



North Dakota Association of REALTORS®

To advocate for the success of our members in partnership with our local Associations and the National Association of REALTORS®

Minutes

Government Affairs Committee

March 15, 2018

Holiday Inn-Riverside, Minot

Present: Phil Vanyo, Chair; Jill Kjorstad, Director Liaison; Neal Messer; Greg Larson; Jamie McLean; Kristin Oban; Mary Shelkey Miller; Mary Splichal; Dave Lanpher; Dewey Uhlir; Dawid Boroski; Sharon Lunski; Mike Swartz; Shari Anhorn; Donovan Gault; Gary Kramlich; Delynn Weishaar; Tate Cymbaluk; Zach Rubin-McCarry, NAR, (by phone)

Absent with prior notice: Ninetta Wandler; Rochelle Eick; Vicki Roller; Ron Volk; Kevin Fisher; Deborah Nichols; Trevor Schmitt; Nick Leavy; Tate Cymbaluk; Tom Beadle*; Josh Boschee*; Tom Kading*; Scott Louser*; Scott Meyer*; Jim Roers*; Steve Vetter* (*legislators/ex-officio)

Absent: Kallie Swanson

Guests: Ben Schroeder; Cindy Harvey; Nancy Deichert; John Colter; Scot Nething; Marti Kaiser; Mitzi Bestall; Judy Maslowski; Shawn Ostlie; Shane Cullen; Chris Feickert; Lyn Dwyer; Todd Fettig; Sue Heth; Beth Mayer; Larry Louser; Amy Hullet; Jodi Danzl. Pat Jurgenson and Jeanne Prom, NDREC

Staff: Jill Beck, Jane Marum, Nancy R. Willis

Presiding: Phil Vanyo, Chair
Director Liaison: Jill Kjorstad, Vice President
Staff Liaison: Nancy R. Willis, GAD

1. Phil Vanyo called the meeting to order at 4:00 pm, welcome and introductions were made.
3. Agenda item #3 was moved up as Zack Rubin-McCarry, NAR Political Rep for our region, joined the meeting by phone for the federal update. A Florida REALTOR® provided testimony on behalf of NAR in support of extension of mortgage debt relief (tax extenders); extension of the National Flood Insurance Program ends March 23 and NAR has sent a letter to Congress encouraging a long-term extension and ultimately a five-year reauthorization; NAR also has sent letters and is advocating in support of a new proposed rule from the Department of Labor, which would allow for expanded access to Association Health Plans. Rubin-McCarry also said NAR had two recent advocacy successes: 1) the U.S. House passed a bill requiring individuals accusing businesses of ADA violations and filing lawsuits to provide specific notice to business owners of violations on their properties and allow the business owner up to 120 days to remedy the violation or make substantial progress toward remedy before the suit can commence. 2) the Senate passed a regulatory relief bill that reduces regulations on community banks, among other things. In response to a question, regarding advocacy impacting business operations on the NAR Issue Brief, 2018 Federal Legislative and Regulatory Priorities, Rubin-McCarry said RESPA Enforcement and TRID Regulations refer to the CFPB seeking feedback on rulemaking; NAR always is working on making sure valuations are fair to REALTORS® and independent contractor status relates to association health

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plans. Following McCarry's call, Nancy R. Willis clarified that currently since brokers are not considered employers, if associations are allowed to offer health plans to "employers" under expanded Association Health Plans, agents and their families could not participate as agents are independent contractors. NAR is asking for an exception from the Department of Labor to the rule that the entity must be an "employer."

2. The October 24, 2017 meeting minutes were approved. **M/S/C**
4. Willis gave updates on possible 2019 Legislative issues:
 - First Time Home Buyer Savings Accounts – The Tax Department's draft bill for us will not be ready until June. Willis spoke with Eric Hardmeyer at the Bank of North Dakota about this being a program similar to the College Savings Program. He was intrigued but suggested NDAR speak with the banks and credit unions first. He said the legislature does not like the BND to be in competition with private industry.
 - Pre- and Post-Licensing Requirements – Kristin Oban, Task Force Chair, told the committee that the task force would be making recommendations to the Professional Development Committee and if approved it would go to the board. The recommendations are that the number of pre-licensing hours be increased from 45 to 90; that the number of post licensing hours remains at 15 hours within the first year and that the number of required continuing education hours is increased from 9 to 12 annually with 3 of those hours being mandatory broker education for brokers.
 - Teams - The Teams Task Force met. The main issue seems to be ensuring the public understands that teams are not brokerages but are still under the supervision of a brokerage. Suggestions discussed include requiring that team websites have a link to the broker's website page that lists all agents; that when teams advertise they should say Team XXX of XXX brokerage; that rules be established that outline clear guidelines for brokers that supervise teams and that rules be added to the advertising regulation that require teams to make it clear to the public the teams/broker relationship. The task force will continue to meet.
 - Vehicle License Information for Abandoned Vehicles – The Apartment Association said they did not get a very good response to their survey and that those that responded really did not feel this was an issue. The committee agreed by consensus that this issue will not be pursued.
 - Property Condition Disclosure – Willis provided a draft bill from Rep. Scott Louser, NDAR member, which would make it mandatory when real property, which is an owner-occupied primary residence located in ND, is sold exchanged or purchased, that the seller disclose the property's condition on a standard property condition statement provided by the ND Real Estate Commission. After much discussion, a motion was made to recommend to the Board of Directors to work with Rep. Louser to explore whether NDAR should pursue supporting legislation that would make North Dakota a state that requires disclosure of property condition through a property condition statement at time of sale. **M/S/C**
5. The committee reviewed the 2017 flyer for Legislative Impact Day and Willis asked committee members to consider for the next meeting what they would like to do in 2019 based on their evaluations of activities in 2017. She also informed the committee that Legislative Impact Day in 2019 would be on February 5, 2019.
6. In the interest of time, Willis said she would email out the updates on ND Legislative Interim Committee activities.

There being no further business, the meeting was adjourned at 5:10 pm.

Respectfully submitted,

Nancy R. Willis, GAD