

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 6 - 0 - 0

Yeas: Atkinson, Burdick, Edwards, Girod, Starr, Beyer

Nays: 0

Exc.: 0

Prepared By: Richard Berger, Administrator

Meeting Dates: 3/28, 4/7, 4/12

WHAT THE MEASURE DOES: Allows Real Estate Agency to issue cease and desist order and maintain action for injunction against person who engages in, or is about to engage in, professional real estate activity without license. Clarifies that the Real Estate Agency may only issue cease and desist order subject to the Administrative Procedures Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Need to stop brokers and property managers who violate rules from continuing to practice real estate
- Concerns over fraud and theft in the real estate industry
- Concern that the Real Estate Agency would act without giving individuals a fair hearing
- Types of activities that require a real estate license

EFFECT OF COMMITTEE AMENDMENT: Removes provision that allows the Real Estate Agency to issue cease and desist order and maintain action for injunction against person who engages in escrow activities without a license. Clarifies that the Real Estate Agency may only issue cease and desist order subject to the Administrative Procedures Act.

BACKGROUND: Generally, if an individual wishes to assist someone in buying or selling real estate for a fee, or wishes to manage rental real estate for someone else for a fee, that individual first needs to obtain a real estate license. The Oregon Real Estate Agency licenses real estate brokers, principal brokers and property managers. The Agency administers the laws and rules that apply to people who conduct professional real estate activity in Oregon.