



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®

Board of Directors Minutes

Thursday, June 9, 2022

9:00am MDT – Rough Rider’s Hotel Conference Room, Medora

President Shawn Ostlie called the meeting to order at 9:00am. He welcomed everyone and introductions were made.

Attendees were reminded of the no cell phone policy, and it was disclosed that Sarah Caldwell, Jill Beck, and Nancy Deichert would use technology during the meeting.

Lenee Bookhardt gave the inspirational message. Tammie Braun led the directors in the Pledge of Allegiance and the REALTOR® Pledge.

The consent agenda was reviewed by President Shawn Ostlie:

- a. Minutes from February 10, 2022 (pg. 6-11)
- b. Local Board Reports (pg. 12-16)
- c. Calendar of Upcoming Events (pg. 17)
- d. NAR Annual Legislative Meeting Travel Reports (pg. 18-39)
- e. Ratification of Local Board Appointments (Replacing terms that expired 12-31-21)

RPAC Trustees (3-year term):

Grand Forks – Sharon Lunski

Jamestown – Mike Swartz

Grievance (3-year term):

Williston – Joni Olson

Grand Forks – Courtney Barstad Logan

Issues Mobilization (3-year term):

Grand Forks – Cam Tweten

Jamestown – Mike Swartz

A motion was made to approve the consent agenda. **M/S/C**

Region 8 RVP Bart Miller of South Dakota gave an update. He shared that the month of June is Home Ownership Month and encouraged attendees to go to nar.realtor/homeownershipmonth. He shared that there are currently 10 active lawsuits involving NAR. He shared that you can find more information on the benefits of competition in real estate by going to competition.REALTOR. He emphasized the value of the MLS and asked attendees to promote its importance. He gave a national economic analysis and market prediction, and shared that the Midwest was the only region that saw an increase in pending sales in April. Bart asked that members stop referring to the market as “crazy,” and instead state that the real estate market is “complicated, difficult, and/or challenging” in order to communicate our expertise. He shared that NAR Good Neighbor Volunteer Days are June 4th-12th. He finally reminded attendees to focus on themselves and their families.

Jeanne Prom joined the meeting at 9:14am.

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Chair Kristin Oban then gave a Government Affairs update. She shared that all changes to the Public Policy Statement must go before the board, the committee made motions to make changes the Public Policy Statements and are now before the board. These changes are:

Update Section 1.1 on page 4 to say “each person” rather than “the individual”; update Section 3.5 on page 9 to say “continues to oppose” rather than “oppose”; update Section 8.1 on page 12 to add commas so the sentence reads “...orientation, or gender identity, or...”; and update Section 11.2 on page 14 to say “members” rather than “member.” Send the fair housing language in Section 8.1, page 12, to NAR for them to review.

A motion was made to accept the changes as presented. **M/S/C**

A second recommendation was made to the Board that the Appraisal Task Force continue with their current objective. **M/S/C**

Vice Chair Lenée Bookhardt then gave an update on the Professional Development Committee. The committee recommends that the required continuing education recommendation for 2023 be a 3-hour course on NDREC Administrative Rules Changes and a 3-hour course on Contract Law. The committee made a second recommendation that there be 3 hours of required continuing education for Brokers on relevant topics. **M/S/C**

Sarah Caldwell gave an update on RPAC Fundraising, and shared that the state is currently at approximately \$130,000 of its \$190,000 goal. At this point last year, the state was at approximately \$80,000 invested. She also congratulated Bismarck-Mandan for reaching their 2022 goal already. Sarah reminded attendees that we are encouraging members to invest early this year so that the funds can be used to support candidates running this year.

Chair Jill Lee then gave a Nominating Task Force update, and shared the names that the Task Force would like to move forward to be placed on the ballot.

The nominating committee would like to make the recommendation for moving forward for election Nick Olson for the role of President Elect. **M/S/C**

The nominating committee would like to make a recommendation for moving forward for election the role of Vice President Jamie McLean, Vicky Matson, and Kristin Oban. **M/S/C**

Jill Beck gave an update on RPAC Trustees. She shared that redistricting has just occurred following the 2020 census, and pointed attendees to the maps provided in their meeting packets of these district changes. She shared that there are current lawsuits from some tribes on the redistricting in District 9, which is a federal lawsuit since they are from native American nations. Kim Efta asked about RPAC funding for districts that overlap with multiple boards, and Jill shared that this has happened in the past and NDAR will have to work with local board AEs to determine the best approach to these new districts which overlap.

Jill shared that the RPAC Trustees will conduct interviews with candidates the day of the State Fair Parade in Minot.

RPAC Trustees is asking for a change to the RPAC Policies in policies section III. A. Motion was made to update in policies section III. A. RPAC Trustee meetings (including candidate interviews) are open to any member that is a RPAC investor for the current year at the minimum state investment level at the time of the meeting. **M/S/C**

Vicki Roller and Daryl Braham gave an NAR Director's Report. Vicki shared that the national dues will not be going up, but the Ad Assessment cost is going from \$35 to \$40. This will be for items such as the That's Who We R ads. This cost will go up in 2023 and will be reassessed in 2027. Vicki shared that this year was the highest proportion of directors in person compared to any meeting they had before.

Daryl shared that NAR's Executive Committee had the chance to meet with representatives from Ukraine, who shared the impact that war has had in their country. He spoke on several lawsuits that currently involve NAR, primarily the DOJ lawsuit that targets the MLS. Shane Cullen asked for clarification on if the DOJ lawsuit targets exclusively REALTORS® or all real estate agents. Daryl clarified that nearly all MLS programs are through REALTOR® Associations. Daryl also shared information on a lawsuit in Missouri which targets REALTORS® earnings and has now been granted class action status.

Daryl thanked the board for their support of his run for NAR First VP and thanked Jill, Sarah, and Marti for their time and effort on the campaign. He shared that he was inspired by his interactions across the country and reminded board members that it is their job to inspire members to be engaged.

Scott Breidenbach then shared that he is running for President Elect of ARELLO, the election of which will occur at Nashville meetings later this summer. Shawn encouraged everyone to attend the meetings, which are the last week of August, to support Scott in person. A motion was made that the Association would cover costs for the CEO and current NDAR president to attend the Nashville meetings in support of Scott Breidenbach. **M/S/C**

Chair Amber Carlton then gave an update on the Statewide Forms Task Force. She shared that the 6 original forms commissioned by the Board are in legal review with Casey Chapman. She shared that once these original forms were created, they realized that there are supplementary forms needed which now total 22 forms. She thanked Jill Lee for drafting all the supplementary forms, and shared that she is hopeful that there will only be two more drafting meetings. The Task Force hopes to have the forms to brokers in the fall, and live in January of 2023. Kim Efta asked if there would be ongoing review of these forms, and Amber shared that she believes there will have to be a Statewide Forms Committee beginning in 2023 to manage and review the forms.

Shawn Ostlie gave an update on the Appraisal Task Force. He shared that we originally wanted to form an Appraisal Task Force to work with the Appraisal Association on educating and licensing more appraisers in ND. After working on establishing a program in ND, it was determined that the Appraisal Association is already creating a similar program with NDSU. Shawn shared that it is his hope that going forward we can have a committee formed with the appraisers to work with them on this, possibly starting next year.

Chair Amber Carlton gave a Strategic Communications Task Force Update. She shared that this task force was established after the planning retreat to evaluate the state communication program. She shared that Fargo implemented a Communications Committee 3-4 years ago and it has been a fantastic addition to the staff effort on communications.

The Committee makes a recommendation to the Board to make an NDAR Communications Committee in 2023 to create content and advise state communications. **M/S/C**

Sarah Caldwell shared that NDAR has been working with South Dakota REALTORS® on joint WCR and YPN Chapters. She shared that WCR is currently working to make changes to their bylaws which will allow a joint state chapter, and the organization has asked the states to halt any work until these changes are made. She then shared that a joint state YPN chapter has been approved, the states are currently working on details like bylaws and logos, and will hold a kickoff event at the Convention of the Dakotas this fall.

Changes to the NDAR Good Neighbor Program Application were then reviewed by Jill Beck. The changes were included in the meeting packs in legislative format, and the Executive Committee asked to have the highlighted portion to stay on the form. A motion was made to accept the changes as proposed, and add back in the yellow highlighted. Daryl Braham also asked to add in "if different from above" to the highlighted portion. **M/S/C**

Possible changes to NDAR's Life Member Program were then discussed. Shawn Ostlie shared that NDAR Life Member Program currently results in a loss of approximately \$15,000 of income from missed member dues of those in the program. Shawn shared that the Exec Committee has a recommendation that NDAR end the Life Member Program. **M/S/Failed**

Following extensive discussion, a motion was made that the Executive Committee reevaluate the Life Member Program, consider making changes/updates to the program and come back with an updated recommendation for the board. **M/S/C**

Jill Beck shared that 2022 is the year that NDAR is meant to replace the company van. Due to limited travel in recent years due to COVID, there are currently only 26,000 miles on the vehicle, and the Executive Committee recommends to keep the currently vehicle for the time being.

A motion was made to push the scheduled van replacement for reevaluation next year. **M/S/C**

The NAR Director recommendation from the Executive Committee was then discussed. With the change in NAR's policy, which now requires that one director in ND be from a small board (up to 499 members) and one from a medium board (500-1999 members), the Executive Committee recommends that the expiring term (currently held by Vicki Roller) be assigned as a small board director position and that the position currently held by Daryl Braham that has one year remaining be the medium board position.

A motion was made that the NAR Director Position with an expiring term become North Dakota's small board director position, and that the unexpired term continue as the medium board director position and Daryl to continue in that position for one year. The terms also be staggered three-year terms and got through the Nominating Task Force process. **M/S/C**

The succession plan policy was reviewed. A motion was made to accept the succession plan as presented.

An amendment was made as a motion: Daryl recommended that on item 7, we strike "or board"; on item 8 and the following, we strike "or board"; item 10 should then state "executive committee, as ratified as the board of directors." **M/S/C**

A motion was made to accept the original motion as amended. **M/S/C**

Jill Beck reviewed the finances as they presently are, which are current as of April 30th. Jill said she anticipates we will be below budget with limited travel and in person events the beginning of the year. Nick asked if Trust Funds has been reevaluated, and Shawn shared that this is being reviewed this summer. A motion was made to accept the financials as presented. **M/S/C**

Jill Beck gave an update on administrative rules. She shared that the ND Real Estate Commission held a public hearing on the rules changes, and then the rules went before North Dakota's Legislative Administrative Rules Committee. The Administrative Rules Committee approved the rules, and the REC is expected to ratify the changes in their meeting today, June 8.

Shawn pointed out and promoted the NDAR Health Benefits Program. He encouraged members to share information on this program with fellow REALTORS®, and asked attendees to consider enrolling in the program.

Shawn shared that the NAR NXT Conference is coming up this fall in Orlando, FL, and Daryl Braham shared that this year it is being reshaped to be more fun, engaging, and more than just a training conference. Shawn then encouraged members to register for the REALTOR® Convention of the Dakotas. He shared that we currently have about 120 registrants, and are hoping for 400-500 total.

Jill Beck gave an initiated ballot measure update. The Government Affairs Committee & Issues Mobilization Committee had moved to support the Protect ND's Constitution initiated ballot measure and supported with \$10,000 from Issues Mobilization. The ballot measure had too many fraudulent signatures and it was rejected by the secretary of state.

Nick Olson promoted Competition.REALTOR and Broker.REALTOR, two beneficial websites, and encouraged board members to take the time to visit these websites.

Shawn Ostlie then gave a President's Report. Shawn shared that nearly everything he intended to speak on was covered during the course of the meeting, with the exception of the Region 8 Meetings. Shawn shared that the NDAR CEO and Elected State Leadership traveled to Rapid City, SD for the Region 8 meetings, which is where RVP Bart Miller is from. NAR President Elect Kenny Parcel was there for an open question and answers. Shawn shared that the RVP process is changing and Bart Miller has appointed a task force to review the region policies and bylaws. Region 8 President Elects & Vice Presidents have been named to that task force.

Jill Beck then reminded Local Board President Elects to sign up for leadership training in Chicago.

Shawn Ostlie thanked Jill, Robyn, and Sarah for their work on hosting these Medora meetings.

Being no further business, the meeting adjourned at 11:58am.

Respectfully submitted: Sarah Caldwell, Communications Director