

Oregon State Archives Records Retention Schedule

Edition: December 2020

Organizational Placement
Agency: Real Estate

Schedule number: 2010-0008

Program Description

The Real Estate Agency is responsible for providing protection to Oregon consumers using real estate, escrow and land development services per Oregon Revised Statute 696. The Agency establishes standards and implements its authority through Oregon Administrative Rule Chapter 863. The Agency is charged with fostering a professional, regulated environment conducive to a healthy, regulated real estate market. Staff responsibilities include examination and education of real estate brokers and property managers; the licensing and regulation of brokers, property managers, escrow agents, marketing organizations, manufactured home subdivisions, condominiums and time shares. The Agency is under the direction of the Real Estate Commissioner, a Governor appointed Senate confirmed position. The agency is funded by license fees charged to real estate professionals and organizations operating in Oregon.

The Real Estate Board is an advisory board consisting of seven members of the real estate industry and two members of the public all appointed by the Governor. Board members serve on committees providing advice to the Real Estate Commissioner and Governor's office on real estate industry issues, budget development and technological advancement. The Board meets bi-monthly to review requests by applicants for waivers of the experience and/or education requirements for real estate license applicants.

Program Records

001 Real Estate Board Meetings Minutes, Agendas, Exhibits, 1939 – [ongoing] 10.00 c.f.
Retain permanently, transfer to State Archives after 10 years

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Correspondence

Databases

None

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Organizational Placement **Schedule number: 2010-0008**

Agency: Real Estate

Division: Administrative Services

Program Description

The Administrative Services Division provides clerical support and services to Real Estate Agency Divisions and staff including payroll, accounting/fiscal, procurement and contracting, Human Resources, risk management and budget preparation/allotment.

Program Records

002 Civil Penalty Payment Records

Retain 6 years after payment received or charged off, destroy

003 Statistical Reports

Retain 10 years, destroy

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Contracts and Agreements

Correspondence

Policy and Procedure Guidelines and Manuals

Policy Development and Planning Records

Facilities/Property Records - OAR 166-300-0020

Asset Inventory Records

Financial Records - OAR 166-300-0025

Account Reconciliation Records

Accounts Receivable Records

Budget Preparation Records

Competitive Bid Records

Deposit Slips

Purchasing Records

Payroll Records - OAR 166-300-0035

Employee Time Records

Personnel Records - OAR 166-300-0040

Employee Personnel Records

Recruitment and Selection Records

Databases

ORBITS

OSPS

PPDB

SFMS

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Agency: Real Estate

Division: Education

Program Description

The Education Division is responsible for promoting educated, informed real estate professionals by establishing and maintaining educational guidelines and standards, course work and examination materials. The division provides education, examination and compliance services. Division staff develop educational guidelines, approve pre-license courses and instructors, and develop and maintain exam. In addition, the Division is responsible for ensuring compliance of educators and licensees by adopting education standards, responding to public inquiries, and researching new methods for providing educational materials to real estate professionals.

Program Records

004 Real Estate Examination Question Item Bank

Retain 10 years after superseded or obsolete, destroy

005 Real Estate Examination Question Statistical Records

Retain 5 years after question deleted, destroy

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Correspondence

Mailing Lists

Publication Preparation Records

Databases

CERTIFIED PROVIDER

Oregon State Archives Records Retention Schedule

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Agency: Real Estate

Division: Information Systems

Program Description

The Information Systems division provides technical expertise and services to Real Estate Agency Divisions and staff involving computer hardware and software configuration, installation and support, voice and data communications infrastructure support, Web and email service and support and internet access. Staff supports computer hardware, software, peripherals and servers. In addition, staff assists in disaster recovery planning, provide network security services and user/help desk support. Staff ensure access, service and provide support to Real Estate Agency staff and management.

Program Records

None

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Correspondence

Facility/Property Records - OAR 166-300-0020

Asset Inventory Reports

Information and Records Management Records – OAR 166-30

Computer System Maintenance Records

Computer System Program Documentation

Software Management Records

User Support Records

Databases

Information Systems accesses all database applications as part of their mission

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Agency: Real Estate

Division: Land Development

Program Description

The Land Development division is responsible for providing direction and oversight to land development involving condominiums, timeshares, manufactured home subdivisions, out of state subdivisions and membership campgrounds per ORS's 92, 94 and 100. Division staff review and approve or reject land development filings.

In addition, Division staff coordinates the Agency's administrative rulemaking process which includes assisting staff in drafting rule text, preparing and filing rule making notices, soliciting comments and conducting public hearings and filing adopted rules with the Secretary of State's Office. Staff also coordinates the development of legislative concepts, monitor bills with interest/impact upon the agency, and prepare fiscal impact statements.

Program Records

006 Condominium Development Files

Retain 10 years, destroy

007 Condominium Unit Owner's Association Files

(a) Retain original report 6 years after condominium status surrendered, destroy

(b) Retain annual reports 5 years, destroy

008 Membership Campground Files

Retain 6 years after campground is terminated, destroy

009 Manufactured Home Subdivision Files

Retain 10 years, destroy

010 Out-of-State Subdivision Files

Retain 10 years, destroy

011 Timeshare Files

Retain 10 years after timeshare is terminated, destroy

012 Timeshare Exchange Company Filings

Retain 5 years, destroy

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Administrative Rule Preparation Records

Calendar and Scheduling Records

Correspondence

Legislative Tracking Records

Databases

None

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Organizational Placement **Schedule number: 2010-0008**

Agency: Real Estate

Division: Licensing

Program Description

The Licensing Division is responsible for the examination, licensing and registration of real estate professionals operating in Oregon. Real estate professionals requiring a license to operate are those individuals and companies assisting in the purchase and sale of real estate for a fee or managing rental real estate for a third party and are paid a fee per ORS 696.020. All real estate brokers and salespersons, property managers, escrow agencies and real estate marking organizations are licensed by the agency. Division staff process registered business names, branch office registrations, membership campground contract brokers and process applications for real estate examinations. Staff process background checks, maintain files on licensing applicants and conduct initial processing of all fees. In addition, Oregon has reciprocal licensing agreements with several states which allow real estate professional licensed by participating states to receive an Oregon license after providing proof of licensure, payment of fees and submission of the required forms. Real Estate Broker Licensure is good for two years while all other issued license is good for one year. Licensee who fail to renew their license within one year of expiration must begin the license and registration process from the beginning.

Program Records

013 Applicant Licensing Records

Retain 7 years, destroy

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Correspondence

Information and Records Management Records – OAR 166-300-0030

Filing System Records (File [Microfilm] Index)

Databases

LICENSE 2000 (L2K)

LICENSURE

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Agency: Real Estate

Program: Regulation

Program Description

The Regulation division is responsible for regulating the activities of the real estate industry including real estate brokers, property managers, escrow agents; subdivisions, timeshares, condominiums, membership campgrounds and real estate marketing organizations. Division staff investigates complaints against licensees. Division Management conducts stipulation (dispute resolution) conferences to resolve issues without going to contested case hearings. Management determines if allegations are founded and if action should be taken. Management and staff assist the Attorney General's Office whenever contested case hearings are conducted. Sanctions for licensees include reprimand, suspension or revocation civil penalty. Sanctions for non-licensed individuals/entities conducting professional real estate activity as defined by ORS 696.010 are subject to action by the Agency, including civil penalties.

In addition, division staff receive and process client trust account audits, which are completed and submitted by brokers. Upon review by agency staff, the audits are filed with the individual brokers records unless an investigation or administrative actions ensues. Administrative Orders are housed in Administrative Actions and Investigations files.

Program Records

014 Administrative Action Case Files

Retain 25 years, destroy

015 Broker Audit Reports

Retain 6 years, destroy

016 Civil Penalty Records

Transfer to Administrative Services Division after review and sanction assigned

017 Complaint Records

Retain complaint records 6 years after resolution, destroy

018 Investigation Files

Retain 6 years, destroy

State Agency General Records Retention Schedule Records

Includes but not limited to

Administrative Records - OAR 166-300-0015

Calendar and Scheduling Records

Correspondence

Litigation Records

Databases

LICENSE 2000 (L2K)