



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, February 10, 2022

9:00am CST – Zoom

President Shawn Ostlie called the meeting to order at 9:02am. He welcomed everyone to the meeting and had everyone give introductions. A quorum was determined.

Kim Efta gave the inspirational message, and Chris Greenberg led the pledge of allegiance and the REALTOR® pledge.

The consent agenda was then reviewed by President Shawn Ostlie:

- a. Minutes from January 21, 2022 | September 16, 2021 | October 13, 2021 (pg. 4-11)
- b. Local Board Reports (pg. 12-13)
- c. Calendar of Upcoming Events (pg. 14)
- d. Legal Counsel Update – Casey Chapman (pg. 15)
- e. 2022 Dues Renewals & Member Stats (pg. 16-18)
- f. 2021 RPAC Results (pg. 19)
- g. 2022 NAR Committee Appointments (pg. 20)
- h. NAR Annual Conference Committee Reports (pg. 21-38)
- i. Ratification of Local Board Appointments (Replacing terms that expired 12-31-21)

Issues Mobilization (3-year term):

Bismarck – Tricia Schlosser

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

The board members then watched “Fiduciary Duties Owned by Directors,” a video from NAR’s General Counsel Katie Johnson.

The 2022 Strategic Plan was then reviewed. A motion was made to approve the 2022 NDAR Strategic Plan. **M/S/C**

Chair Amber Carlton gave an update on the Forms Taskforce. She thanked everyone on the taskforce for their involvement. She shared that the Purchase Agreement has taken longer than expected, so WAV Group has requested additional funds based on the time extension of the project. There are two forms left to button up.

Amber shared that the taskforce has noticed they continually reference other forms in the agreement, and the current contract is \$800 per form. She shared that these are smaller forms that the taskforce believes they can tackle on their own. Jill Lee is currently handling the

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formatting on those forms to merge them together. Amber gave examples, including earnest money release, subsurface sewage treatment disclosure statement, and lead based paint.

Kim Efta voiced concern about the VA escape clause not being on the purchase agreement, and Amber shared that they would bring this back to the taskforce to discuss.

Gloria Palm Connor asked if statewide forms would be mandatory. Amber shared that the intent is not to make them mandatory, the intent is for them to be a product so beneficial that people choose to use them. Each local association has control and can choose to make it mandatory or not.

A motion was made to give WAV Group the additional \$3,700 needed for the added time spent on the forms project. **M/S/C**

Tanya Keck joined at 9:28am.

Chair Jamie McLean gave an update on the Building Taskforce. Jamie shared that they are looking into grants and outside funds to cover the cost of projects. He asked Jill and Nancy to give updates on what is currently being done on the building. Jill shared that the blue front reception desk has been removed, and in the conference room the old counter is being removed and a new one put in. Jamie shared that the tenants have started seeing clients as of this week. There is currently an insulation shortage, and Jill & Nancy reach out every 1-2 weeks to see if there is any available. The contractors have been working steadily to accomplish the smaller projects that are still on the docket.

A motion was made to allow the taskforce to move forward in 2022 to finish landscaping around the front sign, make toilet repairs, fix concrete in the front of the building, install conference room AV, and make updates to the kitchen sinks and cabinets depending on final costs. **M/S/C**

Nancy shared that there are still funds from the sale of the other building that are covering these projects. They are making judgement calls on what is fiscally responsible, and they are not asking for new money. This is money coming out of building funds that already exist.

Alex Gilbertson joined the call at 9:53am.

Chair Tricia Schlosser gave an update on the Appraisal Taskforce. The group has met twice and has been productive, with the help of Joe Ibach. Tricia shared that we have very little control over the appraiser training process, it is dictated from the federal government and they are very committed to the supervisor/supervisee model. Joe has come up with the Experience Training Program (ETP) in partnership with SDSU, where one appraiser works with 20 trainees. They believe this program could be introduced in North Dakota and be successful, as the South Dakota program has stalled due to issues in the appraisal community. The taskforce does not know if it will be a rule change or legislative change in North Dakota.

A motion was made to approve the Appraisal Taskforce working with the Appraiser Board and NDAA to proceed with establishing the Experience Training Program (ETP), either through an administrative rule change or legislative action. **M/S/C**

Tricia opened the floor to any questions. Jamie McLean shared that this came before the Government Affairs Committee, and they had a motion pass in their meeting yesterday. Nancy asked for clarification on what the program was. Tricia shared that it was a hands on program with an appraiser who serves exclusively as an instructor to approximately 20 trainees, who can complete a 1, 2 or 3-year program. Shawn Ostlie shared that he has had positive conversations with NDAA President Joe Sumers.

Chair Amber Carlton gave an update on the Strategic Communications Taskforce. She shared that this taskforce has not had the opportunity to meet so far this year, but they are working with NDAR staff to compile a list of current communication platforms and their effectiveness.

Sarah Caldwell shared that NDAR is partnering with South Dakota REALTORS® to establish Women's Council of REALTORS® and Young Professionals Network chapters. These joint workgroups have met twice now in their efforts to establish these chapters, and the WCR group is currently working with the national level of the organization to establish way for the two states to partner.

Chair Jamie McLean then gave a Government Affairs update. He encouraged everyone to give to RPAC early this year so that the funds can be used to support candidates in their races.

Lisa Feldner continued the update and shared that it is going to be an eventful election year with redistricting. All odd numbered districts are up for election in 2022, and 5 even districts are up for election in 2022. With legislative leadership retiring, there will be a fight for those positions.

Lisa shared an update on the initiated ballot measure that NDAR is supporting. By supporting, NDAR is partnering with Protect ND Constitution in their efforts to collect signatures and put a measure on the ballot for 60% needed approval and only one topic for constitution ballot measures to amended. This will be in the November election and they have until April to collect the remaining signatures. Jill shared that the BOD moved to support, and the Issues Mobilization Committee will be reviewing a \$10,000 contribution.

Jeanne Prom from the Real Estate Commission gave an Administrative Rules changes update, sharing that information was sent to all licensees with those changes. The changes were reviewed by the Commission, with additional comments from a public hearing. The rules have been posted on the REC website as the proposed rules, and will now go to the Administrative Rules Committee at the ND Legislature sometime this spring. The next committee meeting is tentatively scheduled for March.

Jill Beck shared that with the new changes to administrative rules being officially made, there is now an opportunity to evaluate and look into rules surrounding Teams. A motion was made that the Teams Taskforce be reestablished to research and evaluate Teams and possible legislation surrounding Teams. **M/S/C**

JoAnn Callahan, Mary Shelkey-Miller and Kim Efta volunteered to serve on the Teams Taskforce.

Chair Jeni Grunseth gave an update on the Professional Development Committee. She shared that we are asking members to come back with one or two ideas for a recommended mandatory topic. She then shared that the committee recommends that the \$5,000 grant be used to hold a \$1,000 drawing at convention (must be present to win) and the remaining \$4,000 to be divided into \$100 gift cards, also to be used in a drawing at convention, for anyone who has completed C2EX from the beginning of the program until September 1, 2022. ND members and registered convention goers only.

A motion was made to use the \$5,000 C2EX grant to hold a \$1,000 drawing at convention (must be present to win) and the remaining \$4,000 to be divided into \$100 gift cards, also to be used in a drawing at convention, for anyone who has completed C2EX from the beginning of the program until September 1, 2022. ND members and registered convention attendees only.
M/S/C

Chair Tricia Schlosser then gave an RPAC Fundraising Committee update. She shared that the group has met twice now to discuss and set RPAC goals for 2022, and they are currently discussing ways to promote fundraising at the local board level. She then brought the committee's recommendation for 2022 RPAC goals before the Board.

A motion was made to set the Per Member Goal at \$50, Member Participation at 70%, Major Investor at 70 members, Presidents Club at 40 members, Capital Club at 75 members, and Pinnacle Club at 200 members. **M/S/C**

Vicki Roller gave an NAR Director's update. She shared that there is currently large amounts of vacant space in NAR buildings, partially because NAR employees working from home, and they are working to remedy this. Vicki also shared that NAR is in the middle of 7 lawsuits related to the MLS. She encouraged board members to check out the new That's Who We R ads, which focus on the comparison of REALTORS® vs licensees this time around. Brokers should discuss with agents that they need to inform their brokers if they are doing drive by listings, and discuss if your E&O insurance covers that. Jill Beck added that Katie Johnson and Bob Goldberg shared that there is a lawsuit out of Montana related to a minister that is also a REALTOR® member.

Shawn Ostlie then gave his President's Report. Shawn shared that North Dakota is hosting the Convention of the Dakotas this year, September 12-14, and it is the 50th anniversary of our joint convention with South Dakota. There are some amazing speakers and great sponsors lined up, NDAR is hoping to have registration open by the end of this month.

Shawn then shared that the Health Benefits Program was implemented on January 1 and there has been some misinformation surrounding it. Some members had previously looked at their premiums through the Georgia REALTORS® portal last year. When North Dakota signed up for the program, there were price differences based on the new year and the state differences, and the premiums were higher than expected from those initial numbers. Shawn has signed up for the program and encouraged others to. Branson Proctor with Decisely will bring these inconsistencies back to their BOD because he understands that there are competitive cost of living numbers, and they are hoping to see if they can make theirs more competitive. Shawn shared that staff can now be included in the program.

A motion was made to include local and state staff in the Decisely insurance program. **M/S/C**

Shawn shared that we also have a spot on the advisory board for the program, and they are currently looking for a name. Shawn Ostlie was recommended since he is currently enrolled in the program. A motion was made to allow the Executive Committee to choose a name to sit on the Decisely Health Benefits Board, to be ratified by the BOD. **M/S/C**

He then gave an update on NAR Director allocation. With the new governance that NAR passed, there are new requirements for state NAR directors. There will still be 3 directors in North Dakota, two directors and one for the president. One member must be from a medium board and one member from a small board. Shawn shared that we need a group to evaluate how we handle this and determine if we need to make any adjustments. Nancy Deichert asked for a definition of small and medium boards – Jill shared that small is 499 and under, and medium is 500-1499.

A motion was made that the Executive Committee come up with a recommendation to be brought before the BOD on how to handle these changes. **M/S/C**

JoAnn Callahan asked if secondary membership works for the new NAR Director allocation rules, and Jill shared only primary membership is considered.

Shawn shared that the Executive Committee has been working on NDAR's succession plan, and expect to have it wrapped up relatively soon.

Shawn is looking at bringing back the President's Breakfast Meeting that former NDAR President Ben Schroeder held when he served. The first meeting invitation has been sent out for Wednesday, February 23. This meeting will be virtual, but they hope to hold it in person in the future.

The North Dakota Housing Finance Agency is putting on an appraisal agency class in Bismarck. It is a 4-hour class about the appraisal process, approved for CE. Shawn encouraged board members to attend and shared that he will be attending on behalf of NDAR.

Shawn introduced Daryl Braham, Eligible Candidate for 2023 NAR First Vice President. Daryl thanked everyone for having him give an update. Daryl that he has been busy on the campaign trail, he has been traveling for six months and has been in 22 different states, in addition to virtual meetings as well. Shawn asked about earning state endorsements, and Daryl shared that they are not seeking endorsements from any states as they believe it causes division. Shawn then congratulated Daryl for making the \$75,000 RPAC Hall of Fame level. Shawn then asked Daryl what he sees as the biggest challenge facing our industry, and Daryl said that he believes it to be the 7 MLS lawsuits.

Chair Tricia Schlosser then gave a Great North MLS Update. As of this past Monday, the 750 members are able to log in to MLS and they are running parallel for two weeks to make sure everything transitions smoothly. Tricia encouraged board members to check out the MLS and she shared the contact information for the staff members who help to manage it. She shared that they have contracted BMBOR to contract it and Heather Haadem has been doing a great job with it.

Jill Beck then gave some updates. She shared that the NDAR office has been very busy with many different projects going on. She shared that NAR's Legislative meetings in DC have been moved to May 1-6 as a result of the Marriott Wardman closing. The new location of the meetings will be the Gaylord Convention Center in National Harbor, MD. Registration opens Wednesday, February 16, at noon central time. She encouraged everyone to schedule the hotel for more days than they may need, since it is much easier to drop hotel nights than add them.

Jill shared that Daryl Braham will be inducted into the 3rd tier of the NAR Hall of Fame at the DC Meetings, and there is a Eligible Candidate Forum that he will debate at. Jill shared that they are working on Hill visits which are a little bit different this year with COVID, and they are limited to 5 people for each visit. Presently, NAR is unsure about virtual options. The DC Metro is up and running, and will be available for use. Masks are currently required in restaurants and indoor spaces in DC. Unfortunately, there will be no NAR building tours. Jill shared there is no registration fee for May meetings.

Jill also shared that the NAR committee signups for 2023 will be out March 1 - May 13. If you are looking at signing up, complete your expertise profile because they do look at that. May 16-May 27, NDAR will submit names for committee positions that are available to each state.

Being no further business, the meeting was adjourned at 12:05pm.

Respectfully submitted: Sarah Caldwell, Communications Director