

Correction to ND Real Estate Commission minutes dated September 13, 2006

Item #14 should read:

14. DISCUSS POSSIBLE LEGISLATIVE ISSUES. Commissioners discussed possible issues to be brought before the 2007 Legislative session which included changing the name of the Secretary Treasurer position and several Administrative Rules changes. It was the consensus that these were housekeeping issues. Legal Counsel Connie Hofland had been asked to provide an opinion on whether or not the Commission had the authority to require background checks on license applicants under the current statutes and rules. Ms Hofland stated that it appears that the Commission does have the authority to require background checks but if the Commission plans to require applicants to submit to fingerprinting and require the applicant to pay for the background check it would be wise to specify these requirements specifically by either statute or rule. Ms Hofland thought that this may be accomplished through administrative rule but felt the Attorney General's office should be contacted for clarification. Commissioner Cymbaluk moved, seconded by Commissioner Youngberg to have Ms Hofland request clarification from the Attorney General's office regarding whether or not the Commission has the authority to require background checks on license applicants under the current statutes and rules and if we can charge the applicant to conduct a nationwide background search. M/C Claus Lembke, NDAR EVP, informed the Commission of the issues NDAR will be looking at for the 2007 session.

Respectfully submitted,

Patricia M. Jergenson
Secretary Treasurer