

Enrolled House Bill 4048

Sponsored by Representatives ESQUIVEL, DOHERTY, Senator HANSELL; Representatives BARKER, GOMBERG, HOLVEY, MEEK, Senator HASS (Presession filed.)

CHAPTER

AN ACT

Relating to real estate licensees; creating new provisions; amending ORS 696.174; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 696.174 is amended to read:

696.174. (1) To renew an active license **or to reactivate a license for the first time since the license was renewed to an inactive status**, a real estate licensee must complete 30 hours of real estate continuing education courses that are eligible for credit under ORS 696.182 during the two years preceding the renewal **or reactivation**. The 30 hours must include:

(a) At least three hours in a course on recent changes in real estate rule and law approved by the Real Estate Board; and

(b)(A) If the real estate broker is renewing an active license for the first time **or reactivating a license for the first time since renewing the license to an inactive status**, an advanced course in real estate practices approved by the Real Estate Agency; [or]

(B) If a licensed real estate property manager is renewing an active license for the first time **or reactivating a license for the first time since renewing the license to an inactive status**, an advanced course in property management practices approved by the agency[.]; **or**

(C) **If a principal real estate broker is renewing an active license for the first time or reactivating a license for the first time since renewing the license to an inactive status, an advanced course in brokerage practices approved by the agency.**

(2) The agency, in consultation with real estate professionals and educators, shall develop a reporting format to ensure that a real estate licensee has completed the number of hours required by subsection (1) of this section. The reporting format must include:

- (a) The date, name and length of time of each course attended;
- (b) The name of the real estate continuing education provider that offered the course;
- (c) The name of the instructor who taught the course; and
- (d) Any other information that the agency requires by rule.

(3) The agency may waive any portion of the requirements of this section for a real estate licensee who submits satisfactory evidence that poor health or other circumstances beyond the real estate licensee's control prevented the real estate licensee from attending part or all of the continuing education courses required by subsection (1) of this section.

SECTION 2. (1) **As used in this section:**

(a) **"Elderly household" has the meaning given that term in ORS 456.515.**

(b) "Elderly housing project" means a residential care facility as defined in ORS 443.400, including but not limited to an assisted living facility, or an independent living community, that is:

(A) Financed through a Housing and Community Services Department housing program under ORS 456.515 to 456.725 or ORS chapter 458 or another department program; and

(B) Composed of more than one living unit for elderly households, but does not provide continuous nursing care.

(c)(A) "Independent living community" means a facility that is organized to provide housing and services to elderly households.

(B) "Independent living community" does not mean:

(i) A residential care facility as defined in ORS 443.400.

(ii) A nursing facility.

(2) If an elderly housing project has repaid the financing received through a Housing and Community Services Department housing program under ORS 456.515 to 456.725 in full and retired any bond obligations related to the project, the department may not require the project, or a management company that is owned by or hired by the project to perform property management duties with respect to the project, to hire, retain or otherwise engage a real estate property manager, real estate broker or principal real estate broker licensed under ORS 696.022.

SECTION 3. The amendments to ORS 696.174 by section 1 of this 2018 Act first apply to active principal real estate broker licenses that are renewed or reactivated on or after July 1, 2019.

SECTION 4. This 2018 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect on its passage.

Passed by House February 8, 2018

Received by Governor:

Repassed by House March 3, 2018

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Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2018

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate March 1, 2018

Filed in Office of Secretary of State:

.....M.,....., 2018

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Peter Courtney, President of Senate

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Dennis Richardson, Secretary of State