



# Oregon

Kate Brown, Governor

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## SB 67 – Housekeeping

**What the measure does:** SB 67 makes technical fixes to Chapter 696, including updates to language and references and reorganization of some material for readability.

This measure also removes the requirement that a principal real estate broker or real estate broker create a client trust account when they act as a courier by taking a check made out to the seller or lessor from a purchaser or lessee for the purpose of conveying same to the seller or lessor.

This measure also provides that a licensed real estate property manager may not solicit a potential tenant unless they have a written property management agreement with the lessor.

**Background:** The technical fixes in this concept are the result of a comprehensive review of ORS chapter 696 made to ensure alignment of the language, references and processes described in the chapter.

Clarification of the duty to create a client trust account when conveying funds from a purchaser/lessee to a seller/lessor was an issue raised by the regulated community in the course of providing input on this concept. Under current law, brokers are required to create a client trust account even when they are acting as a courier by conveying a check made payable to seller or lessor from a purchaser or lessee. A check made payable to seller or lessor does not allow the broker to cash the check or place the funds represented by the check in a client trust account, therefore requiring creation of a client trust account in this circumstance does not provide value to the regulated community or those served by the regulated community.

Soliciting a tenant or representing tenants in locating a suitable property for lease is a broker activity. This measure clarifies this by providing that a licensed real estate property manager may only solicit tenants for properties for which the property manager has a written property management agreement.

**Solution:** Concept synchronizes terminology and references within Chapter 696, improves readability, and makes technical fixes to issues discovered in the course of applying existing law and through communication with the regulated community.

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