



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

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Minutes of 05/16/2023

Board Members Kim Cooper, Chair **Division** MiChell Bird, Executive Officer
Present: Jill Stone, Vice-Chair **Staff:** Lea Kear, Legal Counsel
Michael Johnston Melissa Ferguson, Curr./Exam Supervisor
Elizabeth Hume Carlotta Zito, Board Support Specialist
Martin Espil

The meeting was called to order at 9:00 AM MT by Kim Cooper.

APPROVAL OF MINUTES

A motion was made to approve the 03/14/2023 meeting minutes. The motion carried unanimously.

COMMISSION BUSINESS

Idaho REALTORS® Update: This topic was not addressed.

Financial Report: Executive Officer Bird addressed the Commission's third financial report.

Education Report: There were no questions on the Education report.

License Base Report: There were no questions on the License Base report.

ARELLO Mid-Year Report: Topics of discussion at the ARELLO 2023 Mid-Year Conference were: Distance Education Standards and policy & procedures, wholesaling, teams, unfair service agreements, AI and *ChatGPT* and federal legislation on military spouse licensing. Chairman Cooper reported on discussion of new web-based real estate services.

Team Registration Form: It is anticipated online testing of the Team Registration search will launch in the middle of July 2023.

Guideline 17: The Board members reviewed, as well as provided suggested changes to, the Guideline 17 *Use of Licensed and Unlicensed Assistants and Office Staff*.

A motion was made for staff to make the recommended changes as discussed at today's meeting. The motion carried unanimously.

Applications: There were no applications to discuss.

Public Comment: A comment was made by an audience member that the lines get blurred between assistant and transaction coordinator.

EXECUTIVE SESSION

Motion to Enter Executive Session: A motion was made that the Commission enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Act, Idaho Code § 74-106(9). The purpose of the executive session is to discuss documents relating to the fitness of a licensee to obtain or retain a license or registration. Roll call: Kim Cooper-aye, Jill Stone-aye, Michael Johnston-aye, Elizabeth Hume-aye, and Martin Espil-aye. The motion carried unanimously.

Motion to Leave Executive Session: A motion was made to leave Executive Session. The motion carried unanimously.

Motion(s) re: Discipline: A motion was made that finding the facts set forth in probable cause memo I-REC-2022-549 provided by the Executive Officer, and pursuant to Idaho Code 54-2058(1), are sufficient to proceed with formal action on the violations presented. Commission staff is authorized to file an administrative complaint, and upon the initiation of any formal proceedings the Executive Officer shall appoint a hearing officer to preside over the case, as provided by law. The hearing officer shall have the standard authority set forth in Chapter 2 of the Commission's Administrative Rules, IDAPA 33.01.02.452. Further, for any hearing held, with or without a hearing officer, the Notice of Hearing shall be issued in accordance with the Commission's "Standard Form for Notice of Hearing and Scheduling Order", a copy of which shall be provided to any hearing officer upon appointment. The motion carried unanimously.

A motion was made to deny Case No. 23-011. With one aye and four nays, the motion failed.

A motion was made to table Case No. 23-011, requiring additional information, and requesting applicant to appear before the Commission at its July 2023 meeting. With four ayes and one nay, the motion carried.

ADJOURNMENT

There being no further business, Chairman Cooper adjourned the meeting at 11:17 AM MT.