



State of Idaho  
Division Of Occupational and Professional Licenses  
Idaho Real Estate Commission

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**Minutes of 05/14/2024**

|                      |                            |                 |                                      |
|----------------------|----------------------------|-----------------|--------------------------------------|
| <b>Board Members</b> | Jill Stone, Chair          | <b>Division</b> | Michelle Bird, Executive Officer     |
| <b>Present:</b>      | Elizabeth Hume, Vice-Chair | <b>Staff:</b>   | Mark Kubinski, Lead Counsel          |
|                      | Jess Dahlinger             |                 | Don Morse, Investigations Prog. Sup. |
|                      | Martin Espil               |                 | Alice Young, Training Specialist.    |
|                      | Michael Johnston           |                 | Erin Einarsson, Board Support Spec.  |

The meeting was called to order at 9:00 AM PST by Chair Jill Stone.

**INTRODUCTION:** Jessica Dahlinger, North Idaho Representative, was welcomed to the Commission.

**RECOGNITION:** Kim Cooper was recognized for his many years of service as a Commissioner on the Idaho Real Estate Commission. Kathy Weber, who served the Idaho Real Estate Commission from 2011-2017, was in attendance and was acknowledged as well.

**AGENDA – MOVING TOPICS:** Chair Stone moved the topics Idaho REALTORS® (IR) Update and NAR Legal Update on the agenda, to be addressed after the approval of the 3/5/2024 minutes.

**APPROVAL OF 03/05/2024 MINUTES**

A motion was made to approve the 03/05/2024 meeting minutes. The motion carried unanimously.

**COMMISSION BUSINESS**

**Idaho REALTORS® (IR) Update:** IR Chief Executive Officer (CEO) David Hensley presented the IR report. As of May 1, 2024, Primary membership was 11, 683, up 105 from the previous month. Secondary membership was 1,131, up 30 from the previous month. Total IR membership including affiliates is 13, 218, which is up 138.

**NAR Legal Update:** IR CEO Hensley presented an update on the National Association of Realtors (NAR) proposed settlement. Information about the settlement can be found at [idahorealtors.com/nar-settlement](http://idahorealtors.com/nar-settlement).

**DIVISION BUSINESS**

**Financial Update:** Executive Officer (EO) Michelle Bird presented the Revenues and Expenditures, non-restricted and restricted funds, as of April 1, 2024. EO Bird provided the additional explanation that the restricted fund is comprised of money collected from fines and violations and may only be spent on Idaho Real Estate Education.

**OASIS Licensing System Update:** EO Bird provided an update on the OASIS licensing system. With [Executive Order 2020-10](#), the Division of Occupational and Professional Licenses (DOPL) was formed, merging 11 agencies and 48 boards. With many of these agencies using their own unique licensing systems, the executive order also required that DOPL operate under one licensing system. OASIS has been developed for that purpose and will be implemented on July 1, 2024. All Real Estate applications and renewals will now be done online. Please note that the system will be shut down on June 28, 2024 for the transition to OASIS going live on July 1, 2024. Notifications will be sent from DOPL about the update. Vice-Chair Hume asked if notifications will be sent to instructors as well. EO Bird replied that the DOPL education staff was attending the meeting online and they would make note to send that notification.

**Legislative Update:** EO Bird provided an update on [H0505](#). Effective July 1, 2024, this bill allows the Division until July 1, 2028, to transition its annual license renewals to a biennial schedule with expiration on the licensee's birthdate. Brokerage and company licenses will be tied to the original date of licensure.

**Public Member Training:** Lead Counsel Mark Kubinski provided a PowerPoint presentation titled "Public Members-Board Training". Chair Stone noted that the REC public member Martin Espil has been on the board for 8 years and has been an integral member and thanked him for his service. Commissioner Espil commented that his time on the board has been educational and fulfilling, noting that the Idaho Real Estate Commission has made significant progress during his tenure. EO Bird encouraged attendees that are interested in serving as a public member to visit the [Appointments](#) page on the Governor's website and apply.

**License Base Report:** EO Bird provided an overview of the FY2024 Analysis of the License Base Report. As of May 1, 2024, there were 16,551 total active and inactive members, which is a decrease of 284 members from May 1, 2023. There is a total of 13,441 active broker members as of May 1, 2024, which is a decrease of 10 members from May 1, 2023. DOPL issued 129 new licenses in April 2024. Chair Stone asked if there was a decrease in applications. EO Bird noted that in April of 2023 there were 148 applications, which is a decrease of 19.

**Education Update:** Training Specialist (TS) Alice Young provided a summary of the following activities of the Education staff. The Education Team has been training on the new OASIS Licensing System. Additionally, the team has been finalizing the 2024 Commission Core materials and will be providing those to the online providers as well as the live and remote instructors. An Education Report was provided to the Commission Members. Vice-Chair Hume asked how long the Core Course will be and TS Young answered that it is anticipated to be approximately 3 – 3.5 hours. Chair Stone asked TS Young to provide a summary and highlights of the 2024 ARELLO Mid-Year Conference. TS Young: 4 DOPL Staff members and 2 commissioners attended ARELLO, connecting with several regulatory boards and continuing their work in their respective committees.

**Compliance Report:** Investigations Program Supervisor (IPS) Don Morse presented the compliance report. IPS Morse noted that the highest volume of complaints is with regards to advertising violations. With the first violations, the offender is provided with education on what the law requires. With the second violation, a complaint is filed. The second highest volume of complaints is for Adverse Material Facts not being disclosed. The investigations team also sees unlicensed practice violations in the commercial field, but IPS Morse noted that those cases have decreased due to the Cooperative Brokers License that was implemented.

**Zero-Based Regulation (ZBR):** Pursuant to [Executive Order 2020-1](#) and the Idaho Administrative Procedure Act, Chapter 52, Title 67, Idaho Code, the Idaho Real Estate Commission performed a thorough review of the administrative rules IDAPA 24.37.01 that govern the profession. The redlines are posted on the DOPL website at [Rulemaking | Division of Occupational and Professional Licenses \(idaho.gov\)](#).

**Public Comment:** Alison Roberts of Windermere Realty asked when the new law books would be available to the industry. EO Bird replied that printing the new law books is a project that the DOPL Education Team is currently overseeing.

**MOTION TO ENTER EXECUTIVE SESSION:** A motion was made for the Commission to enter Executive Session under Idaho Code § 74-206 (1)(d) to consider records that are exempt from disclosure under the Public Records Act, Idaho Code § 74-106(9). The purpose of the Executive Session will be to discuss documents relating to the fitness of an applicant to be granted a license or registration. Roll call: Chair Stone, aye; Vice-Chair Hume, aye; Commissioner Dahlinger, aye; Commissioner Espil, aye; and Commissioner Johnston, aye. The motion carried unanimously.

**Motion to Exit Executive Session:** A motion was made to exit Executive Session. The motion carried unanimously.

#### **MOTION(S) RESULTING FROM THE EXECUTIVE SESSION**

**Motion(s) re: Application(s):** A motion was made to grant exemption to case #24-03. The motion carried unanimously.

**Motion(s) re: Discipline:** A motion was made to table case #I-REC-2023-659, Probable Cause Memo, until the Commission's meeting in July 2024. The motion carried unanimously.

A motion was made to agree with the terms discussed in executive session on case #I-REC-2023-135, Consent Order, and authorize the Chair to sign on behalf of the Commission. The motion carried unanimously.

#### **ADJOURNMENT**

There being no further business, the Chair adjourned the meeting at 12:20 PM PST.