



**North Dakota Real Estate Commission Meeting Minutes – FINAL**  
**1:00 pm, Thursday, January 14, 2021 virtually**

[www.realestatend.org](http://www.realestatend.org)

Present virtually: Sandra Meyer, chair; Steven Bitz, vice chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach; Constance Hofland, special assistant attorney general; staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor; Cieana Schneider, licensing specialist. Members of the public also present virtually.

1. Call to order. Chair Ms. Sandra Meyer called the meeting to order at 1:00 p.m.
2. Roll call and determination of quorum. Ms. Jeanne Prom, executive director, called the roll, with a quorum of all members present. Ms. Prom introduced Ms. Cieana Schneider, who was hired as licensing specialist in November 2020. Ms. Meyer announced that Mr. Scott Breidenbach received a service award from Association of Real Estate License Law Officials (ARELLO) for his leadership work in the organization this past year. Staff will send the award to Mr. Breidenbach.
3. Review and approval of agenda. Mr. Tate Cymbaluk moved to approve the agenda as presented. Mr. Steven Link seconded. Motion carried by unanimous voice vote.
4. Review of requests for waivers of exams from two license applicants. See attachment for actions on all license applications.
5. Complaint 2020-08 -- Samantha Kapphahn v. Llona Helenske. Mr. Cymbaluk moved to table the complaint until the related lawsuit is resolved. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
6. Branches. The commission discussed branch office requirements with the public present at the meeting, including representatives from eXp. The commission agreed by consensus that the guidelines on branches posted on the commission's website are accurate.
7. Legislation, including update from N.D. Association of REALTORS®.
  - A. NDREC Bill -- HB 1258 – Mr. Steven Bitz moved that HB 1258 be amended to strike lines 8-9 on page 5 that include the end of this sentence: "Lectures, seminars, courses of instruction, and correspondence courses may not require passing of a test to qualify for satisfaction of this requirement." Mr. Cymbaluk seconded. Discussion: The commission agreed that the meaning of the sentence is not clear. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
  - B. Other bills, potential bills – Ms. Prom reported that HB 1031 studies fees, and a bill to branches has been drafted but has not been introduced. Ms. Jill Beck, N.D. Association of REALTORS®, reported that the association is tracking about 85 bills, including the association bill to expand the disclosure law to include most sales not involving licensees.

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Members of the North Dakota Real Estate Commission are: Sandra Meyer, Chair; Steven Bitz, Vice Chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach. Special Assistant Attorney General: Constance Hofland. Staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor; Cieana Schneider, licensing specialist.

8. Update from management.
  - A. Trust account waivers. The commission received a list of recent trust account waivers for brokers.
  - B. 2020-21 priorities. The commission reviewed progress on the 2020-21 priorities.
  - C. License application numbers. Ms. Prom shared license application numbers which show 106 more salesperson, 12 more broker, and 7 more organization license applications in 2020 compared to 2019. The number of firm license applications was the same for each year.
  - D. Renewal numbers. Ms. Prom reported that approximately about 95 percent of all licensees have submitted their license renewals.
9. Financial reports – October and November 2020. Mr. Link moved to approve the October and November 2020 financial statements as presented by Mr. Yost. Mr. Cymbaluk seconded. Motion carried by unanimous voice vote.
10. Minutes – November 4, 2020 meeting. Mr. Cymbaluk moved to approve the minutes from the November 4, 2020 meeting as presented by Ms. Prom. Mr. Link seconded. Motion carried by unanimous voice vote.
11. Any additional business. Mr. Breidenbach reported that the mid-year ARELLO meeting is in June in San Antonio, Texas, and that both sections of Commissioner College are online.
12. Next meetings: Thursdays, 2021 – March 11 and May 13. The commission agreed by consensus to hold the March 11, 2021 meeting in person in the commission conference room and begin the meeting at 10:30 a.m.
13. Adjourn. Chair Meyer adjourned the meeting at 2:47 p.m.  
Attachment



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**4. Review of requests for waivers of exams from two license applicants – All applicants were present virtually.**

NAME	LICENSE APPLICATION OR REQUEST/S:	ACTION BY COMMISSION:
A. Melissa Kuntz	salesperson	Mr. Cymbaluk moved to waive the national exam requirement for Ms. Melissa Kuntz, but Ms. Kuntz must take the state salesperson exam. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
B. Timothy Litchford	broker -- nonresident	Mr. Bitz moved to deny Mr. Timothy’s Litchford’s request for a waiver of the state broker examination. Mr. Litchford will not need to take the national exam, as he is a licensed broker in his state of residence. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.