



***Principal Broker Quarterly: May 2018, Issue***

**INSIDE THIS ISSUE:**

- May 11, Webinar (1 CE, \$19): Register Now!
- Six (6) CE—OREF/OnlineEd on-line curriculum: [www.onlineed.com](http://www.onlineed.com)
- Congratulations Micki Goss of RMLS™, zipTMS® Certified Instructor!

- Q and A: News You Can Use
  - Dotloop and Redfin, Third Party Forms Licensed by OREF, LLC
  - Terms of Service
- 



**Friday, May 11, 9:30 a.m. – 10:30 a.m. Webinar (1 CE, \$19)**

**Register Now! \$19 per computer per location.**

<http://orefonline.com/events/>

OREF subscribers can now register for the Friday, May 11, webinar. Webinar registration is a two-step process: 1) \$19 payment and 2) GoToWebinar registration (logistics for participating in the live webinar). Sign-in sheets must be submitted to OREF, LLC before any CE certificate is issued.

**Syllabus Outline:** *Improving The Quality of Your Transactions.*

This course is for all brokers regardless of newly licensed, mid-season and veterans. Review and become more proficient with your transactions and improve your effectiveness, exercise better risk management.

- Setting Expectations/Consulting with your client
- Preparing the offer/listing
- Professional treatment of other Agents
- Tying up loose ends and closing on time
- Post Closing: Post closing issues and Positive follow up with co-oping Agent

A big thank you goes to Steve Russell of Windermere Realty Trust and Jeff Wiren of Premiere Property Group, LLC for preparing this course and soon to be instructing!

Principal Brokers wishing to access approval to instruct live in a group setting rather than registering individually per the on-line curriculum, can contact Jeff Sorg, OnlineEd, at (503) 670-9278.



**Six (6) CE—OREF/OnlineEd on-line  
curriculum: [www.onlineed.com](http://www.onlineed.com)**

**Four course / five CE: Available Now Through December 2018!**

[https://onlineed.com/system/pages/courses.php?package=505&f=show\\_details&state=Oregon&field=2&nc=1](https://onlineed.com/system/pages/courses.php?package=505&f=show_details&state=Oregon&field=2&nc=1)

- o Residential Sale Agreement and Matrix and Forms Changes Highlights (2 CE)
- o **Financing Contingency Clause (1CE)**
- o Townhome, Planned Community, & Homeowners Association Addendum (1 CE)
- o Understanding Transaction Contingencies ( 1 CE)

**One course: Available Now Through December 2018**

[https://onlineed.com/system/pages/courses.php?package=674&f=show\\_details&state=Oregon&field=2&nc=1](https://onlineed.com/system/pages/courses.php?package=674&f=show_details&state=Oregon&field=2&nc=1)

**OREF Changes to the Contingent Right to Purchase:** Learn what changed in 2018 on the Contingent Right to Purchase form.



## **Congratulations Micki Goss of RMLS™ (Eugene), zipTMS® Certified Instructor!**

Micki Goss of RMLS®, Eugene, [541-464-7610](tel:541-464-7610), joins the zipTMS® Oregon instructors along with Tony Rossell, Lawyers Title, [425 580-9212](tel:425-580-9212) and Dawn Reid, First American Title, [503 686-1926](tel:503-686-1926), as zipLogix zipTMS® Certified Instructors to teach the zipTMS® Usage seminars for brokers and local Associations. Additional instructors that have pre-2018 zipForm® certification include Jolene Stephenson (Eugene) and Ronda Wymore (WVMLS—Salem). Lincoln County, Rogue Valley, Central Oregon and Klamath Falls Association of Realtors® / MLS have indicated they are pursuing local volunteers to become certified and be local / regional resources. For more information, log on to <https://www.ziplogix.com/ziplogix-academy/certified-trainer-program/> and/or contact OREF at (503) 459-0195.

Subscribers can also access pre-recorded **weekly webinars** to enhance their proficiency with zipForm®, log on and participate (see link of scheduled offerings) [https://www.ziplogix.com/ziplogix-academy/learning-paths/!](https://www.ziplogix.com/ziplogix-academy/learning-paths/)

- New to zipForm® Plus
- Intermediate Users
- Advanced Users
- Multi-User Accounts



### **Q and A: News You Can Use**

OREF has developed a set of forms intended to provide useful guidance to real estate professionals documenting a variety of Oregon real estate transactions. In addition, OREF periodically provides, in its print and digital publications, guidance with respect to questions commonly posed by brokers. Neither OREF's forms, nor the statements made in its print or digital publications, are intended to constitute or provide legal advice. OREF encourages all brokers to seek guidance from their principal brokers, and when necessary, from legal counsel, regarding real estate transaction questions.

In addition, OAR offers members an annual subscription to the OAR Real Estate Hotline, which also provides brokers with consultation on real estate transaction issues. Brokers wishing to access the Hotline can find more information at

<http://oregonrealtors.org/legal/action/legal-hotline>.

**Q1:** How can our brokers become more proficient in understanding the # 001, Residential Sale Agreement, as well as improve the quality of their real estate transaction?

**A1:** The # 001, Residential Sale Agreement, has a definitions section. And, the # 001 MX, Matrix—Residential Sale Agreement, Clause by Clause, are excellent resources for “all brokers” to fully understand and better explain the Residential Sale Agreement to clients.

Also, the OREF—OnlineEd on-line curriculum, [www.onlineEd](http://www.onlineEd), two (2) hour FREE CE provides in-depth coverage of the real estate sale agreement. See the information posted above under Four course/ Five CE.

**Q2:** What fixtures are included in the sale of the property?

**A2:** The # 001 Residential Sale Agreement defines what fixtures are to remain with the property. If there are any other negotiated appliances and / or other personal property, an addendum would be a possible option to outline those items and negotiate between buyer and seller. It is also possible that some buyers may wish to exercise the purchase of warranties to accompany their property and associated appliances. Should you have questions, contact your Principal Broker.

**Q3:** As an OREF subscriber, how do I submit inquiries on the creation of new forms and/or request amendments / language changes to the 2019 Oregon Real Estate Forms library?

**A3:** The OREF Forms Committee meets six (6) times throughout the year to address Oregon industry concerns and enhance the Library for the following year.

Any OREF subscriber can e-mail OREF at [eo@orefonline.com](mailto:eo@orefonline.com) and the Forms Committee will review these requests at the next scheduled committee meeting. Staff will follow up with subscribers submitting requests via a telephone call and advise of the committee deliberations and decisions.

**Q4:** As a subscriber, how can I quickly review changes that were made in 2016, 2017 and 2018?

**A4:** OREF subscribers can log on to [www.orefonline.com](http://www.orefonline.com) and click on the Forms Changes link pages. The 2018 Forms Changes Summary was posted on December 13, 2017, and mid-January 2018, the seminar / webinar handout was posted in the 2018 folder. View the 2107 and 2016 folders to see changes from two to three years ago.

**Q5:** I am having trouble finding forms in the Oregon Forms and MLS libraries. How do I more quickly see a quick search roster of all forms?

**A5:** Subscribers wishing to see the list of the 70 + transactional and advisory forms (Oregon Real Estate Forms), can select # 000, Realtor® Guide to the Forms Library (this roster lists the #'s and names of the forms). Subscribers wishing to see the list of MLS Listing Agreement and other MLS forms, must select the MLS forms. The MLS Library is separate from the Oregon Real Estate Forms Library.

**Q6:** Why aren't there more frequent updates to the Seller's Property Disclosure Statement (SPDS) and the Lead Based Paint Pamphlet?

**A6:** The **SPDS** is the intellectual property of the Oregon Real Estate Agency (OREA). Yes, this form is located on the OREA website. OREF also provides the SPDS (formatted different than it appears on OREA's site) in the library. Oregon Association of Realtors® (OAR) may be submitting 2019 legislation to provide administrative rule changes (general house-keeping).

For more information, contact OAR at (503) 362-3645.

The **Lead Based Paint pamphlet** / brochure is the intellectual property of EPA. OREF provides the PYFFL booklet in the Oregon Forms Library as a resource convenience to OREF subscribers.

**Q7:** Which forms are to be utilized for 4-plexes, trailer houses (personal property) and/or floating homes?

**A7:** 4-plexes (multi-family housing) with four or less units can utilize the # 001 Residential Sale Agreement. Plexes larger than 4 units should utilize the Commercial Real Estate Sale Agreement, # 007. OREF does not have a manufactured housing form. Subscribers should consult their Principal Broker as how to proceed with manufactured housing. In Southern Oregon, the SOMLS and/or RVAR has additional form resources. Floating homes have a number of more complex issues associated with the transfer of property as well as the financing. Subscribers should consult an attorney to create legal documents for this type of real estate transfer.

**Q8:** Where is the Promissory Note in the 2018 Oregon Forms Library?

**A8:** The Forms Committee discontinued the Promissory Note in the Oregon Forms Library at the close of 2017. OREF noted this change in the 2018 Forms Summary posted on the [www.orefonline.com](http://www.orefonline.com) on approximately December 13, 2017. Click on the Forms Changes link page and you will find the 2018 Forms Summary in the 2018 Folder; pages five and six cover the rationale of why the committee, a number of attorneys (including OAR Legal Counsel and nationwide dialogue) due to Promissory Notes (PN) creating more risk liability than risk management. Section 24 of the # 001, Residential Real Estate Sales Agreement, address earnest money and a host of other detail. If Sellers and Buyers still want a PN, then they can create such a document, however, OREF is no longer providing the PN as it is not necessary. The exception is that in the



Seller Carry suite of forms, # 32 – 327, there is a Promissory Note Secured by Deed of Trust (Seller-Carried). This does not apply to the other five sale agreements (residential, farms/ranches, commercial, new construction, vacant land).

**Q9:** What are my CE requirements with the Oregon Real Estate Agency? What are the 2018 requirements (recent Oregon legislation that requires more CE for Principal Brokers? Will OREF be providing more continuing education opportunities, both live webinar, seminar and on-line curriculum (OREF – OnlineEd CE)?

**A9:** For more information as a broker, principal broker, or property manager, you must complete at least 30 hours of continuing education to renew an active license or reactivate an inactive license. (ORS 696.174 696.184)

[http://www.oregon.gov/rea/ce/Documents/CONTINUING\\_EDUCATION\\_REQUIREMENTS.pdf](http://www.oregon.gov/rea/ce/Documents/CONTINUING_EDUCATION_REQUIREMENTS.pdf)

HB 4048 (2018 legislative session): PASSED Raises the Bar of continuing education for Principal Broker licensure.

As additional information is updated on becoming a Principal Broker and/or additional CE required, you can anticipate OREA updating the two current CE link pages:

[http://www.oregon.gov/rea/ce/Pages/CE\\_requirements\\_principal\\_broker.aspx](http://www.oregon.gov/rea/ce/Pages/CE_requirements_principal_broker.aspx)

[http://www.oregon.gov/rea/ce/Pages/CE\\_requirements\\_broker.aspx](http://www.oregon.gov/rea/ce/Pages/CE_requirements_broker.aspx)

Yes, OREF is looking at possible additional continuing education (CE) units along with other providers like your local and state Realtor® Associations and OnlineEd. Presently, OREF, LLC provides approximately 10 – 15 + CE annually. More information will be forthcoming.

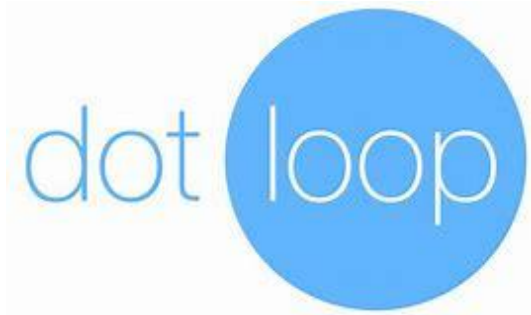
**Q10:** Planned Community, Townhome and Condominium Ownership  
– Which Form Should I Use?

**A10:** While most real estate brokers know a condominium when they see one, can the same be said of a “townhouse”? How do the two differ? Is there such a thing as a “townhome condominium”? Do townhomes have common and limited elements? What if the home is not a condo or townhome, but located in a “planned community”? How does that differ from a condominium or townhome?

OREF has two sets of forms to deal with these situations. One, the Residential Condominium Real Estate Sale Agreement is exclusively for the sale of pre-owned

residential condominium units (Form 011), and another, the Townhouse/Planned Community Addendum (Form 023). Below is a summary of the basic distinctions between these types of ownership, and which transactional form is appropriate for each one.

Read more of the article at <http://orefonline.com/wp-content/uploads/2017/04/Planned-CommunityvsCondosvsTownhomes.pdf>.



**REDFIN**

**Dotloop and Redfin, Third Party Forms Licensed by OREF, LLC**

Every OREF subscriber must have an OREF—zipForm® subscription to access the intellectual property of the 2018 Oregon Real Estate Forms library. In addition to the

primary subscription, Oregon brokers electing to utilize different transaction platforms such as dotloop and Redfin, may additionally participate accordingly. The auto population of first and last name (at the bottom of the forms and in the Agency Acknowledgement sections—lines 1 – 12 will occur when the OREF forms are uploaded on the Third Party Forms licensed entities of dotloop and Redfin.

Dotloop has partnered with OREF, LLC for three consecutive years and Redfin as recent as of May 2018! For more information on Third Party Forms license opportunities, contact Lance at OREF, LLC at [lclark@orefonline.com](mailto:lclark@orefonline.com) and/or call (503) 459-0195.



## **Terms of Service**

If you are utilizing OREF forms as powered by zipForms® and you are not the paying subscriber, you are illegally utilizing the electronic forms. Oregon Real Estate Forms, LLC is monitoring the illegal misuse of the real estate transactional forms and as we become aware of any and all appearances and/or actual cases of unlawful use, the associated parties will be issued a demand to cease and desist and further legal action. If you as a subscriber are aware of unlawful use, we encourage you to advise OREF by sending an e-mail to [eo@orefonline.com](mailto:eo@orefonline.com) and/or by calling (503) 459-0195. Per the terms

of service as agreed upon by all new and renewing subscribers, as well as posted on OREF, LLC website of <http://orefonline.com/electronicforms.asp>, the grant of license states "Licensor hereby grants you a limited, revocable, nonexclusive, personal and nontransferable license to access and use the Forms via the Internet for your own direct personal use in conducting certain professional real estate activity within the State of Oregon."

---

**Current and Previous Three Issues of *PB Quarterly* and *Subscriber***

***Update:***

If for any reason, you misplace the past four (4) issues of *PB Quarterly*, log on to [www.orefonline.com](http://www.orefonline.com), click on News and you will see the PDF postings.

**Next Issue: June 2018**

//////////////////////////////////// //////////////////////////////////////

---

---

**Our mailing address is:**

150 SW Harrison Street, Suite 200

Portland, OR 97201

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)