



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

December 14, 2020

2:00 pm – Zoom Conference Mtg.

Present: Dave Lanpher, Chair; Jamie McLean, Chair-elect; Phil Vanyo, Past Chair; Shawn Ostlie, Director Liaison, Neal Messer, Amy Hullet, Kristin Oban, Vicki Roller, Tricia Schlosser, Mary Shelkey-Miller, Mary Splichal, Arlene Volk, Ron Volk, Dawn Chadwick, Nick Olson, Dawid Boroski, Sharon Lunski, Mike Swartz, Todd Fettig, Ryan Turnage, Delynn Weishaar, JoAnn Callahan, Tate Cymbaluk, Daryl Braham

Absent: Greg Larson, Desri Neether, Joshua Boschee, Jim Roers, Scott Meyer, Steve Vetter, Scott Louser, Amanda Simard

Guests:

Kevin Fisher, John Colter, Nancy Deichert, Beth Mayer, Scot Nething, Marti Kaiser, Tanya Keck, Jill Lee, Jeanne Prom, Casey Chapman, Lorrie Nantt, Zach Rubin-McCarry

Staff: Jill Beck, Robyn O’Gorman, Sarah Caldwell, and Lisa Feldner

Presiding: Dave Lanpher, Chair
Director Liaison: Shawn Ostlie
Staff Liaison: Jill Beck

1. Chair Dave Lanpher called the meeting to order at 2:00 p.m. and welcomed everyone. Introductions were made and roll call was done.
2. Minutes of July 29, 2020 were approved. (M/S/C)
3. Legislation Discussion for 2021:
 - a. Property Condition Disclosure – Mary Shelkey-Miller shared an update on the findings of the Property Condition Disclosure Taskforce – changes in wording were approved by taskforce to focus the disclosure all residential property as defined by law in the state of ND. Motion was made to approve changes and move forward with senate partnerships. (M/S/C) NDAR Attorney Casey Chapman voiced concern over vague wording pointing to state law, instead suggested “the real property is a residential dwelling which includes 1-4 units located in this state being sold or exchanged by the owner.” Motion was made to amend the previous motion to include the change in verbiage. (M/S/C)
 - b. Real Estate Trust Account (RETA) – Jeanne Prom from the Real Estate Commission gave summary of RETA law information, and shared that the Commission has taken no position on the possible repeal of this law. Lisa Feldner shared that attorneys and

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other trust account holders have advised her to dissolve the program. Chairman Dave Lanpher asked for volunteers to participate in a RETA Task Force – Tate Cymbaluk, Tricia Schlosser (Chair), and Shawn Ostlie were appointed. They will meet and come back with a recommendation.

- c. No Hunting – Update from Lisa Feldner on this private property rights issue. A proposed no trespassing bill has resulted in a two year study allowing homeowners in the study to mark land “yes/no/only if you ask” in three counties. Legislature will see if approach is successful and revisit the results, Lisa Feldner suggests there is no position necessary.
 - d. Real Estate Commission License Law Proposed Changes – Jeanne Prom from the Real Estate Commission gave overview of proposed changes to license law. Primarily housekeeping updates to reflect current practices and policy.
- 4. NAR Federal Update – Zach Rubin-McCarry from NAR gave an update on events transpiring in the capitol. Shared that there was a vote later that day which would make NAR’s position more clear, but for the time being it appeared that there would be a \$720B bill pushed with \$300B in PPP loans and \$25B in rental assistance. The Federal Housing Finance Agency added an adverse basis fee to refinancing to help address “COVID related risk.” IRS has ruled that PPP loans will be considered taxable income, and Congress is working towards automatic PPP loan forgiveness for loans under \$150,000.
 - 5. Claus Lembke Political Involvement Award – NDAR CEO Jill Beck spoke in regards to Claus Lembke award, shared that the application will be open the 1st week in January and have a 2-3 week timeframe to be returned. Encouraged committee members to be aware of this timeline and share with others.
 - 6. ND Housing Finance Agency – Current State of Housing Report –Jill Beck shared that the ND Housing Finance Agency has published a report on the current state of housing in ND. Referenced study to make committee members aware of it, no action needed.
 - 7. Pre-Session Update – Jill Beck shared information on upcoming session – testimony will be virtual, you must sign up 1 hour ahead of time, and materials must be submitted in advance. A lot of unknowns with new COVID restrictions. Lisa Feldner added that sponsorship for bills must be entirely electronic, which will take more training and time. Session update meetings will be held every Friday at noon, starting on January 8th.
 - 8. Legislative Contact List Update – Jill Beck shared that NDAR is partnership with Olson Effertz and Real Strategies to pull the necessary information. No further updates at this time.
 - 9. Adjourn

Respectfully submitted: Sarah Caldwell, NDAR Communications Director