



North Dakota Real Estate Commission Special Meeting
8:30 a.m., Friday, January 13, 2023 by Microsoft Teams
1120 College Dr Ste 204, Bismarck, ND

www.realestatend.org

Present by Microsoft Teams: Steven Link, chair; Tate Cymbaluk, vice chair; members: Scott Breidenbach, Sandra Meyer, Steven Bitz; staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor; Ciana Schneider, licensing specialist. Members of the public also present by Teams.

1. Call to order, roll call and determination of quorum. Chair Mr. Steven Link called the meeting to order at 8:30 a.m. Ms. Jeanne Prom, executive director, called the roll, with a quorum of all 5 commission members present.
2. Approval of agenda as presented. Mr. Steven Bitz moved to approve the agenda as presented which includes the interviews of the three finalists for Special Assistant Attorney General: John Ward, David Phillips, and Thomas Jackson; and discussion of legislative bills. Mr. Scott Breidenbach seconded. Because the motion also approved the 3 finalists, a roll call vote was taken: ayes – Mr. Bitz, Ms. Meyer, Mr. Breidenbach, Mr. Cymbaluk, Mr. Link; nays – none. Motion carried unanimously.
3. Interviews of finalists for Special Assistant Attorney General.
The commission interviewed Mr. John Ward beginning at 8:35 a.m.
Chair Link recessed the meeting at 9:15 a.m. after the interview with Mr. Ward and reconvened the meeting at 9:45 a.m.
The commission interviewed Mr. David Phillips beginning at 9:45 a.m. Chair Link recessed the meeting at 10:25 a.m. after the interview and reconvened the meeting at 10:30 a.m.
The commission interviewed Mr. Thomas Jackson from 10:30 a.m. to 11:00 a.m.
4. Discussion and potential decision on offer and next steps.
Mr. Cymbaluk moved to offer the Special Assistant Attorney General Appointment to Davide Phillips at \$250/hour. Ms. Sandra Meyer seconded. The committee discussed the candidates. Roll call vote: ayes – Mr. Bitz, Ms. Meyer, Mr. Breidenbach, Mr. Cymbaluk, Mr. Link; nays – none. Motion carried unanimously. Ms. Prom will work with the Office of Attorney General on the appointment with the goal of having Mr. Phillips appointed before the next commission meeting January 26, 2023. Ms. Prom and the current Special Assistant Attorney General Connie Hofland will assist in the transition from Ms. Hofland to Mr. Phillips.
5. Legislative bills
The commission discussed legislative bills, which are all House bills – 1190 (wholesaling), 1188 (40-year contracts) 1038 (general century code housekeeping), 1106 and 1107 (2 appraiser bills), and 1180 (electrical board). Only 1190 (wholesaling) proposed additions to NDCC 43-23, the real estate license law. Mr. Cymbaluk moved the commission submit a letter of support for HB 1190 (wholesaling) as written. Mr. Bitz seconded. Discussion: The commission will not provide any other testimony besides the letter. Roll call vote: ayes – Mr. Bitz, Ms. Meyer, Mr. Breidenbach, Mr. Cymbaluk, Mr. Link; nays – none. Motion carried unanimously. The commission agreed by consensus to monitor 1188 (40-year contracts) 1038 (general century code housekeeping which corrects a number error in NDCC 43-23, as well as similar errors in other places in century code), 2 appraiser bills -- 1106 and 1107, and 1180 (electrical board).

Adjourn. Mr. Cymbaluk moved to adjourn. Chair Link adjourned the meeting at 12:03 p.m.