

**HB 4048 B STAFF MEASURE SUMMARY**

**Carrier:** Sen. Beyer

**Senate Committee On Business and Transportation**

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**Action Date:** 02/26/18

**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Beyer, Girod, Monroe, Riley, Thomsen

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**WHAT THE MEASURE DOES:**

Requires principal real estate brokers, real estate brokers, and property managers to complete 30 hours of continuing education when reactivating their license. Specifies that licensees must take advanced course in practices relevant to their license when reactivating license. Requires principal real estate broker to take advanced course in brokerage practices upon first renewal of license. Specifies that Oregon Housing and Community Services Department may not require an elderly housing project to hire a licensed real estate property manager, real estate broker, or principal real estate broker if the elderly housing project has repaid the financing received through a Housing and Community Services Department housing program in full and retired any bond obligations related to the project. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Efforts of realtors in developing this legislation
- Need for course within existing training and education requirements that is specific to principal brokers
- Time to develop continuing education curriculum for principal real estate broker
- Clarity for long term care providers as to when they are required to have a licensed real estate property manager
- Individuals who receive compensation for managing property for another entity are required to be licensed

**EFFECT OF AMENDMENT:**

Specifies that Oregon Housing and Community Services may not require an elderly housing project that has repaid the financing receiving through a Housing and Community Services housing program in full, and retired any bond obligations related to the project, to hire a licensed real estate property manager, real estate broker, or principal real estate broker. Defines elderly housing project. Declares emergency, effective on passage.

**BACKGROUND:**

No one may lawfully practice or advertise themselves as a real estate professional in Oregon unless they hold an active license issued by the Oregon Real Estate Agency. Licenses are renewed for 24-month terms, and upon renewal the licensee must have completed 30 hours of continuing education courses during the two years preceding the renewal. Three of these 30 hours must be in a course focused on recent changes in real estate rules and laws. Brokers and property managers, but not principal brokers, who renew an active license for the first time must take an advanced course in relevant practices approved by the Agency. House Bill 4048-B requires all three types of licensees to complete 30 hours of continuing education courses before reactivating a license. The measure also specifies that principal brokers must take an advanced course in brokerage practices when renewing for the first time.

## **HB 4048 B STAFF MEASURE SUMMARY**

The Elderly Housing and Disabled Loan Program, administered through Oregon Housing and Community Services, allowed certain long term care providers to utilize bond financing to build assisted living and senior housing projects. Some of these projects are now extinguishing their debt obligations under the program. Projects that have outstanding bond obligations or state financing can be required by Oregon Housing and Community Services to have a licensed real estate professional on staff. House Bill 4048-B clarifies when Oregon Housing and Community Services can require an elderly housing project to perform property management duties or engage a licensed real estate professional.