



North Dakota Real Estate Commission Meeting Minutes -- FINAL
1:00 p.m., Thursday, May 7, 2026
1240 25th St S, Fargo Cass Public Health, Fargo, ND

Present: Sandra Meyer, chair; Steven Bitz, vice chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach; staff: Jeanne Prom, executive director; Evan Richter, auditor/accountant; Rob Yost, CPA/auditor; and Cieana Schneider, licensing specialist; David Phillips, legal counsel. Members of the public also present.

1. Call to order, roll call and determination of quorum, introductions, announcements. Chair Ms. Sandra Meyer called the meeting to order at 1:00 p.m. Ms. Jeanne Prom, executive director, called the roll, with a quorum of all members present.
Ms. Prom thanked Mr. Rob Yost for his 8 years serving as CPA/Auditor, then introduced Mr. Evan Richter, recently hired as auditor/accountant. Mr. Richter spoke briefly.
Chair Meyer thanked Commissioner Scott Breidenbach, who is completing his 10th and final year on the Commission. On behalf of the Commission and staff, Vice Chair Mr. Steven Bitz presented Mr. Breidenbach with the Great Seal of North Dakota in honor of Mr. Breidenbach's 2 terms on the Commission.
2. Review and approval of agenda. Mr. Steven Link moved to approve the agenda as presented. Mr. Bitz seconded. Motion carried by unanimous voice vote.
3. Financial reports – March 2026 – Mr. Richter and Mr. Yost presented the reports. Mr. Breidenbach moved to approve the March 2026 financial reports as presented. Mr. Tate Cymbaluk seconded. Motion carried by unanimous voice vote.
4. 2026-2027 draft budget, fees, contracts, priorities
Ms. Prom and Mr. Yost presented the draft budget, fees, contracts, and priorities.
Mr. Cymbaluk moved to transfer \$12,500 from the Real Estate Education Fund to cover a portion of the \$20,000 fee for Albertson's/Big Picture to review and update the website and online services to comply with Title II of the Americans with Disabilities Act (ADA), which requires digital accessibility for people with disabilities. Mr. Link seconded. Discussion: At the February 12, 2026 meeting, the Commission approved an additional \$7,500 from the education fund to cover additional education-related expenses this fiscal year. Special Assistant Attorney General issued a memo for the file stating the ADA updates qualified as education expenses. The Commission has paid the fee for the work, which continues as the U.S. Department of Justice extended the deadline to April 26, 2027. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Mr. Ho Mun with PSI, the Commission's exam provider, explained that nationally, PSI is seeing a slight decline in first-time test takers, which is tied to the economy and may continue into the next year. Mr. Mun explained the remote proctoring option for taking national and state licensing exams. Mr. Cymbaluk moved to have Mr. Mun work with Ms. Prom to do any more research necessary and present a proposal for exam remote proctoring at the next meeting. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Mr. Breidenbach moved to increase staff salaries by 3% plus phase 2 of the salary adjustment plan that allows for \$20,000 to be distributed between staff as shown on the

budget plan. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously. Mr. Breidenbach moved to increase Commission compensation daily rate from \$219 to \$226, beginning July 1, 2026. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Mr. Cymbaluk moved to increase attorney compensation hourly rate from \$275 to \$300, beginning July 1, 2026. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Mr. Breidenbach moved to allow the Executive Director to sign the agreement with Rice Insurance for errors and omissions insurance for January 1, 2027 through January 1, 2028. Mr. Cymbaluk seconded. Discussion: The Executive Director can consult with the Chair and also bring the agreement to the Commission if the cost increases by 20 percent or more. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

The Commission discussed the current contract with PSI with Mr. Mun. The current contract will expire June 30, 2027. Commissioner Breidenbach requested that current contract language requiring a 30-day notice to change exam fees or other parts of the contract be included in the next contract. The Commission directed the Executive Director to work with Mr. Mun and bring a contract draft to the Commission at a future meeting.

Mr. Cymbaluk moved to approve the 2026-2027 priorities. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Mr. Cymbaluk moved to approve the 2026-2027 budget as discussed with changes as stated in previous motions. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

5. Update from management

A. Errors and omissions insurance – Mr. Scott Louser, a licensee and state legislator, explained his idea for legislation to create a license status type for a referral-only company and licensees. Referral-only companies and licensees would not be allowed to take a listing, represent a buyer under a buyer agreement, or write an offer to purchase. Disallowed activities would not require errors and omissions insurance. This would allow licensees to maintain their license with fewer fees or costs. Mr. Louser would ask Legislative Council to draft a bill for the Commission to review.

The Commission and Mr. Louser and Ms. Jill Beck, ND Associate of Realtors, discussed the idea of creating and defining referral status; consumer protection; lack of or potential referral liability and claims; referral fees and disclosure; what active licensees can do by law even if they are choosing to only refer; licensees that do not belong to a multiple listing service due to location or type of real estate being sold; other fees and limitations for referral-only activity outside of license law; and differences between license law and policies outside of license law set by local

boards and the state association. The Commission took no action on referrals and errors and omissions insurance with some Commissioners identifying the appropriate action would be to not take a position.

Home inspectors – The Commission, Mr. Louser, and Ms. Jill Beck, ND Association of Realtors (NDAR) discussed licensing home inspectors beyond their current exam and registration with the Secretary of State. Registration with Secretary of State requires having national affiliation through having passed an exam and also have errors and omissions insurance. Mr. Louser stated that some home inspectors are interested in more of a regulatory framework and that he could see a continuing role for the Secretary of State or a new role for the Real Estate Commission. The Commission also discussed the need for regulation of those involved in closing functions that also involve abstractors, attorneys, title companies, and NDAR will be discussing this at their future meeting.

Broker lien – Ms. Prom reported that interest continues in adding a specific broker lien to state lien law in NDCC Chapter 35.

Minimum number of listings – Mr. Louser shared his view that the number of listings a salesperson has handled is very important preparation to be a broker. The Commission discussed the importance of number of listings and also the Commission's history of considering other experience as appropriate for a broker license. The Commission, by consensus, agreed that the Commission should preserve its discretion decision making on what is sufficient preparation for a broker's license, including listings and other experience.

- B. Trust account waivers -- The Commission reviewed recent trust account waivers.
- C. Mandatory CE – The Commission mandatory continuing education (CE) and ideas including agency, submitted by ND Association of Realtors. Mr. Link moved to require 3 hours on agency for all active resident brokers, broker associates, and salespersons during the November 16, 2026 through November 15, 2027 continuing education cycle. Mr. Bitz seconded. Discussion: This mandatory CE would be needed to renew as active for calendar year 2028. The Commission can discuss more details about what should be provided in the agency course at its next meeting. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
- D. 2026-2027 meetings – The Commission agreed by consensus to post meeting dates in 2026 on: August 20 and October 22; and in 2027 on: January 21, March 18, and May 6. Dates may change if needed.

Mr. Erik Wisner, Executive Director, Kansas Real Estate Commission, gave a tribute to outgoing Commissioner Breidenbach, on behalf of the Association of Real Estate License Law Officials (ARELLO), for his service to ARELLO. Mr. Wisner and Commissioner Breidenbach served as President of ARELLO in 2023 and 2024, respectively. Mr. Wisner thanked Mr. Breidenbach for 9 years on the ARELLO Board of Directors, which is possibly the longest serving board member in ARELLO history.

6. Update on complaints

A. 2025-06 – Daniel Hazer v. Neal Beitelspacher

After a review and recommendation from Special Assistant Attorney General Mr. David Phillips, and Commission discussion, Mr. Bitz moved to dismiss 2025-06 – Daniel Hazer v. Neal Beitelspacher. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach,

Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

B. 2026-04 – Debra Hunter v. Deanna Ness

After a review and recommendation from Mr. Phillips and Commission discussion, Mr. Cymbaluk moved to dismiss 2026-04 – Debra Hunter v. Deanna Ness. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

C. 2026-05 – Joseph Cecil v. Josh Hanson and Scott Louser

After a review and recommendation from Mr. Phillips and Commission discussion, Mr. Link moved to dismiss 2026-05 – Joseph Cecil v. Josh Hanson and Scott Louser. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

7. Review of applicants

A. Richard Ohren

After discussion with the applicant, who was present and addressed the Commission in person, Mr. Cymbaluk moved to approve Mr. Richard Ohren's reciprocal salesperson license application. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

B. Jordan Yira

After discussion with the applicant, who addressed the Commission, Mr. Link moved to approve Mr. Jordan Yira's reciprocal broker license application. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

8. Minutes – March 30, 2026 -- Mr. Cymbaluk moved to approve minutes from the March 30, 2026 meeting as presented. Mr. Bitz seconded. Motion carried by unanimous voice vote.

9. Other – election of chair, vice chair for July 1, 2026 through June 30, 2027

Ms. Meyer moved to nominate Mr. Steven Bitz for chair and Mr. Bitz nominated Mr. Link for vice chair. Ms. Meyer and Mr. Bitz rescinded their motions. Ms. Meyer moved to nominate Mr. Steven Bitz for chair and Mr. Steven Link for vice chair for July 1, 2026 through June 30, 2027. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously. Chair Meyer passed the gavel to Vice Chair Bitz.

Mr. Bitz thanked Commissioner Breidenbach and Chair Meyer for their leadership over the years. Mr. Roger Cymbaluk, past Commissioner, also spoke to the leadership of Commissioners Breidenbach and Meyer, the historical work of the Commission, and his experience as the longest-serving industry member of the Commission alongside the longest-serving public member, Ms. Diane Louser. Mr. Mun spoke, describing the Commission as "small but mighty" in its work here and in ARELLO. Commissioner Breidenbach thanked the Commission and listed the many Commission achievements, its relationship with NDAR, and his work with Ms. Beck and with Ms. Prom, Executive Director, over his 10 years as Commissioner.

Adjourn -- Chair Meyer adjourned the meeting at 3:16 p.m.