



## North Dakota Association of REALTORS®

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#### Political Affairs Committee

December 2, 2004

Doublewood Inn, Bismarck

#### Present:

Tate Cymbaluk, Vicki Roller, Mary Splichal, Joe Frenzel, Ninetta Wandler, Shirley Dukart, Diane Duchscher, Doris Hoff, Anthony Kleinwaechter (for Neal Messer), Kerry Carpenter, Linda Hixson-Maixner, Arlene Volk, Ron Volk, Jim Deibert, LuAnn White (for Gerry Gagnes), Francine Gilmore, Don Kilander, Ed Knuth, Dave Lanpher, Steve Lunde, Shirley Moen, Stephanie Sarabakhsh, Randy Schwartz, Dewey Uhler, Representative Don Dietrich, Jerry Youngberg, John Dardis, Scott Louser, Denise Vormestrand, Representative Dave Weiler

#### Staff:

Claus Lembke, Jill Beck

#### Guests:

Lisbeth Fandrich, Carol Raney, Shawn Horn, John Colter, Norma Oppert, Nancy Deichert, Sally McCravey, Judy Gehrke, Jerry Janz, Mike McEown, Dave Branson, Pat Jergenson, Pat Gagnon, Larry Louser, Gary Olson, Steve Tomac

#### Absent:

Naomi Murphy, Fay Connell, Karen Fleck, Jack Kavaney, Evie Fox, Jenn Bergen, Terry Braun, Ryan Evenson, Bob Lee, Laurel Mahan, Linda Schiefert, Gene Eggen, Blake Krabseth, Representative Rick Berg, Representative Al Carlson, Senator Judy Lee, Representative Weezie Potter, Representative Al Wieland

Chair Tate Cymbaluk called the meeting to order.

The committee was introduced and the Committees Job Description was reviewed.

Minutes from the April 14, 2004 meeting were reviewed and approved as presented. (M/S/C)

Shirley Moen gave a RPAC Fundraising Taskforce update and the goals that they had set for 2005.

2005 Legislative Agenda was reviewed (see attached):

Prelicensing education was discussed as recommending 30 hours pre-testing, 15 hours pre-license and an additional 15 hours required within 1 year after being licensed. After further discussion it was moved and seconded to recommend to the BOD that the RE Commission take responsibility through rules and regulations



for all requirements for licensing and education. The motion and second were withdrawn.

Recommend no changes to current continuing education requirements.

Moved to adopt proposal (on attached Legislative Proposal) as presented in regards to the Foreign Personal Representatives (M/S/C).

Note: Check what bordering states have done in reference to this.

Incorporating of Salespersons: moved to adopt proposal as presented (see attached). (M/S/C)

Meth Disclosure – after discussion it recommended that members include wording on their property condition statement and not to seek any legislation on it at this time. Property Insurance Claims (Clue reports) record was also discussed that the seller should provide these to potential buyers. On further discussion on both items it was moved to adopt policy that a section be added to each Boards Property Condition statement where the seller is asked about the presence of meth labs and other hazardous waste and also disclose the availability of the clue reports. (M/S/C)

Statute of limitations (see attached) – Kerry Carpenter reported that he has met with the Bar Association on this issue and it was moved to adopt the proposal as presented.(M/S/C)

The Committee was briefed on ND Title Opinion and Sales price disclosure by Steve Tomac, Farm Credit Council and Michael Kiev was also in attendance for questions. Steve spoke on a 1999 bill that removed the need for title opinion on title insurance policy. Moved to support the proposal that would allow choices for the consumer for either title opinion or title insurance. (M/S/C)

Also moved to support legislation that allows appraiser and licensed real estate agents access to sales price for statistical and comparable proposed in coalition with licensed appraiser. (M/S/C).

Forward education on title insurance to Education and Membership Services Committee.

New Home Warranty – Dewey Uhlir briefed the committee on a proposal by ND Homebuilders Association (NDHBA) to introduce legislation that requires homebuilders to warranty new construction. Moved to support the ND HBA in concept on this bill. (M/S/C)

Financing of Manufactured Homes was briefly discussed and will be addressed after the legislative session.

REALTOR® and Representative Dave Weiler discussed that there will be an estimated \$15 million in access at the end of this budget year that he feels that some should go back to the people of ND. He is proposing a Property Tax Relief proposal that would stimulate the economy whereby those residential property owners who pay approximately \$2,000 in property tax would get \$120 - \$130 back in the form of a debit card that could only be used in retail stores in ND. The price to implement this has not been determined.

Before making a decision on this legislation the committee requests more information as the bill is drafted.

NDAR staff to look into further information on [leadingtree.com](http://leadingtree.com) and predatory referral practices.

Everyone was reminded about Legislative Impact Day on February 14, 2005 in Bismarck at the Radisson Inn.

Voter Voice for local boards was covered that it can be used for city, county and park boards. Claus also did some brief training on the Voter Voice system and instructions were handed out for the locals to take back and do training within their local boards.

Respectfully submitted,

Claus Lembke and Jill Beck