

June 4 – 7, 2008

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CALIFORNIA ASSOCIATION OF REALTORS® EXECUTIVE COMMITTEE
Hyatt Regency Hotel
Sacramento, California

The meeting was called to order by President William E. Brown at 2:00 p.m. on
June 4, 2008.

CALL TO ORDER

Members Present: President William E. Brown, President-Elect James Liptak,
Treasurer Beth L. Pearce, Colleen Badagliacco, Jeff Barnett, Dona Crowder,
Barbara Delgleize, Raymond Karpe, James Link, Ted Loring, Geoff McIntosh,
Frank Oti, Edwin Resuello, Heidi Rickerd-Rizzo, Tracey Saizan, Joel Singer
(Ex-Officio), Michael Tessaro

ATTENDANCE

Also Present: 2008 Regional Chairs, 2008 Committee Liaisons

Parliamentarian: Tim Hegstrom

Staff Present: Helen Parrino, Rick Shumacher

It was Moved, Seconded and CARRIED to approve the minutes of the January
23 - 26, 2008 meeting in Indian Wells, California.

APPROVAL OF MINUTES

President Brown reported that a special Executive Committee meeting has
been scheduled for September 5, 2008 to review the 2009 – 2011 strategic
plan and budget prior to the October meeting of the Board of Directors.

REPORT OF THE PRESIDENT

President Brown made note of the assignments each Executive Committee
member has with respect to serving as a Liaison to the C.A.R. Regions, and
commented on the other materials in the Executive Committee and Regional
Chair packets.

President Brown reported on several of the significant issues expected to be
discussed in committees during the week, including the vote on the California
MLS Bylaws, point of sale issues and other legislative matters,
recommendations expected to come from the Mortgage Broker Licensing Task
Force and the Green Task Force, continuation of the REALTOR® SWAT
(Special Weapons and Tactics for Surviving a Down Market) program, and
NAR policy on local Association satellite offices.

It was Moved, Seconded and CARRIED, that C.A.R. approve the CALMLS,
Inc. Bylaws as noticed and as posted on the mlsinput.car.org Web site.

Action of Directors: Approved *with a correction to clarify that a reference to*

“fifty percent” should be changed to “majority”.

President-Elect James Liptak reported that the Regional Chairs expect to be discussing the current market conditions, and Legislative Day, and gave a summary regarding the organizational efforts of the new California MLS Board of Directors. He also spoke about the timing of the committee selection process for 2009.

**REPORT OF THE
PRESIDENT-ELECT**

Treasurer Beth L. Peerce, Chair of the Strategic Planning and Finance Committee, reported on the state of the Association’s finances. She also urged attendance at the SPF Forum.

**REPORT OF THE
TREASURER**

Strategic Planning and
Finance

It was reported for information only by Beth L. Peerce that, to approve in keeping our efforts to establish a trusted public site, SPF recommends that C.A.R. work in conjunction with NAR on their forthcoming national consumer website to add California-specific content and explore opportunities for increasing our members’ value proposition and exposure to consumers.

See consent agenda, Attachment A, for additional Strategic Planning and Finance action items approved by the Directors.

Executive Vice President and State Secretary Joel Singer reported on the progress of the Association’s subsidiaries and the creation of the new Real Estate Risk Services Subsidiary.

**REPORT OF THE
EXECUTIVE VICE
PRESIDENT/STATE
SECRETARY**

It was Moved, Seconded and CARRIED to approve the Consent Agenda as presented.

CONSENT AGENDA

See Consent Agenda Action Items – Attachment A

SPECIAL REPORTS

It was Moved, Seconded and CARRIED, that to raise awareness among members and consumers about environmental issues, encourage the greening of C.A.R. business practices, and foster the longer-term impact among members and consumers, the Green Task Force recommends that C.A.R. approve \$155,700 to fund C.A.R.’s Green Initiative, of which \$51,000 was approved by the C.A.R officers before this meeting.

Green Task Force
Bob Hart, Chair

Action of Directors: Approved

It was Moved, Seconded and CARRIED, 9 votes in favor and 5 votes opposed, with two members not voting, to approve the Final Report and recommendations of the Mortgage Broker Licensing Task Force dated May 7, 2008.

Mortgage Broker
Licensing Task Force
Heide Wolf-Reid, Chair

Action of Directors: Not Approved

(See Appendix B for the Final Report of the Mortgage Broker Licensing Task

Force, which was not approved by the Board of Directors.)

COMMITTEE REPORTS

It was Moved, Seconded and CARRIED, that C.A.R. "OPPOSE" AB 567 (Saldana), Common Interest Development (CID) Bureau.

**Common Interest
Development**
Susan Tilling, Chair

Action of Directors: Approved

Note: AB 567 would establish the CID Bureau under the Department of Consumer Affairs which would offer training materials and courses to CID directors, officers, and owners. The bureau would maintain a toll-free telephone number and Internet web site and be funded with a biennial fee that would equal the number of separate interests in a CID multiplied by \$10. The bill authorizes the bureau to impose fines against associations that fail to comply with state law and to provide assistance in resolving CID disputes. The bureau would sunset January 1, 2014.

It was reported for information only that the following slate is duly noticed for approval in October 2008. Trustees serve for a three-year term. Alternates may be selected to fill the remainder of a vacant term during the year.

CREPAC Trustees
Marian Norris, Chair

NOMINEES FOR CREPAC TRUSTEE (November 2008- November 2011)

Marian Norris, Region 7
Mike Teer, Region 14
Jimmy La Peter, Region 23
Susan Marshall, Region 24
Judy Zeigler, Region 28

NOMINEES FOR CREPAC ALTERNATE (November 2008 - November 2009)

Cheryl McFall, Region 7
Linda Harrison, Region 8
Gene Lentz, Region 9
Jared Martin, Region 12
Carol Facciponti, Region 16
Mary Funk, Region 18
Greg Berkemer, Region 28
Anthony Agurs, Region 30
Cas Pinkowski, Region 32

It was reported for information only that staff shall be directed to prepare a new issues briefing paper for presentation to the Federal Issues Committee in October to assist C.A.R. in establishing policy in which C.A.R. can:

- Evaluate any proposed legislation and;
- Advocate for the health care priorities we support.

Federal Issues
J. Michael Roberts,
Chair

Further, the issues briefing paper should establish a matrix identifying all of the health care options and principles in general discussion so that the committee can decide those that C.A.R. should support, are neutral on, or oppose in order to allow efficient analysis of all future proposals.

Lastly, C.A.R. should set a goal of debating and reaching conclusions by the January 2009 C.A.R. meetings.

It was Moved, Seconded, and CARRIED that C.A.R. adopt the following policy on affordable housing:

Housing Opportunity
LeFrancis Arnold,
Chair

Housing advocacy organizations promote many different definitions of “affordable housing”. The California Association of REALTORS® has chosen to define “affordable housing” as “affordable workforce housing” and to focus its activities on helping create a path towards “affordable home ownership” for the workers in California. Such affordability must be evaluated in the context of housing costs within a community. This path starts with rental housing and then moves on to ownership housing generated by new construction, rehabilitation, and re-development.

REALTORS® believe that communities most effectively create the opportunities for affordable workforce home ownership by avoiding restrictive regulatory policies, such as rent control and point-of-sale mandates, and encouraging affirmative actions such as flexible zoning, innovative local planning, cooperative public-private projects, density bonuses, “granny flats”, mixed use developments, land trusts, down payment assistance programs, and shared equity arrangements.

Action of Directors: Approved

It was Moved by LeFrancis Arnold, Seconded and CARRIED, that C.A.R. “FAVOR” H.R. 5818, the Neighborhood Stabilization Act of 2008.

Action of Directors: Not Approved

Note: H.R. 5818 would provide grants and loans to states to purchase foreclosed housing for resale to families having incomes up to 140 percent of the area’s median income, rental of such housing by low and moderate income families, and the rehabilitation of such homes for the purpose of reselling them.

It was reported for information only that the following slate is duly noticed for approval in October 2008. Trustees serve for a three-year term. Alternates may be selected to fill the remainder of a vacant term during the year.

IMPAC Trustees
Heather Brown, Chair

IMPAC Contributions

NOMINEES FOR IMPAC TRUSTEE
(November 2008- November 2011)

Carol Banner, Region 15
Pat Fredericks, Region 28
Michael Godfrey, Region 6
Don Scordino, Region 12
Terry Wunderlich, Region 4

NOMINEES FOR IMPAC ALTERNATE
(November 2008 - November 2009)

Les Fishman, Region 21
Dolores Golden, Region 22
Rebekah Owen, Region 19
Erik Weichelt, Region 24
Cynthia Wood, Region 4

It was reported for information only that the trustees approved the following case for an amicus brief since the last meeting:

**Legal Action Fund
Trustees**
Kathy Mehringer, Chair

Claver v. Coldwell Banker. A salesperson was let go filed a class action lawsuit in a San Diego federal court challenging the independent contractor status of all CB salespersons on several issues but most notably their E&O insurance/risk management service/insurance protection program (to which salespersons contribute) and automobile insurance requirements. The plaintiff claims unlawful withholding of the agent funds for these programs under the California Labor Code. The plaintiff claims the broker salesperson relationship is one of an employer/employee relationship and therefore subject to the California Labor Code which regulates deducting amounts due from an employee. The matter is at an early stage at the trial level.

Hughes v. Pair. In a sexual harassment claim against a professional in an employment context, a procedural issue arose involving whether a court could dispose of a sexual harassment case by a summary judgment motion. While the trustees noted they did not condone the alleged activity of the defendant, they authorized an amicus on the issue of whether such claims may be decided by a judge instead of requiring a jury trial. The case is awaiting oral argument before the California Supreme Court.

Updates on cases in which C.A.R. participated as amicus:

Schaffter v. Creative Capital Leasing Group. This case involves the rights of a broker to commissions under a buyer broker agreement after a seller and buyer cancelled their agreements once the buyer failed to close escrow. After a series of delays due to changes in counsel, the defendant buyer filed bankruptcy. The matter has now been released from the stay. It will now go to oral arguments before the Court of Appeal.

Lange v. Sergerstrom Real Estate et al. A plaintiff filed a lawsuit without first demanding mediation. At issue was whether there was "substantial" compliance of the mediation provision by requesting it soon after the suit was filed. The appellate court upheld a strict reading of the C.A.R. clause and denied attorneys fees to the party that did not request mediation. The opinion is unpublished and C.A.R. is seeking publication.

Baker v. Osborne Development Corp. The court declined to enforce a builder's arbitration clause on various grounds, including it being a contract of adhesion and the method of obtaining the agreement to arbitrate by burying it in fine print within a warranty purchased after the initial sales contract. These

were not C.A.R. contracts. In finding the arbitration clause “substantively unconscionable,” the court noted that buyers would likely be more likely to initiate an action against the builder and not the reverse so that there was an imbalance in the benefit of the clause creating “substantive unconscionability”. The trustees authorized a petition to depublish the case on the narrow issue of imbalance. The petition to depublish has been denied. The case can be distinguished on many grounds from typical resale purchases using C.A.R.’s RPA.

It was Moved, Seconded and CARRIED, that C.A.R. “OPPOSE UNLESS AMENDED” SB 1399 (Simitian), regarding solar easements; amendments would refer the issue to the California Law Revision Commission.

Legislative
Bill Jansen, Chair

Action of Directors: Approved

Note: As introduced, SB 1399 would have allowed a property owner to notify a neighbor of the intent to install a solar collector, or of the intent to plant a tree that might shade a solar collector in violation of existing law. Once notice was given, owners would have been required to pass the notice on to subsequent purchasers. C.A.R. amendments would refer this very complex issue of existing law to the Law Revision Commission for review.

It was Moved by Bill Jansen, Seconded and CARRIED, that C.A.R. adopt a “NOT REAL ESTATE RELATED” position on “The California Prevention of Farm Animal Cruelty Act,” which will appear on the November 2008 General Election Ballot.

Action of Directors: Approved

It was Moved by, Seconded and CARRIED, that C.A.R. “SUPPORT” AB 1111 (DeSaulnier), Local Ordinances and Age Restrictions in Mobilehome Parks.

Manufactured Housing
David Hale, Chair

Action of Directors: Approved

Note: AB 1111 proposes to grant local governments the authority to prohibit mobilehome park management from amending park rules and regulations to change a 55 and over park to an all-age park.

See Consent Agenda (Attachment A) for an action item from the Membership Committee.

Membership
Cheryl McFall, Chair

It was Moved, Seconded and CARRIED, that the following be designated to serve as State Allocated NAR Directors for a three year term ending November 2011, and as Alternates for the 2009 elective year.

Nominating
Jim Hamilton, Chair

Robert J. Bailey, Santa Cruz
William E. Brown, Bay East
Allen Chiang, Rancho Southeast
Carolyn D’Agosta, No. San Diego County
Steve Goddard, South Bay
Jim Hamilton, South Bay
Bob Hart, Santa Barbara

Chris Kutzkey, Plumas County
Geoff Mc Intosh, Pacific West
Marjorie McLaughlin, San Diego
Marian Norris, Central Valley
Beth L. Pearce, Southland Regional
Jeanne Radsick, Bakersfield
Rick Violett, Pacific West
Judy Zeigler, California Desert

ALTERNATES FOR 2009 (IN PRIORITY ORDER)

John Yen Wong, San Francisco
Pat 'Ziggy' Zicarelli, Southland Regional
Cheryl McFall, Central Valley
Heath Hilgenberg, California Desert
Susan Tilling, Silicon Valley
Le Francis Arnold, Rancho Southeast
Debra Howard, South Lake Tahoe
Mary Funk, Southland Regional

Action of Directors: Approved

It was reported for information only that the following individuals have been nominated as Directors for Life:

Allan Gantt, Pacific West
Carl San Miguel, Santa Clara
John Scarborough, Fresno

Action of Directors: The Nominees were Elected

It was reported for information only that Joel Singer has been nominated as Executive Vice President/State Secretary for the year 2009.

Action of Directors: The Nominee was Elected

It was reported for information only that Steve Goddard has been nominated as President-Elect for the year 2009.

Action of Directors: The Nominee was Elected

It was reported for information only that the Bylaws specify that President-Elect James Liptak will become President for 2009, and that Beth L. Pearce will continue to serve as Treasurer for the second year of the two year term to which she was elected.

It was Moved, Seconded and CARRIED, that the voluntary political contribution allocation formula be changed as follows:

Political Affairs
Rick Violett, Chair

Proposed Formula

Personal Contributions
0% to CREPAC/Federal

25% to CREIEC
 45% to CREPAC/BORPAC
 30% to Local BORPAC

Corporate Contributions
 20% to CREIEC
 48% to CREPAC/BORPAC
 32% to Local BORPAC

Current Distribution Formula

Personal Contributions
 10% to CREPAC/Federal
 15% to CREIEC (Independent Expenditures)
 45% to CREPAC/BORPAC (State)
 30% Local BORPAC (Local)

Corporate Contributions
 15% CREIEC
 51% CREPAC/BORPAC
 34% Local BORPAC

Action of Directors: Approved

It was reported for information only that last year C.A.R. approved, subject to NAR approval, a citation policy for Code of Ethics violations that is similar to the citation policy already used by MLS's for MLS Rules violations. It was reported to the Committee that NAR has advised C.A.R. that the policy is in compliance with NAR policy. Accordingly, rules and a model citation schedule for the new citation policy will be prepared and provided to the local associations as soon as possible.

Professional Standards
Alicia Nuzzo, Chair

It was Moved, Seconded and CARRIED, that C.A.R. "OPPOSE UNLESS AMENDED" SB 1598 (Padilla), Landlord Authority to Restrict Smoking on Rental Properties. The amendment would remove any implication that a smoker's tenancy could not be terminated during a 12 month start-up period.

Property Management
Kevin Brown, Chair

Action of Directors: Approved

Note: SB 1598 proposes to permit landlords to impose a ban on cigarette and tobacco smoking on residential rental property, including the interior of the rental unit. The bill would require every lease or rental agreement entered into on or after January 1, 2009 to specify in the agreement as to the areas on the property where smoking is prohibited.

It was reported for information only that the committee recommends that C.A.R. approve the Final Report and recommendations of the Mortgage Loan Broker Licensing Task Force.

Real Estate Finance
Patricia Bouie Hinds, Chair

It was reported for information only that the Committee received reports from 5 Regional Representatives. The SFAC approved the creation of a Buyer's Inspection Election (BIE) form for possible release in November 2008. The

Standard Forms Advisory
Anita Thede, Chair

SFAC also approved release of a stand alone Declaration and Proof of License (DPL) form in anticipation of the November 2008 release. The SFAC heard a preliminary report from the Commercial Forms Study Group. The study group is in the process of revising existing commercial forms and preparing drafts for the SFAC of the following forms:

- Bill of Sale
- Release Agreement
- Confidentiality and Non-Disclosure Agreement
- Environmental Issues Addendum

The SFAC also heard a report from the SFAC/WINForms joint study group. The SFAC approved the recommendation made in their report that it is not necessary for C.A.R. to retain printed versions of every single form. In light of this recommendation, the SFAC approved making the Database Disclosure (DBD) form available via WINForms only. The Committee will also review their recommendation that silent revisions should be immediately effective via WINForms Online within a follow up conference call.

Finally, the SFAC received 79 comments. On a conference call in May, the SFAC reviewed 35 comments received since the January 2008 meeting. The committee has now reviewed the balance of the comments.

It was Moved, Seconded and CARRIED, that the President form a Task Force to explore alternatives using mechanisms such as Mello-Roos to deal with the problems associated with private transfer taxes.

TAXATION
Skip Zeleny, Chair

Action of Directors: Approved

There being no further business, the meeting was adjourned at 7:50 a.m. on June 7, 2008.

ADJOURNMENT

ATTACHMENT A – CONSENT AGENDA

1. That the following applicants be granted C.A.R. Honorary Member-for-Life status:

CONSENT AGENDA

Arcadia AOR
Betty Jo Lanza
Frank Lee

Membership

Burbank AOR
Vince Putrino
Margie Vierra

California Desert AOR
Shirley Baughan
Joan Burke
Jack McCarthy
Joan McCreary

Chico AOR
Ken DuVall
Barbara Rupp
Jackie Santos
Fran Shelton

Conejo Valley AOR
Anona Kelly

Contra Costa AOR
Joanne Dunne
Louise Wolfe

Downey AOR
Rose Carpenter

East San Diego AOR
Juanita Mangels

Fresno AOR
John Chamberlin
Robert DeRouchey
Maurice Rana

Inland Valleys AOR
Carlton Deon
Mervyn Glenn Flory Jr.
Douglas Gorman
Bud Minton
James Sheridan

Laguna BOR

Dorothy Moulton

Monterey County AOR
Claire Keeley

North San Diego AOR
Tom Clotfelter
Shirley Lenell
Joyce Sharp
Mary Walker

Orange Belt AOR
Gerald Lesinger
Roy Pond

Orange County AOR
Leo Chade
Patricia Gaines
Shirley Long
Jean Marsh
Anna Selley
Josephine Turner
Herbert Waltzman
Patricia Young

Pacific West AOR
Rose Mohr
Virginia Quirk

Pasadena-Foothills AOR
Vera Beznak

South Bay AOR
Marvin Patrick

Southland Regional AOR
Martha Cunningham
Herman Knox

Tri-Counties AOR
Gilbert Duron

Tri-Counties AOR
Joetta Richmond

Ventura County Coastal AOR
Margaret Burleson
Fredrick Osborne
Frank Taylor

Yosemite Gateway AOR
Ramona Scott

2. That the Statement of Income and Expenses by program for the three months ending March 31, 2008 be approved.

CONSENT AGENDA

**Strategic Planning
and Finance**

Total C.A.R.
Revenue of \$19,004,700
Expenses of \$ 5,169,700
An excess of income over expenses of \$13,835,000

Political Activities Fund
An excess of income over expenses of \$2,432,000

Issues Action Fund
An excess of income over expenses of \$1,299,400

The C.A.R. Balance Sheet as of March 31, 2008
Total assets of \$71,881,800 (of which \$53,203,100 are current assets)

Total liabilities of \$6,487,300 (of which \$6,242,100 are current liabilities)
C.A.R. Fund Balance of \$65,394,500

3. That the Projected Statement of Income and Expenses by program for the year ending December 31, 2008 be approved.

CONSENT AGENDA

**Strategic Planning
and Finance**

Total C.A.R.
Revenue of \$27,301,200
Expenses of \$26,300,700
An excess of income over expenses of \$1,000,500

Political Activities Fund
An excess of income over expenses of \$1,862,100

Issues Action Fund
An excess of income over expenses of \$714,400. This amount will be allocated to IMPAC as approved by the Directors.

4. That the audited Statement of Income and Expenses by program for the twelve months ending December 31, 2007 be approved.

Total C.A.R.
Revenue of \$33,831,800
Expenses of \$26,798,900
An excess of income over expenses of \$7,032,900

Political Activities Fund
An excess of income over expenses of \$1,360,700

Issues Action Fund
An excess of income over expenses of \$1,150,500

This amount will be allocated to IMPAC as approved by the Directors.

The C.A.R. Balance Sheet as of December 31, 2007

Total assets of \$54,915,700 (of which \$36,095,900 are current assets)

Total liabilities of \$4,427,400 (of which \$4,207,800 are current liabilities)

C.A.R. Fund Balance of \$50,488,300

5. To approve an augmentation to the 2008 capital budget in the amount of \$25,000 to replace the main waterline from 2nd floor restrooms to 4th floor restrooms and repair walls as necessary as a result of the pipe replacement in the C.A.R. headquarters building in Los Angeles.

ATTACHMENT B

May 7, 2008

Final Report
Mortgage Loan Broker License Task Force

The Task Force was created with the following mission as the product of a motion passed at the June 2007 Board of Directors meeting:

[T]o consider whether C.A.R. should sponsor legislation to:

- a. Transfer regulation of mortgage lending functions out of the Department of Real Estate and to a different regulator; and,
- b. Prohibit an individual licensee from acting as both the mortgage loan originator and a sales agent in the same transaction; and
- c. Separate licensing of Mortgage Brokers within the DRE; and
- d. Other options.

The members of the Task Force include: Heide Wolf-Reid, Chair
David Barca, Larry Black, Patricia Bouie Hinds, Bob Hart, William Jansen, James Myrick, Leigh Rutledge and Charlene Singley.

The Task Force met multiple times through the fall of 2007 and its discussions included background information from staff and presentations from the Real Estate Commissioner, Jeff Davi. As a preliminary conclusion the Task Force voted to recommend that C.A.R. sponsor legislation to require:

That a prominent disclosure by a licensee should be required to go to all parties whenever a licensee both represents a buyer and originates a loan in an owner occupied 1-4 transaction.

The recommendation was approved by the Board of Directors in October 2007, and has become a portion of SB 1054 (Machado).

Note: This recommendation rejected a prohibition on a buyer's agent engaging in dual roles as both sales agent and loan agent in the same transaction.

The Task Force met with the DRE commissioner and with the leadership of the California Mortgage Brokers Association (CAMB). They commented on the items of the Task Force mission statement, and the commissioner presented to the Task Force a preliminary estimate of regulatory program costs for a 4-year Mortgage Loan Broker license modeled after the real estate license and administered by DRE. DRE's rough and unofficial estimates (that do not take into account corresponding savings to the other DRE program costs) place the cost for 4 years of the program at about \$56 million, and with a very rough estimate of mortgage broker license fees to be about \$1230 for a 4-year license.

In March of 2008, after input from the Task Force chair and Legislative Committee chair, C.A.R. leadership discussed SB 1053 (Machado), a bill that would create a mortgage broker regulation program within DRE, and concluded that support of the bill is consistent with C.A.R. policy. The bill will fund the enhanced enforcement out of DRE general funds, not a specialty fee, and will create a new registration, reporting and audit program targeting residential loan brokers.

The Task Force has met twice between January and June 2008, and makes the following additional recommendations:

1. That C.A.R. SPONSOR legislation to create a new mortgage loan broker/agent license program administered within DRE that is modeled after the real estate broker/salesperson license. The new license would be the exclusive authority to engage in mortgage loan origination, brokerage or servicing activity within the jurisdiction of DRE.

The proposed program will include:

1. License structure parallel to real estate license.
2. "Loan Broker" and "Loan Agent" license analogous to real estate licenses.
3. Equivalent experience recognition, education will not substitute for experience.
4. No prohibition on dual license; all practice must be in scope.
5. License self-supporting but within DRE; costs estimated at around \$1300 for four year license.

Note: This recommendation rejects the transfer of mortgage broker regulation to a regulator other than DRE.

2. That the new regulatory model (once operational) require renewing licensees (agents and brokers) to choose whether to renew as a loan agent or broker, or as a real estate salesperson or broker, but only with the required education/experience for the license chosen. After the new license requirements are in place, applicants for an original license will have to choose which license to test for and maintain.

3. That C.A.R. Support If Amended S 2545 (Feinstein) which will require states to separately license mortgage loan originators. The amendments requested will provide an exception to pre-emption when a state program, like California's, requires a different but substantially equivalent license in terms of length of license term, pre-license education or continuing education.