

**NEVADA REAL ESTATE COMMISSION'S
POST-EDUCATION WORK GROUP**

MINUTES

JUNE 10, 2014

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

The meeting was called to order at 2:00 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; Janice Copple;

INTRODUCTION OF DIVISION STAFF IN ATTENDANCE

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

PUBLIC COMMENT

No public comment

APPROVAL OF MAY 21, 2014 MINUTES

The May 21, 2014 minutes were not available.

REVIEW AND DISCUSSION OF MAY 21, 2014 MEETING

Neil Schwartz:

On May 26, I sent out the review of the information gathered with the general idea of what I heard along with ideas and suggestions on the post program.

Our goal today is to discuss and finalize the work group thoughts and suggestions, so I may report back to the Commission our findings at the next meeting at the end of the month. No decision will be made on any item that we discussed today, so let's begin.

DISCUSSION REGARDING THE QUALITY OF THE POST-EDUCATION PROGRAM

Neil Schwartz:

I would like some input on your thoughts about how we can make the quality better. We did come up with some ideas last time. We said that we need to take a closer look at the materials and the subject matter being taught, because they're ever-changing. One suggestion that was made was that all post instructors be on the same page when it comes to problems faced in the field, therefore guaranteeing all licensees that they are getting the information they need.

Soozie Jones-Walker:

I think that gets back to what we discussed about the evaluation form itself because I think it's not so much the quality of the material, because obviously Safia and the folks within the State review the material, but many times we all know, as instructors, we have different teaching styles and also depending on the venue that were teaching in and the student level that were teaching to. So I think that if we were able to adjust the form, possibly to do what Forrest Barbee suggested at our last meeting, which was to ask a handful of new students to go in and evaluate the program while they are taking it. I think that would go a long way. Have it be secret shopping or let the instructors know that they have auditors in the classroom. That always helps you be sharper on your game. In every class, I think there should probably be an auditor. Don't let them know who it is. While it might take just a little bit more effort, I think that might on its own raise the level of the instruction.

Neil Schwartz:

One of things that I wrote out after I heard you all last time, regarding encouraging better questions for this particular class or for classes other than what we had before and some of you brought the questions:

Did the material and the instructor help increase your knowledge regarding the subject matter?

Do you feel what you learned today will increase your chances of being more successful in your career?

What additional information would you like to have been included in the class today?

What is the most important thing that you want to learn as soon as possible regarding real estate?

Cindy Weber:

I'm not sure how you do it, but it seems like asking the students several months after they've completed it would be more effective in determining whether or not it was really helpful and what they would've like to learned. It just seems like when you ask somebody who hasn't had a lot of transactions what they got out of it, versus someone who's been around for a little while might have different thoughts.

Neil Schwartz:

So, is the general consensus of what we're talking about right now that one of the things that I need to bring to the Commission, and therefore to the Division is that this workgroup feels that we can get a better handle on the quality of what's been done by maybe doing a different form of evaluation from the students. Is that what I hear?

DISCUSSION AND REVIEW OF POST EDUCATION CURRICULUM NAC 645.4442, AS TO RELEVANCE, ORDER IN WHICH IT'S PRESENTED AND TIME SPENT ON EACH SUBJECT

Neil Schwartz:

Does anybody have any feeling about whether there should be a specific order of how the class should be taught?

Forrest Barbee:

When I first put together my 42 hour class, we went through and we sequenced it; the very first thing was Agency. Then we went on to working with buyers and sellers, so there was a point to that. Then we picked up on items like financing escrow toward the end. A lot of those modules were built on one another. We also handed out homework in between those things. For example, Buyers 2 was a workshop on preparing a purchase agreement, but you had to bring one completed to class either on your own house or another one before you even took the workshop, so that was part of the homework. For me, the sequence and the building blocks were very significant.

Neil Schwartz:

The other thing that that we talked about is that this program went into effect in 2006 and things have changed. There are things the agents need to know now that they didn't need to know then. We've really not had anything in policy or anywhere that would cause us to look at this curriculum on a more regular basis. We need to specifically say every two years, someone needs to say let's review the curriculum and are we still teaching stuff that's relevant?

Forrest Barbee:

Some of the jurisdictions have done something interesting where they'll leave two to four modules out, depending on the size of the course. Those really becomes like the Administrator's choice. So every couple of years or so as the market changes, the Commission Administrators will then alter those particular modules to make sure that they are tweaked to the market.

Neil Schwartz:

You guys are all realtors and educators and you deal with new people that come into our business. They're eager and they go and they start contacting their friends and acquaintances. Their brokers are driving them towards the business and they get into a deal or start to make a deal. What should they know first before they even do that or while they're doing it? What's the most important item on the list that we think we want to instill upon them? Some of the things I've heard were Ethics and Agency. They need that first before they do anything.

Soozie Jones-Walker:

These are folks that have just come out of 90 hours of principle, but they don't have the practical knowledge of how it's applied. When you get into the post licensing course, those hours are what are supposed to be taken from the book learning and putt into a practical sense of how they are applied. That gets more into the process that you discussed. Should they be able to take them as individual modules of two modules here and four modules over there, versus committing to either taking the whole series from one program or having to take 50% here and there . To back up what Forrest said, I think his concept of having a 3 hour segment that is the Administrator's choice would be an amazing thing.

Neil Schwartz:

Under 645.444, the one about the curriculum, it shows ABC and goes down the line and shows through O. Are you guys scrambling when you do your individual programs? Are you putting D before A or A after C? Are you looking and picking and choosing what goes first, second and third or are you following exactly how it's laid out in the code?

Forrest Barbee:

I don't follow it at all, because those items were kind of thrown out there kind of randomly. In other words, there were items and then after the fact there were suggested hours associated with them. I don't know that it was intended to provide a flow or just content. So mine's kind of all over the map, but some of the modules that are requested, I have them split up in my own modules in different places.

Neil Schwartz:

When we send these people out to do their work, going out to the public, what's the first thing that we want to make sure that they know? Is it Agency, Ethics, Professionalism, before they even meet the public or is it how to write a contract?

Janice Copple:

I've taught those first classes for a number of years. I think Agency, the ethics of what they're actually supposed to be doing, and more importantly what are they are not supposed to be doing when they're meeting with potential clients, first and foremost here.

Neil Schwartz:

That's the feedback I got from this group, but as I went through this and reached out, I got more feedback. On the outline for the last meeting I had made suggestions. I put it in order of importance with ethics, professionalism and a code of ethics being first. I think a lot of people want us to make sure the agents who are going to deal with the clients are already starting off on the right foot. Then came contracts and some of the other stuff. Depending upon where we are in the life of real estate, if short sales and foreclosures are prominent, we need to, at some point early on, stick in a class on that because that's what's happening out on the street.

Forrest Barbee:

There are a few things going on. I'm also looking at the fact that we've got agency and ethics separately as CE. I'm careful with the code of conduct because I've gotten so many courses rejected on the notion that code of conduct only applies to realtors and not to licensees. So I'm really careful there and I think that belongs in the domain of the Association. Consider some of these things, like Agency. I can teach Agency in a vacuum, and even after the 90 hours, they don't get it. Then I still need to do it again. When I go into Contracts and I'm looking at working with a seller and I'm looking to put that initial deal together. Now I have a chance to put that in a practical context as it relates to a seller, which is different than when I'm look at the duties of some and help them work with a buyer where a Consent to Act may come into play. Then all the ethical issues come into that. I integrate a lot of these other issues within the framework of Contracts because a contract gives me somewhere to hang all of these ideas.

Michael - GLVAR

Agency, Ethics, and Contracts would be the main concerns, so they know what to do and what not to do.

Neil Schwartz:

Forrest, do you believe that enough time is spent around the state on those subjects?

Forrest Barbee:

Not really. Because with only three hours of contracts, and being confined, you're taking all of these bite-sized chunks and you're not really able to feast on some of these things. Like say Ethics, Ethics is integrated with everything. And so, I like to look at the practical applications at every stage of the way. If we had a different post-licensing for broker/sales and brokers, as some states do, I could see doing some other things, but the Ethics piece I see being combined with the segment that explains the Division process, the disciplinary process, the complaint process, because agents and brokers don't understand it. Too many agents don't think some of the things they're doing is any big deal, until they get caught up in it.

Neil Schwartz:

Janice let me ask you a question. I'm a broker/salesperson. I don't have my own office, but I help out and I teach a whole bunch. Forrest is a broker. He and I and you see on a daily basis the errors and omissions and additions that are happening in these contracts. I rely on your input, as you said when you send them out there, you want to see that you've done the best you can, so I agree, besides Agency and Professionalism and Ethics, the next big thing we need to get these new people onto is Contracts.

Janice Copple:

An example of the practical side of our business would be if you get five offers, you present all five of them; not just the one that you think is the best. Agency has so many theories about how they work with buyers and representation of the client. They should still be familiar with NRS when they come out of getting their license, but it still seems to be an anomaly to them of how you actually do this business.

Neil Schwartz:

And that's why I truly believe, as we've all said, that the post-education program in the State of Nevada is of utmost importance. Forget about the 90 hours. We need to get them in our offices, trained the the way we want them to be trained and reduce everyone's liability.

Forrest Barbee:

I only have one guiding principle that I want to see accomplished when a student get through post-licensing. I feel a very strong obligation to make sure that agents can actually conduct a transaction with a minimal amount of assistance when I return them to their management. If they can do that, then I feel like I've been successful. If not, then I've got to get back to square one.

Neil Schwartz:

I am taking everything we've discussed over the last two days of meetings, putting together changes this workgroup suggests that the Commission take to Division. We're not going to get them all. Some will take a more difficult route if it's legislative. Some will take an easier route if it's just code. So, once I get that all together before the Commission meeting, I will send out a summary of what I'm going to present. I've got a good idea of what we're going for and what I think we need to do. We appear to be on the same page in regards to moving this program to another level.

Cindy Weber:

I think at the last Commission meeting, the Administrator mentioned that only about 50% of the new licensees first year are renewing at the end of two years. I just wondered if the availability of post-licensing, with people maybe waiting until the end to get the post-licensing, and then they can't find all of the modules they need. I'm just wondering if maybe there's too many sections and maybe they could somehow be grouped together to make it easier to be able to come up with this post-licensing and maybe that is part of the problem why people aren't renewing, because they can't get the post-licensing.

Forrest Barbee:

We're not having a problem with people actually finding classes, but there's always that issue if you're chasing modules. A number of the title companies will do some of the 15 modules, but some of them don't do any of the others, so you could get stuck trying to find those one or two modules. That was the reason I did mine as a single class.

Neil Schwartz:

And that was the discussion we had about whether it should be a course where that won't happen and whether it should be modules. The flavor is you could do either one you want. You can present the whole course and lock it in. They come there, they do everything and they've got it done or you let them go off and do modules, which is always dangerous.

PUBLIC COMMENT

No public comment.

The meeting was adjourned.