaluation about the specific program. I personally believe that the evaluation form that is presently being used for post is the same as the one being used for the agents that have been in the business for 10 or 15 years. That evaluation form needs to be a little bit different and ask different questions because we're dealing with a different animal in regards to their experience. So we're talking about maybe looking at an evaluation form that can give us a little bit more feedback focused at the actual kind of students that we're teaching now, which is the first year students. Looking at the evaluation forms that we have, I think it could ask better questions of those students. That may help us in evaluating the program further and making some changes if needed.

Soozie Jones Walker:

I would like to see more required interaction on the review form. Maybe we could include a question on specifically what was the one concept that was the most important, or rewording it as follows:

- What was the most important thing I learned in this class?
- What was the least important?

And then it's up to the instructor to make sure that they are completed fully. If we want to have measurable feedback on how this works, we need to have them do more than check out the blocks. We need to physically have them write a few things so we know what they think is valuable. And what is not.

Wendy DiVecchio:

Post-licensing was developed very quickly. You had six weeks or eight weeks to get the course material together; create the outlines; submit your courses, and get them approved. My question: are all the topics and subjects covered in post licensing relevant anymore. Nobody's revisited it in about 10 or 12 years. I know we looked at them but we don't know if those subjects are still relevant today. Nothing's ever been switched out or updated. No one said when short sales were a huge thing that foreclosure should be substituted for certain module. Are the modules we have (A through O) still relevant to a new licensee today versus 10 years ago.

Cindy Weber:

I guess that's why I started with the question, "what is the goal of it". The learning needs may be different for the person who's taking this education the week before it's due and the person who's taking it the day after they get their license. In order to know if it's working, I first have to know what's the goal of it? What is it trying to accomplish? Did it succeed?

Forrest Barbie:

I'd like to address that a little bit because I actually, at one time> had hired a lady from New Orleans who put the first post licensing program together for the state of Louisiana and then of course Matt Durio gave me some material from Alabama. And it's kind like he was saying that prelicensing is not teaching anyone how to do real estate. It paints a nice mosaic of all the concepts and terms that are out there. Hopefully it turns on light switches, but for the most part when they go into Pre, they don't know what they don't know. As the psychologist say they're unconsciously incompetent. We're not developing competencies in pre-licensing. We're just trying to make the students conscious of what they don't know and so the next natural step in post licensing is to begin developing the most practical competencies to where they can actually do a transaction with a minimal amount of help.

Neil Schwartz:

The suggestion I'm hearing is that this workgroup would probably be in favor of looking at a different kind of evaluation form in order to get the feedback that we think we need to have. That appears to be the direction we need to go in. We're not going to, of course, do that today. What we're going to do is get these ideas and suggestions back to staff at the Division. I and the fellow members of the committee will see what we can come up with so that when we can put together a new survey, or suggestion of a survey. Then we get back with the group and say this is what we came up with; any further suggestions? Is that okay? Everybody agrees with that way of doing it?

Are all licensees getting the same quality of information? Is there a great variation among post courses and would it be beneficial to have one State mandated course to have greater control of the quality of the program and the knowledge that all licensees are getting the same information? Let me ask before we begin the discussion, Safia can you tell us how many post classes have been approved throughout the state and are being taught at this time?

Safia Anwari:

We have one full 30 hour course or we have them in 10 to 15 separate modules, with each module being a separate course or a combination of modules. So I believe we have something in the region of 60 approved courses. Only about five are a full 30 hours. The rest are spread out in 3 to 4 hour modules.

Neil Schwartz:

Does anybody have any comments regarding their feelings about or any experiences that they can bring to the Workgroup, regarding whether they think the quality of the courses are giving information that could be somewhat different throughout the state?

Kandas Myer:

I would say yes. The nature of the location would generate some differences, specifically as to what type of contract might be reviewed in the contracts portion. State mandated forms will be similar and perhaps similarly presented. Of course, there's going to be a great range of, for example, sales contracts and property management agreements, etc. Because the post licensing program does not seem to be audited, I don't think that there is a great uniformity in sticking to the rules, so to speak. You see things advertised in such a way that they couldn't possibly be done. For example, get your 30 hours in two days. To do that at all in is not doing it well. So I think you've got both of those going on and perhaps quality is not being monitored. Then secondly, you've got such variation by location by necessity, which is certainly not bad, but there is also a lot of variation. What is the instructor's idea about what should be included in the Agency segment, for example. How does that relate to the Disclosures section? I think those are variations that a possible state form could make more sense for everybody and might be considered, at least in agency and disclosure.

Wendy DiVecchio:

I agree with Kandas, but I want to go little bit further into that, because I think this is a double fisted question. Because you want to know about the efficiency of the material or the accuracy, I think it goes further than that. There are of three different kinds of segments that you deal with:

- The instructor teaching it and the instructor's experience.
- The difference between the North and South so you're going to have some differences between Contracts and Disclosures and the kind of things which were brought up.
- The third is that the modules aren't approved the same.
 - Forrest, for example, has a 30 hour course that's A through O
 - GLVAR has the class broken down into modules.
 - Cindy teaches the class broken down into modules.

So let's say one of the modules deals with contracts.

- What if GLVAR mixes contracts and escrow, but Cindy leaves it with just contracts.
 - If they take the class with Cindy they're going to get three hours of contracts.
 - If they take the class it with GLVAR they're going to get a certain amount of contracts and a certain amount of escrow
- One student can take it at one facility and get three hours on contracts; another one can take it at a different facility and only get two hours of contracts

So I think when you mix all threes methods together, each student is not getting the same information, the same experience, or maybe there's a lack of instruction or better instruction. So I think it's a three fisted question, not just one or two fisted question, because you have to think of the other variances, besides North and South.

Neil Schwartz:

Let me go back to what Kandas mentioned. One of the things that we did talk about is the kind of classes and I did make mention that in there are regional differences. Up in Lake Tahoe, there are different kinds of disclosures. That, of course, will always be part of the program. But getting back to what someone said earlier, talking about the quality and the fact that post is not audited. We do not really know what's going on and maybe part of the thinking of redoing the evaluation form for better feedback we might want to also consider and bring to the Commission the idea of expanding the auditing program to include post classes. That would be a thought we should bring back, but I agree 100% with Kandas that we need to look at the quality, as well as the material in it. The material can easily be controlled; the quality is where we're going to have a little bit of a difference.

Safia Anwari:

On the audit program, I just want to say that the current audit program does include post licensing. The problem is getting takers to audit post licensing.

Soozie Jones-Walker:

Is the decision not to audit the post licensing classes more of a staff-driven decision or is there some sort of regulation or policy that dictates that we only audit CE classes.

Safia Anwari:

I think the problem here is, as I said earlier,

1. We would probably not get too many auditors who would want to audit a .post-licensing class.
2. We like, as far as possible, for audits to be anonymous and that would probably not be possible

Forrest Barbee

We could do mystery shoppers that are first year agents to overcome that as one alternative. Otherwise, I certainly would have no problem with resolving this general issue by these additional licenses even being called provisional licenses until you took another PSI exam, which was a standardized exam statewide, following post-license. Regardless of how you took your licensing, you were subject to the standardized statewide exam.

Neil Schwartz:

I think you stated that in some of the research that you've done on different states, besides the shortening of the time, they do require that licensees complete the course and that they then get a full, final test which, if it's not passed proficiently enough, they don't get full licensure.

Forrest Barbee:

That's right. They don't get out of the provisional licensing.

Neil Schwartz:

Do you know what the limits are under the provisional license? Do you have to work that time with another agent who is fully licensed?

Forrest Barbee:

No, it's not that they have to work with somebody, but they have so much time to basically pass that state exam following post in order to get a real license, as opposed to the provisional license.

Neil Schwartz:

As it stands now an agent can take four modules at this location and four modules at that location. They can take modules at different places. I know, from talking to Ingrid here at the Division, that it's been a real task keeping track of them completing their classes and putting them all together because they have different sponsors. One of the things that I want to talk about is, what's the flavor of continuing in a module form as opposed to one course sponsored by one sponsor and taught either by one or two instructors. It's the same course where the same sponsor is fully responsible for it, whereas in this case, the 5 modules were taken here as one sponsor; the other four modules taken there by another sponsor. I think that causes a lack of quality and control on the whole program.

Safia Anwari:

I don't know if that happens too often, to be honest with you, because of the way that modules are put together, particularly in terms of the combinations of modules in post licensing. Every sponsor does it so differently that for a licensee to take four modules here and five there really would not work to their benefit, because they would find themselves repeating certain modules because they were combined with something else that they hadn't yet taken.

Neil Schwartz:

That's true, but it is happening.

Safia Anwari:

Not too often. Not to my knowledge.

Michael - GLVR

I actually had someone this morning, calling in about post that had taken post somewhere else and she was missing two modules. She would have ended up taking four classes with us to cover those two modules that would have been two classes somewhere else.

Neil Schwartz:

Under the module situation, there is some conflict. We're not sure if they're all getting the same thing at the same time. Maybe we should consider changing it to a whole course concept from A to Z that we would know that they'll get the full course at the same place with the same quality. Of course, the question will be to make sure that the course is of good quality.

Wendy DiVecchio:

I think you could do either the modules or the whole group together, but whatever you decide to do; it needs to be the same. You can combine three modules together and they could be modules A, E, and O, but they need to be well defined. Module A is this; this is what it covers; this is what it entails. You can't mix a little of A and a little bit of E or whatever together. It needs to be more segments where module A covers this, this, this, and this. Module B covers this, this, this, and this. You can't venture away from that. It needs to stay in that same curriculum. That way if you keep it in modules, you can ensure students get the same outline, no matter who teaches it.

Neil Schwartz:

So by keeping it in modules that way, we could probably be assured that everyone is getting the same quality at the same time; the same information at each module level.

Wendy DiVecchio:

Right, because you can ensure that if A covers Agency and B covers Ethics and C covers Contracts. Then they're getting the Ethics; they're getting the Agency; and they're getting the Contracts. Versus somebody having an A, and an E, and I combined them together where that class is now Agency/Ethics/Something else. That way, you know that they're getting the same material, just like if you go somewhere and you teach an Agency class. You know that class is going to be 90% Agency to get the Agency hours. Or if you take a class at the University, Business 101, there's an outline in the curriculum that they have to follow. They can add to it, but you know you're going to get the same information without combining and mixing modules together, like some people do.

Safia Anwari:

As someone who reviews post-licensing education, I can say for a fact, that pretty much most of the modules and combinations of modules that I see are actually not bad courses. They're really well put together; the content is good. However, what I do notice in the way of differences between one sponsor's modules and another is the weight given to topics.

Neil Schwartz:

I see there's good with the course situation. I see that there's flexibility with the module situation, because if a licensee misses part of a course, and it all has to be put together they could be in great difficulty. If they miss a module, they could just go back and pick up the module, which would be, of course, much more beneficial to them.

Safia Anwari

Just so you know where we're at with people who have problems with taking a few modules with one sponsor and few with others. Usually this happens when people have missed certain modules with the sponsor that they were taking the full 90 hours with and that sponsor is unable to do make-up sessions, in time for them to meet their 30 hours post licensing education deadline.

Neil Schwartz:

Good point. If it's in a course situation, it could cause that kind of trouble. If it's a module, they could find some other place to take it from a different sponsor, but assured that it's going to be the right module with the right information.

Any other information, or any other input we can give regarding the quality issue, which we just talked about? Is there any more discussion regarding the format whether it is course and/or modules?

Could, someone, if they chose to be a sponsor, write a course; present it; and the individual licensee could take it as a course, not a module. That's correct?

Safia Anwari

That's correct.

Neil Schwartz:

There's no limit, no prohibition of doing that? They can still do it?

Forrest Barbee

It's not in the NAC, but at the time we originally were putting together the post courses in November 2005, there was a recommended hour breakout for each topic that was provided as a guideline. Since then, maybe some folks are not as aware of or not using the guidelines. But we had pretty good guidelines. It didn't matter whether we were doing modules or put the whole course together.

Neil Schwartz:

That's something we need to look at. In the NAC, it just talks about the 15 modules, but that doesn't preclude anybody from doing a course, as long as it's got those 30 hours, because they expect the 15 modules to take 30 hours.

Now let's jump to the next topic, which Wendy brought up a little earlier. I've done some research, along with Forrest Barbee and I must say that we're one of the few states that allows new licensees to go 11½ months without getting their basic post-education. There are many, many states around the country that require their post to be completed, either in 3 months or in 6 months. Because I deal with teaching this class, I see many people in the post class on the eleventh month. I asked them to raise their hands to find out how many transactions they've done. They're out there doing transactions without having their basic part of post being taught to them. I'd like to open the discussion on your feeling about taking the present 12 month timeframe and changing it to something else.

Wendy DiVecchio:

I think twelve months is too long, because we have students that wait until the last week of their first year or previously in their first two years to take their post licensing and in my opinion that's just too long. You have an agent that's been out in the field for almost a year now who may or may not have a broker that's involved with her every day and now you have problems. You have ethics and you have issues. And I just think 12 months is too long.

Forrest Barbee

I tell agents that if I had my way you wouldn't even be allowed to conduct real estate until you finish post. That's how dangerous it is in a complicated environment today. But I still think we could do it in 90 days. I would like to see it done, if possible, in less than 90 days. I certainly wouldn't want to see it going more than six months because when we've got an individual out there conducting transactions without the benefit of this education they end up in my confessional telling me about things that I'm just aghast over and we're trying to dig them out and sometimes trying to avoid lawsuits

Neil Schwartz:

Let me ask Safia, from a Division standpoint, do you see any problem with shortening the timeframe from 12 months to whatever the Commission finally decides.

Safia Anwari

No.

Kandas Myer:

When our education committee met, we were all of the opinion that this education should be required within 90 days

Wendy DiVecchio:

90 days.

Cindy Weber:

Deciding what you actually need them to know kind of dictates when they should know it.

Kandas Myer:

We did discuss this in our education committee and we did recommend that the Commission consider having a required order of those things.

Neil Schwartz:

We've got the idea that this Workgroup is in favor of suggesting to the Commission that a time should be changed from 12 months to three months.

Is what we're teaching now relevant? Should we be covering additional topics? Should we not be covering topics that are currently being taught?

Chief Investigator Holle gave me a list of the top ten reasons for investigations. After property management, number 6 was agents working out of their scope, doing things they shouldn't be doing. When I looked at the curriculum, I saw things like teaching them Property Management and Management of Common Interest Communities. When I see things like teaching them Tax Opportunities and Liabilities related to the client, my thought came, is this something that is in a licensee's scope or is it something they should not be getting into? Right now it is part of the curriculum, so the question we have here, are we teaching things that are relevant? Are we teaching things that we shouldn't be teaching? And what order are we teaching them in and should there be an order? I believe, based on the input I'm getting from students and many brokers, they would like to see an order. Example: they don't want the last module to be Ethics and Professionalism and Agency. They want that up toward the front as being the first module. They want something like Contracts to be the second. What I'm saying is let's look at the order in which these people do business and how they affect the public and start teaching those topics as soon as we can in an order that will work with them and help them get started quicker.

Forrest Barbee

I'm looking at this as a broker, not an educator. First and foremost, what I want from a student that comes out of post licensing is someone who can write a purchase agreement; deal with counters and addendums with a minimal amount of management help. And secondly, to be able to write a reasonable listing agreement. And in both cases, provide all of the disclosures and do it ethically. That's why my classes don't have an ABCD kind of test. Writing a contract is primarily our final exam. I think that's what I owe my managers when we get done teaching them. So the extent that A through O supports that, I'm all in favor of that. It's easy, through educational design, to develop the pedagogy and the flow to make that happen properly. If it doesn't support the practical end of working effectively and professionally with clients and the consumers out there, we need to look at some of this and say, it's all good, but maybe it doesn't belong here. Maybe some of the things that we studied in prelicensing don't need to be done over again. Or like commercial; for me it's separate evolution. So if you want commercial that's a different sandbox. I don't want them in there right now. I'll set up another course for that.

Cindy Weber:

So could you, in addition to asking the agents to find out if a program is working, ask the brokers with some type of a quick survey as to what kind of content the licensees are deficient in? When do you want them to know it? What do you want them to know? What don't they know? The Brokers seem like they're real crucial in this, as far as content.

Kandas Myer:

I thought someone mentioned the mentoring idea. One of the things that I've noticed that seems to make a difference. Some brokers here have a program that requires a new licensee to partner with an experienced agent for the first certain number of transactions, just so the new licensee has some kind of mentoring going on. Something like that should be considered like they have in Appraisal. After the post licensing training there should be some kind of apprenticeship. Maybe, during the post licensing training, there should be a requirement for a certain number of transactions, so that the agent is not flying without some kind of partnership with an experienced agent.

Neil Schwartz:

I've been involved in the past with setting up some mentoring programs with individual brokers. Some work, some don't. Sometimes it's the bottom line of how the person who is mentoring is going to receive any kind of compensation. That's an individual program thing, but what I'm trying to get back to is the actual curriculum that is presently in post. My question is should we be teaching post licensing people Property Management and Property Management of Common Interest Communities? What are we teaching new licensees about Property Management of Common Interest Communities? I really don't have any idea. Also, should we be teaching them things about taxes or should that be something that they should not be able to get involved with because they're certainly not experts

Kandas Myer:

I just want to go back to the mentoring thing. I know we're talking about the effectiveness of post licensing training. What I'm suggesting is that the Commission considers making a mentoring program required. Not that the mentoring program is a freebie on behalf of the agent that's doing the training. They need to be compensated, of course, with either a 50/50 kind of thing or whatever the compensation is, but it needs to be considered in law.

Cindy Weber:

What you just said with regards to the Property Management and the Common Interest Communities, I think it goes back maybe a little bit to the timeframe, too. If that's just one item on the list that you're just going to hit and say you're going to need a property management permit and these are the activities that you need to do to get this. But if it's a whole module that you're doing over these topics, then maybe these topics are more specialized than you would like them to be. Maybe when you set your guidelines on what you want covered on different topics, you can control a little bit maybe more practical applications with regards to what the licensee needs to know.

Neil Schwartz:

The thing that stuck out to me was not so much the property management. I'm not saying it should not be touched on, but it says Management of Common Interest Communities. That's a total special field that licensees have nothing to do with. You need a whole separate bit of education on that in licensing.

Safia Anwari:

I don't know whether this is where it's coming from. This is going back to 2004, when that curriculum was put together and was adopted. I believe back then property managers were managing common interest communities. That's probably where this comes from in the curriculum.

Forrest Barbie:

She's pretty much right. Back then, the 24-hour property management course was taught for either property managers who were working for brokers or CAMs who were not working for brokers. That is definitely the origin of that. Later on, that changed. CIC was taken out as a separate course.

Neil Schwartz:

So my point is, if in fact time is being spent on that now, is that something we need to look at. Maybe we should not have that as part of the post curriculum and replace it with something that could be more attuned to what they need to do today.

Safia Anwari:

Property management is one of the topics that should not be done.

Neil Schwartz:

The other thing included is Tax Opportunities and Liabilities related to the client. What do you think about licensees teaching or giving that kind of information or learning that information to pass on to their clients? Any thoughts on that?

Forrest

I think that a lot of those can fall by the wayside. They missed the mark, I guess. They're well-intentioned, but since we've made changes with respect to including agency updates, legislative law and contracts, within the first two years you can also remove portions of that in here and expand where we're weak. We're definitely weak on contracts and disclosures, but particularly contracts. It really takes more like 15 hours of working contracts to make someone proficient. We can't do it in three. Thankfully some of these others elements are taught now as CE addendums.

Neil Schwartz:

So, with that in mind, and in the same topic, if you just jumped down to section 2, I did sit down and take in the feeling of what I've been teaching and getting backing from the brokers of what they want to see their agents learn and what order they want them taught in. I just made a suggestion and this is in the order of importance that I thought that brokers have been talking to me about. What do they want? They want people to know what Agency's about, Ethics, and acting professional in the code of ethics, from day one, because that's still the basis of the business. Then I have B, C, D and through here, and there's contracts, all the things you have to do to do a contract. Based on a changing marketplace, do we have a module on short sales and foreclosures? And do we have a section about reviewing mediation programs in the state? Is this information that we want to give to these people as soon as possible and is post the right vehicle?

Forrest Barbie:

The post is the right vehicle. What you do, particularly where it comes to contracts and disclosures, on some of these things become more like intense workshops expanded, rather than just a lecture. We do it with homework sometimes, too. This is a hands-on, where we've already told somebody to take this contract, go home tonight read it all and tomorrow are going to give you a scenario to fill it out. That's the whole tone of where post needs to be. It's much more of a hands-on, more of a workshop type of program where you can actually see what they're doing. Not giving them all multiple-choice questions, but can they actually do this work?

Wendy DiVecchio:

If we're looking for more, in the beginning, practical, then what Forrest is suggesting would be the practical, because a workshop would be doing, not just lecture. Therefore, the pupils will retain and understand more by doing then just having somebody come up there and lecture.

Neil Schwartz:

Just take a look at the suggestions that I had made of some of the topics that I think would be in demand. As you can see A is for Agency; then Contracts; then Disclosures; then working, of course, with Fair Housing. I put something that I haven't seen in post at all and that's an area called Risk Management. Should we, as soon as possible, inform these new licensees of how to handle conflict resolution; how to handle grievance; how to understand what the Division expects of them; and what happens if they do get into trouble. I don't see that right now in any of the post courses that are presently in place so I added that. Obviously, there's Title, and we've got that now; Legislative Updates; Prospecting Methods -

Buyers and Sellers (this is more practical). There are basics that any broker would want their agents to be doing, and there are rules and regulations on how to do them properly; even a matter of how to keep out of trouble. I also added Business Planning and Goal Setting, which we do touch on; and then, Building a Strong Referral Business, so these are some suggestions of modules and I don't have any timeframes on them. As far as contracts, we really need to expand that to cover the topic and it might take more hours.

Michael, GLVAR

We're looking at what Forrest was saying about workshops. Should we look at having licensees complete the workshop within the first 30 days and then giving them 60 more days to finish the rest?

Forrest Barbie:

I don't look at it quite that way. In other words, I look at most of our modules. Ours is an integrated course, but it still has modules, if you will. But I look at most of those as workshops. We look at it as an opportunity to teach licensees, not as a lecture opportunity. In part, because some of the research is done educationally if that the public at large is about 80% visual, or something of that nature. Realtors have been studied, and they're even more visual than the average public. So if we're only lecturing to our licensees out there, they're only getting 10 to 15%, if they're tuned in, so we've got to be reaching them visually with the right multimedia, with the right images, with the right videos, and the right hands-on kinds of workshopping.

Neil Schwartz:

I haven't heard anybody say anything about my Tax Opportunities and Liabilities. What should we do with it? Do you think that that's something that we should be teaching licensees?

Kandas Myer:

Coming from a real estate taxation background with 1031 exchange, I can tell you that there is a shortage of information involving the most basic knowledge of taxation. In real estate law and code it says that we should be apprised of the most recent regulation, both federal and state, in order to help protect our consumer. We don't have to be a CPA and I think that in that module, at least in the one I teach, it's pointed out, you're not a CPA, and you're not an attorney. The basics of the information is there is a difference between the taxation for the primary residence and an investment property, which would be your commercial use or residential property used in business. Those need to be understood, so there needs to be a module that does talk about real estate taxation.

Neil Schwartz:

And of course, it's what's in there that's important, and how it's taught is even more important.

Forrest Barbie:

If you go back to the original 2005 suggested hours, Tax Opportunities and Liabilities only took about one hour, but today because the amount of cases that are filed that somehow impinge upon property management, that's woefully short. We need to continue, even beyond this legislative session, to get the word out as to how we work with contractors when we're not a property manager. So now there's more property management type of content out there. Some of these other things can be deferred, and some can be expanded with more weight on hours.

Neil Schwartz:

We need to look at the hours that each one is being weighted by and see if we need to make some adjustments to that and see if we have the hours within the 30 hours in the 15 modules to do that.

Kandas Myer:

I agree with Forrest that there definitely needs to be more hours devoted to contracts. And I also believe that there should be a clear delineation in the name of the module or the hours of what's being covered between the module of Agency and the module of Disclosure.

Neil Schwartz:

Here's what I'm going to do. I'm going to put all these thoughts together. I would like everybody to give me some suggestions on some of the questions or some of the ideas they have for an evaluation. I would love some feedback by email of those thoughts and maybe we could put together a mockup of what we might think it might look like, and maybe that's something we can present to the Commission at the next meeting as part of our changes. So if you would do that, I would greatly appreciate it.

Cindy Weber:

Would you want us to also to survey any of the brokers about if there's any more topics or any areas that are more specialized, or something that somebody's having some problems with and would like covered.

Forrest Barbie:

I think that it's good to get more opinions from other brokers as well. I'm also going to suggest that this is probably a mostly residential venue, because we do need to do other things with property management with commercial, but it's kind of outside the scope of post-licensing. Otherwise, it would expand the scope to the point of maybe just muddying the waters. I'm happy if I can get agents skilled in one sandbox.

Neil Schwartz:

We have to remember that it's still the broker's responsibility to educate their licensees; that they are the responsible party. We shouldn't be taking their place. We should be adding to what they already do. We're putting thousands of people through GLVAR and getting the education. My reaction to a lot of them is, even though they are experienced, they're not getting what they're supposed to be getting from their brokers. So I guess we do have that responsibility.

We'll probably do one more workgroup meeting in order to get things finalized before I present findings to the Commission. The Commission meeting is the end of June.

PUBLIC COMMENTS:

There were no public comments.

The meeting was adjourned at 4:20PM