

**2019 Oregon Real Estate
Agency Report to the
Oregon Legislature: SB 688
– Temporary
Authorizations for Military
Spouses & Partners to
Practice Real Estate**

December 31st, 2019



Oregon Real Estate Agency

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The 2019 Oregon Real Estate Agency Report to the Oregon Legislature: *SB 688 – Temporary Authorizations for Military Spouses and Partners to Practice Real Estate* provides required data as well as outlines the actions taken and planned by the Agency in preparation for HB 3030 to take effect on January 1st, 2020.

Per the requirements of [SB 688](#), Agency responses are highlighted in grey below:

(a) The number of temporary authorizations issued to spouses or domestic partners of members of the Armed Forces of the United States who are stationed in this state;	0
(b) The number of applications for temporary authorization received by the professional Agency for which the professional licensing board did not issue temporary authorizations, and the reasons for which the temporary authorizations were not issued;	0
(c) The amount of time used to process and issue the temporary authorizations;	N/A
(d) The Agency’s efforts to implement and maintain a process to issue temporary authorizations;	
<u>Implement</u>	
• Review Substance of Bill with Oregon Real Estate Board	<input checked="" type="checkbox"/>
• Draft Temporary Rules	<input checked="" type="checkbox"/>
• Publish Information on Agency Website	<input checked="" type="checkbox"/>
• Real Estate Board Feedback on Temporary Rule	<input checked="" type="checkbox"/>
• Stakeholder/Industry Feedback on Temporary Rule	<input checked="" type="checkbox"/>
• Develop Communications Plan*	<input checked="" type="checkbox"/>
• Submit Temporary Rule	<input checked="" type="checkbox"/>
<u>Maintain</u>	
• Announcement of Rule to Licensees	February 2020
• Permanent Rulemaking Board Review	February 2020
• Stakeholder Meeting on Permanent Rule	March 2020
• Outreach:	April 2020
○ Oregon Military Department’s Service Member & Family Support Program	
○ Oregon Association of Realtors & National Association of Realtors Military Relocation Professional Designated Members	
○ Oregon Coast Guard Members (PADET Astoria)	
• Agency Website Update – Military Spouse/Partner Relocation Page	June 2020
*Complete Communications Plan: Pages 6-7	

(e) Any other information relevant to the Agency’s efforts to assist spouses or domestic partners of members of the Armed Forces of the United States who are stationed in this state with obtaining temporary authorization.

During the temporary rulemaking process the Agency and the Board sought to determine the appropriate balance between supporting the intent of the bill and upholding the consumer protection mission of the Agency by ensuring applicants demonstrate competency to engage in professional real estate activity in Oregon.

In this review we found that the framework of pre-license requirements compares similarly among all jurisdictions, with most states requiring:

- Pre-license education.
- A criminal background check,
- Passing scores on state and national sections of a real estate examination, and
- Additional work experience for licenses that permit supervision of other licensees.

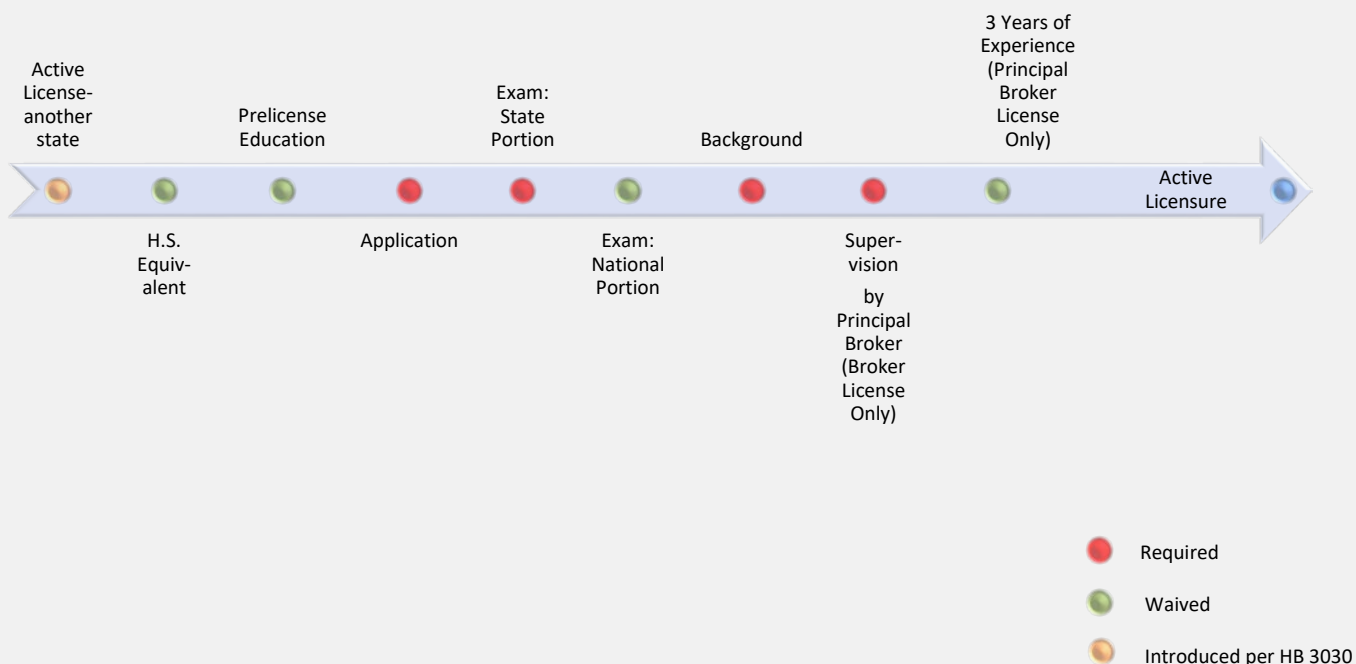
While the general licensing requirements are similar, the specific pre-license education requirements do vary significantly in relation to the number of clock hours and topics that an applicant must complete prior to taking the state and national sections of the exam.

The Agency determined it is crucial that a qualifying spouse or partner who applies for a temporary authorization to conduct professional real estate activity in Oregon must demonstrate an understanding of Oregon statutes and rules. To that end, applicants must pass the state section of the license exam. The national portion of the exam will be waived, as applicants have shown competency in this area by passing the license exam in the jurisdiction where their license is currently held.

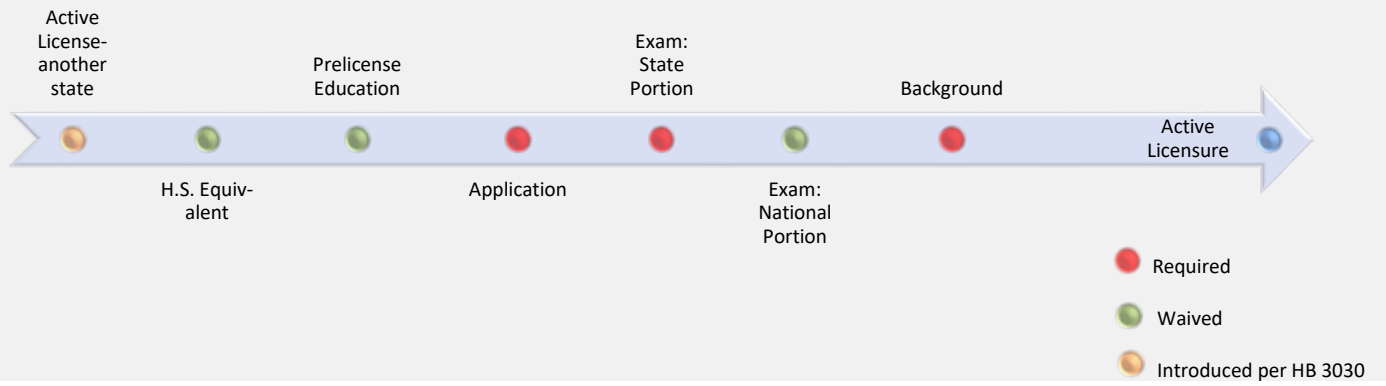
The Agency and the Board will continue this analysis and discussion with stakeholders through the permanent rulemaking process in 2020.

A visual guide to the licensing requirements for those applying for a Temporary Authorization for Armed Forced Spouses or Domestic Partners is below, followed by temporary rules in effect on January 1, 2020:

Temporary Authorization for Armed Forces Spouses or Domestic Partners – Licensing Requirements – Broker & Principal Broker



Temporary Authorization for Armed Forces Spouses or Domestic Partners – Licensing Requirements – Property Manager



Temporary Authorization for Armed Forces Spouses or Domestic Partners

- (1) Upon completion of the requirements in (3) through (5) of this rule, a spouse or domestic partner of an active-duty member of the United States Armed Forces who is stationed in this state may obtain a temporary authorization to conduct professional real estate activity as a real estate broker or principal broker. Such authorization is valid until the earliest of the following:
 - (a) Two years from the date of issuance;
 - (b) The date the applicant's spouse or domestic partner completes their term of active duty service in in this state; or
 - (c) The date the applicant's license issued by another state expires.
- (2) Upon submission of the application for authorization, the applicant must hold an active real estate license of the same real estate license category in another U.S. state. The applicant must be in good standing in the state or states in which the applicant is currently licensed.
- (3) To apply for temporary authorization, the applicant must:
 - (a) Complete an application and pay the related fee as provided in OAR 863-014-0010(1).
 - (b) Submit to a background check and fingerprint as provided in OAR 863-014-0015.
 - (c) Furnish certification of active license history issued by the state or states where licensed as required in (2) of this rule.
 - (d) Pay the required fee to the examination provider and pass the state portion of the real estate broker or principal broker license examination to demonstrate competency.
- (4) An applicant seeking temporary authorization to conduct professional real estate activity as a real estate broker must be associated with a principal broker as provided in OAR 863-014-0035(3).
- (5) An applicant seeking temporary authorization to conduct professional real estate activity as a principal real estate broker must either:
 - (a) Register a business name using an online application through the Agency's website as provided in OAR 863-014-0095; or
 - (b) Have an active principal broker transfer the applicant to an active registered business name under OAR 863-014-0063 using an online application available through the Agency's website.
- (6) The temporary authorization to conduct professional real estate activity as a real estate broker or principal broker may not be renewed on expiration. Previous holders of a temporary authorization must reapply and fulfill the requirements of ORS 696.022 and OAR 863-014-0035 or 863-014-0040 in order to conduct professional real estate activity in this state.

Statutory/Other Authority: HB 3030 Chapter 142, SB 688 Chapter 626 (2019 Laws)

Statutory/Other Implemented: HB 3030 Chapter 142, SB 688 Chapter 626 (2019 Laws)

Temporary Authorization for Armed Forces Spouses or Domestic Partners

- (1) Upon completion of the requirements of (3) and (4) of this rule, a spouse or domestic partner of an active-duty member of the United States Armed Forces who is stationed in this state may obtain a temporary authorization to engage in the management of rental real estate as a real estate property manager. Such authorization is valid until the earliest of the following:
 - (a) Two years from the date of issuance;
 - (b) The date the applicant's spouse or domestic partner completes their term of active duty service in in this state; or
 - (c) The date the applicant's license issued by another state expires.
- (2) Upon submission of the application for authorization, the applicant must hold an active property manager license in another U.S. state. The applicant must be in good standing in the state or states in which the applicant is currently licensed.
- (3) To apply for temporary authorization, the applicant must:
 - (a) Complete an application and pay the related fee as provided in OAR 863-024-0010(1).
 - (b) Submit to a background check and fingerprint as provided in OAR 863-024-0015.
 - (c) Furnish certification of active license history issued by the state or states where licensed as required in (2) of this rule.
 - (d) Pay the required fee to the examination provider and pass the property manager examination to demonstrate competency.
- (4) An applicant seeking temporary authorization to engage in the management of rental real estate as a real estate property manager must either:
 - (a) Register a business name using an online application through the Agency's website as provided In OAR 863-024-0095; or
 - (b) Have an active principal broker or licensed property manager transfer the applicant to an active registered business name under OAR 863-024-0063 using an online application available through the Agency's website.
- (5) The temporary authorization to engage in the management of rental real estate as a real estate property manager may not be renewed on expiration. Previous holders of a temporary authorization must reapply and fulfill the requirements of ORS 696.022 and OAR 863-024-0045 in order to engage in the management of rental real estate in this state.

Statutory/Other Authority: HB 3030 Chapter 142, SB 688 Chapter 626 (2019 Laws)

Statutory/Other Implemented: HB 3030 Chapter 142, SB 688 Chapter 626 (2019 Laws)

HB 3030 Communications Plan

Deadline	Audience	Message/Action
December 2019	Real Estate Board (Board)	Temporary rule review and feedback.
December 2019	Applicants and public	Update website to reflect temporary rule.
January 2020	Agency Staff	Training on new temporary rule and process changes.
February 2020	Licensees	Announcement of temporary rule in <i>Oregon Real Estate News-Journal</i> .
February 2020	Board	Review of permanent rules.
February 2020	Licensees, Board, OAR	Notice of stakeholder meeting on permanent rule making.
March 2020	Licensees, Board, Oregon Association of Realtors (OAR)	Stakeholder Meeting
March 2020	Licensees, Board, OAR	Notice of public comment period and hearing on permanent rules.
April 2020	Oregon Military Department's (OMD) Service Member and Family Support Program	Contact public affairs office of OMD to coordinate best way to get information out regarding availability of temporary real estate licensing for spouses or domestic partners of active members.
April 2020	OAR members with MRP (Military Relocation Professional) designation	Agency to meet with OAR to coordinate best way to get information out regarding availability of temporary real estate licensing for spouses or domestic partners of active members. Possible communication methods include presentations and flyers.
April 2020	Coast Guard members stationed in Oregon	Contact public affairs office in Astoria (PADET Astoria) to coordinate best way to get information out regarding availability of temporary real estate licensing for spouses or domestic partners of active members.
April 2020	Association of Real Estate License Law Officials (ARELLO) member states with similar laws	Engage with other states to develop best practices.
June 2020	Agency Staff	Training on new permanent rule and process changes.
June 2020	Applicants and public	Update website to reflect permanent rule and provide information on availability of temporary real estate licensing for spouse or domestic partner of military service member.
June 2020	Licensees	Announcement of permanent rule and provide information on availability of temporary real estate licensing for spouse or domestic partner of military service member via <i>News-Journal</i> .

Deadline	Audience	Message/Action
June 2020	Oregon Military Department's (OMD) Service Member and Family Support Program	Deliver content/material for distribution to stakeholder group.
June 2020	OAR members with MRP (Military Relocation Professional) designation	Deliver content/material for distribution to stakeholder group.
June 2020	Coast Guard members stationed in Oregon	Deliver content/material for distribution to stakeholder group.
June 2020	ARELLO	Provide update on permanent rule for reference by other states.