



# FALL BUSINESS CONFERENCE

LEGISLATIVE  
STEERING  
COMMITTEE

September 21, 2022





# Legislative Steering Agenda

- I. CALL TO ORDER AND ROLL CALL
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
  - a. Minutes dated April 20, 2022
- IV. ANNOUNCEMENT FROM PRESIDENT CHERI DANIELS
- V. CHAIRS REPORT – Eddie Chang
- VI. AGENCY PAG REPORT – PAG Chair Eric Johnson and Annie Fitzsimmons
- VII. UPDATES FOR DISCUSSION
  - a. a. Housing and Land Use Legislation – Bill Clarke
  - b. b. Changing State B&O Tax from a Gross Receipts to a Margin Tax – Denny Eliason
  - c. c. Legislation on Leaseback Exemption from Landlord/Tenant Law – Mary Hull-Drury
  - d. d. Local Association Housing Advocacy – Jeanette McKague
  - e. Unlock the Door 2.0 – Nathan Gorton
  - f. Member Survey – Nathan Gorton
  - g. Champions Club Conference – Melissa Purvines
- VIII. ADJOURN





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**BRIEF ANNOUNCEMENT**

President Cheri Daniels



# DOL Real Estate Commissioners



**Eddie Chang**  
Managing Broker, Realogics Sotheby's



**Shelly Schmitz**  
Designated Broker, Keller Williams  
Premier Partners



**Casey Brazil**  
Vice President & COO, Kimlie Hagood





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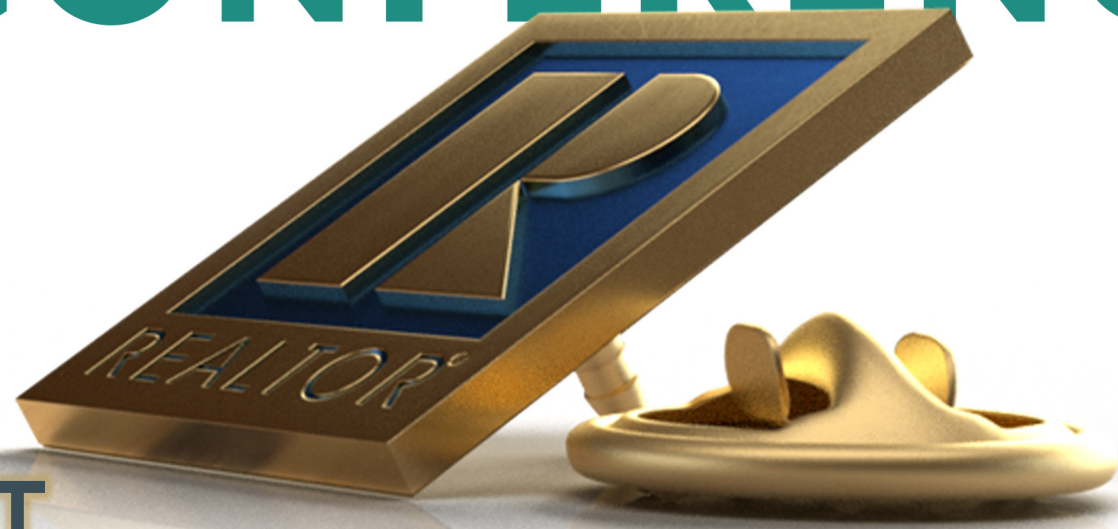
**CHAIRS REPORT**

Eddie Chang





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**AGENCY PAG REPORT**  
PAG Chair Eric Johnson and Annie Fitzsimmons

# Brief Summary

Washington REALTORS® (“WR”) President Cheri Daniels appointed a Presidential Advisory Group (“PAG”) to review real estate industry and consumer issues at both the state and federal level associated with real estate agency law, and make recommendations as to whether state legislation on certain agency law topics should be pursued in the 2023 Legislative Session.



# PAG Membership

Because of the importance of the topic, and to ensure broad participation and perspectives on agency law issues, a larger-than-normal PAG was established. The PAG consisted of the following members:

Eric Johnson, Chair

Cheri Daniels

Alisha Harrison

Jeff Smart

Keoki McCarthy

Bobbi Chipman

Terry Miller

Mike Wallin

Keri McCombs

Jeff Foster

Michael Orbino

Cheryl O'Brien

Garrett Nelson

Annie Fitzsimmons

Justin Haag

Dick Beeson

Kim Piper

Joe Mosolino





# PAG Process

The PAG met four times during the summer of 2022: June 24, August 1, September 1, and September 12. The first two meetings focused on understanding the background of the existing agency law, existing litigation and regulatory activity at the federal level or in other states, and potential real estate industry responses. The last two meetings focused on discussing various options for state legislation, in light of national issues and the need for a periodic update to the state agency law to reflect industry trends and consumer expectations.

The PAG recommends that Washington REALTORS® initiate legislation to modify the Agency Law as outlined in the following slides.



# Buyer Agency Agreements

Require written buyer agency agreements, to be signed by the buyer as soon as reasonably practical after a broker commences rendering brokerage services for compensation or the expectation of compensation (the same timing used for listing agreements).





# Contents of Buyer Agency Agreements

- A. Buyer Agency Agreement must include broker appointment to represent the Buyer; exclusive and non-exclusive options; terms of compensation; and duration of agreement and termination provisions.
- B. Buyer Agency Agreement not required to include geographic scope provisions or restatement of agency law or other statutory duties.
- C. Buyer Agency Agreement would be structured to allow for additional terms and provisions to be included in addition to the statutory requirements.



# Dual Agency Relationships

Require clients to affirmatively and in writing opt-in to single agent, dual agency relationship, and include written disclosure of the limitations inherent in dual agency relationships. Include language in the agency law pamphlet to explain the dual agency relationship to consumers.





# Agency Law Pamphlet

Modify the Agency Law pamphlet so that it reads in a narrative form that is easier for consumers to understand, rather than restating statutory language. The pamphlet will be much shorter and easier to understand.



# Falcon v. Bowfits

Modify the Falcon v. Bowfits decision by clarifying that the statutory duties in the Agency Law apply between a broker and all parties in the transaction, not solely between a broker and broker's client.



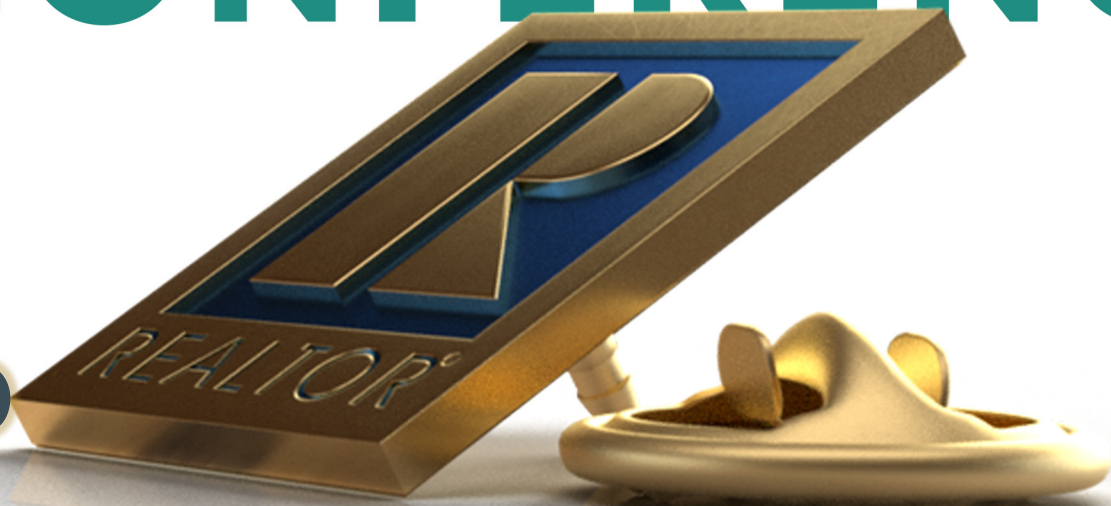




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**HOUSING AND LAND  
USE LEGISLATION**

Bill Clarke





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**CHANGING STATE B&O  
TAX FROM GROSS RECEIPTS  
TO MARGIN TAX**

Denny Eliason



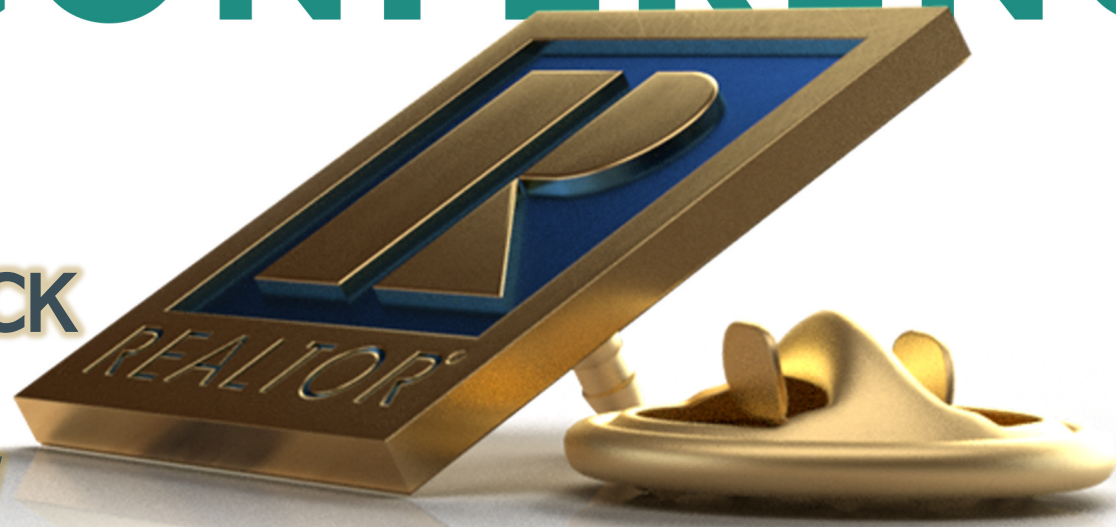




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**LEGISLATION ON LEASEBACK  
EXEMPTION FROM  
LANDLORD/TENANT LAW**

Mary Hull-Drury





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**LOCAL ASSOCIATION  
HOUSING ADVOCACY**

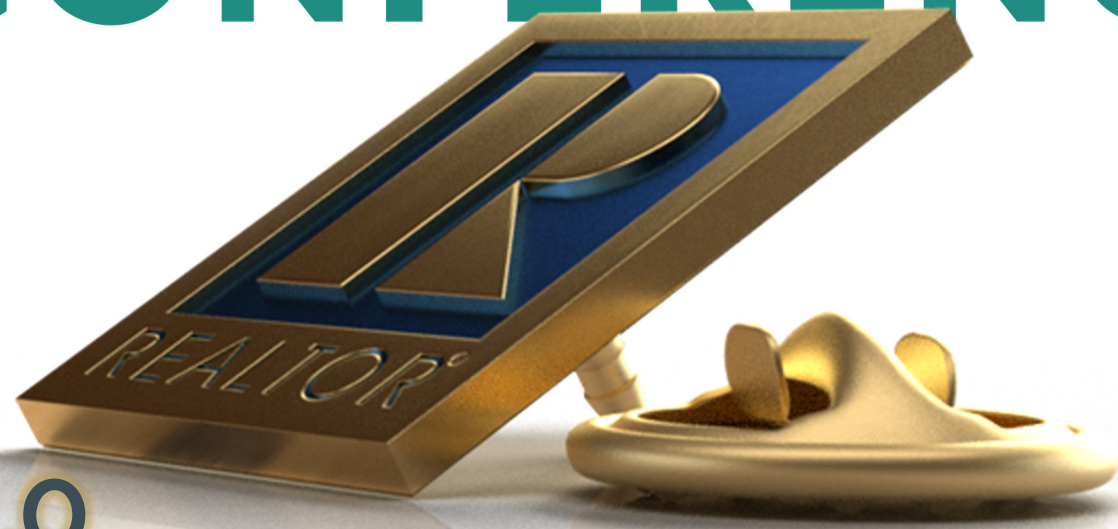
Jeanette McKague







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**UNLOCK THE DOOR 2.0**

Nathan Gorton



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**MEMBER SURVEY**

Nathan Gorton







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**CHAMPIONS CLUB**  
**CONFERENCE**

Melissa Purvines



**OCTOBER 11–13, 2022**

Hyatt Regency Lake Washington at Seattle's Southport



WASHINGTON REALTORS®  
**CHAMPIONS CLUB  
CONFERENCE**

PRESENTED BY



**WHAT'S INCLUDED**

**Your registration fee includes:**

- Access to the Full C3 Experience – Sessions, Speakers, and Networking!
- Hotel for Tuesday, October 11th & Wednesday, October 12th
- Dinner/Evening Reception for Tuesday, October 11th
- Breakfast and Lunch on Wednesday, October 12th
- Breakfast on Thursday, October 13<sup>th</sup>

*Online Registration will be open through Sunday, September 25<sup>th</sup>!*

*Talk to Melissa Purvines today to save your spot!*



OCTOBER 11-13, 2022

Hyatt Regency Lake Washington at Seattle's Southport

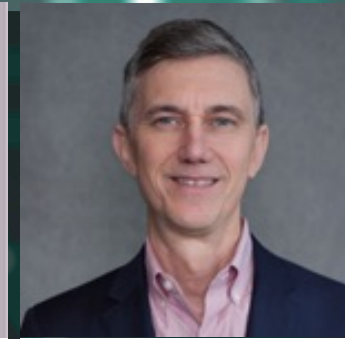


WASHINGTON REALTORS®  
**CHAMPIONS CLUB  
CONFERENCE**

PRESENTED BY



Hilary Franz  
Commissioner of Public Lands



Joe Goode  
CEO of American Strategies



Paul Queary  
Washington Observer



Christian Sinderman  
NWP Founder



Senator Braun  
Senate Minority Leader



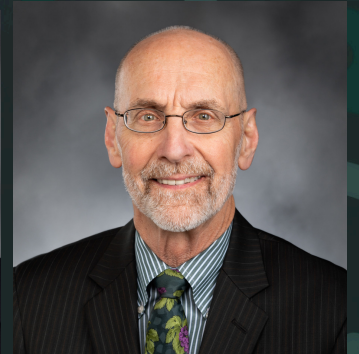
Senator Pedersen  
Senate Majority Leader



Tony Williams  
W2A Chairman



Rep. J.T. Wilcox  
House Minority Leader



Rep. Springer  
House Majority Leader

# LEGISLATIVE STEERING TERMS EXPIRING 12/31/2022

<b>Javier Cardenas (Alternate)</b>	<b>Krista Gross</b>
<b>Abigail Rowe (Alternate)</b>	<b>Elaine Hilton</b>
<b>Sol Villarreal (Alternate)</b>	<b>Jasmyn Jefferson</b>
<b>Brad Allen</b>	<b>Del Knudson</b>
<b>Dennis Gisi</b>	<b>Brian Pelky</b>





# COMMITTEE APPLICATION PROCESS

COMMITTEE APPLICATION IS AVAILABLE ONLINE AT  
[www.warealtor.org](http://www.warealtor.org)

Deadline for submitting is October 15th, 2022

## Legislative Steering CORE Committee

The Legislative Steering Committee's purpose is to coordinate and promote legislation consistent with our Policies which recognizes private property rights and the interests of the real estate industry, and to defend against legislation which is detrimental to said rights and industry interests. The committee promotes campaigns, directs lobbying efforts, and prioritizes legislation.

### TIME COMMITMENTS

During the Legislative Session, the committee meets every three weeks in person and more often via conference call if needed. For the remainder of the year the committee meets about once every two months. Legislative Steering also meets during the annual Legislative Days Event and the Spring and Fall Business Conferences.







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**THANK YOU**

