



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
2/25/20

Agency: Real Estate Agency

Facility: Salem

[] New [x] Revised

This position is:

- [x] Classified
[] Unclassified
[] Executive Service
[] Mgmt Svc - Supervisory
[] Mgmt Svc - Managerial
[] Mgmt Svc - Confidential

SECTION 1. POSITION INFORMATION

a. Classification Title: Financial Investigator 1
b. Classification No: C5235
c. Effective Date: 1/3/2022
d. Position No:
e. Working Title: Financial Investigator/Auditor
f. Agency No: 91900
g. Section Title: Regulation Division
h. Budget Auth No: 512700
i. Employee Name:
j. Repr. Code: AR
k. Work Location (City - County): Salem/Marion and Remote
l. Supervisor Name: Elli Kataura
m. Position: [x] Permanent [] Seasonal [] Limited Duration [] Academic Year
[x] Full-Time [] Part-Time [] Intermittent [] Job Share
n. FLSA: [] Exempt [x] Non-Exempt
If Exempt: [] Executive [] Professional [] Administrative
o. Eligible for Overtime: [x] Yes [] No

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.

The Real Estate Agency examines, licenses and regulates 20,000 ± real estate and escrow licensees campground registrants, condominium, subdivision and timeshare developers both in and out of the state of Oregon. The Agency's mission is to provide quality protection for Oregon consumers of real estate, escrow, and land development services, balanced with a professional environment conducive to a healthy real estate market.

The Regulation Division enforces laws and administrative rules applying to the regulated activities of real estate licensees, escrow agents and land developers. The Division provides staff assistance to the regulated entities, complaint investigation for violations of the real estate escrow or land development laws and auditing of financial and accounting practices.

This position works in the Regulation Division.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

Perform complaint investigations of unlicensed and/or illegal real estate, escrow or land development activities or other alleged violations of the laws governing the agency's programs, to assist other government agencies in their investigative activities and to perform audits which may include analyzing financial records, reviewing trust accounts, determining financial soundness of escrow licensees and other related duties.

SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark "N" for new duties, "R" for revised duties or "NC" for no change in duties. Indicate whether the duty is an "Essential" (E) or "Non-Essential" (NE) function.

% of Time	N/R/NC	E/NE	DUTIES
Ongoing			<p>The person in this position must:</p> <p>Meet customer service standards by treating customers in a responsible, reasonable, fair, impartial and positive manner. This standard means dealing with them promptly, correctly, carefully & sensibly. It means showing respect, empathy and common sense. It also means providing information in a consistent, reasonable manner with empathy and flexibility. In addition, decisions must be made based on relevant rules and laws, avoiding all appearances of arbitrariness, bias or prejudice. Interactions with internal and external customers must also avoid an adversarial approach, show initiative to offer assistance, offer an apology when it is appropriate, and use complaints as opportunities to improve the service of the organization.</p> <p>Possess the ability to work collaboratively in a team setting. These skills are essential and encompass a willingness to work together and openly share information that will lead to the team's success. The person in this position must contribute to a positive, respectful and productive work environment.</p> <p>Show the ability to demonstrate ethical standards and independent judgment at all times.</p>
75	R	E	<p>Conduct investigations into violations of Real Estate Law, Property Management Law, Escrow Law, Oregon Subdivision and Series Partition Control Law, Oregon's Condominium Act, Timeshare Law, and Membership Camping Contract Law.</p> <p>Monitor continued compliance with requirements for distribution of public reports, use of adequate and true disclosures and lawful real estate license practices. Provide instruction to real estate licensees in the proper methods and requirements for real estate license law compliance.</p>

			<p>Conduct personal or telephone interviews, gather and review information, documentation and other relevant data to document possible violations, write summary reports to support administrative action for violations of referenced laws.</p> <p>Plan and arrange schedules for investigations and audits within the framework and guidelines set out by supervisors to provide for most judicious use of time and other Agency resources.</p> <p>Investigate questionable real estate license law practices or other potential violations using accepted investigative methods. On occasion respond to solicitations or promotions while posing as a member of the general public.</p> <p>Investigate acts of unlicensed persons in real estate transactions to determine the existence of any illegal unlicensed activity. On occasion, assist the local District Attorneys in preparation of cases for criminal prosecution.</p> <p>Prepare written report of investigation/audit cases for administrative action.</p>
20	R	E	<p>Work with the Assistant Attorney General to prepare witness lists, determine who will present what evidence, prepare exhibit lists, obtain and serve subpoenas. Organize and present or coordinate presentation of Agency's evidence, witnesses and documents in proceeding. Act as witness, upon request.</p> <p>Assist other regulatory enforcement agencies in working complicated cases where real estate related activities are involved.</p> <p>Conduct investigations in cooperation with federal, state and local agencies administering related laws dealing with subdivisions, membership campgrounds, condominiums and timeshare plans. Consult with other agencies and private or professional organizations affecting the administration of these laws.</p> <p>Participate in special assignments relating to complicated investigations, audits or receiverships.</p>
5	R		Perform other duties as requested.
100%			

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

This position requires occasional bending, kneeling, stooping, twisting, balancing, reaching, handling/grasping, pulling/pushing, lifting/carrying no more than 50 pounds, while working on investigations or

audits, for short periods of time. Frequent sitting, standing, typing at a terminal when working investigations, audits and reports. Often requires the ability to climb stairs, work in crowded conditions, walk on rough and/or steep terrain and exposure to noxious weeds/pollen and chemicals while conducting assigned job functions.

Requires short or long trips, mostly by auto, but occasionally by other modes of transportation, occasionally requiring overnight and weekend work. The position requires constant listening and speaking skills for interaction with the public, potential licensees, licensees, other state/local/federal government agencies and other staff. The ability to work in adverse conditions over protracted periods of time, often with hostile people is necessary to this position.

In order to adequately perform the duties of this position, the employee must have adequate eyesight with or without corrective lenses and attention to detail in diverse documentation review.

SECTION 5. GUIDELINES

a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

Office Policy & Procedure Manual, Agency Goals and Guidelines, Regulations Division Handbook, and performance goals for Investigator/Auditors. State statutes include but are not limited to ORS chapters 92, 94, 696, Corporation statutes, Administrative Hearings ORS chapter 183, Public Records Laws ORS chapter 192 and related Administrative Rules. Federal statutes relation to FHA, VA and Fm HA loans. Federal and state statutes regarding criminal codes as they relate to activities being investigated and audited, court case history, Attorney General opinions and Agency case history.

b. How are these guidelines used?

The cited laws, rules and other related information are used to provide a general framework within which the duties for this job are performed. The incumbent is expected to exercise prudent judgment in applying the correct regulations for the situation.

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
<i>Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".</i>			
Public, licensees, courts, attorneys, other state agencies, police agencies, federal regulatory and law enforcement agencies	By telephone, in writing or in person	To answer inquiries from licensees and public and to conduct field audits or investigations	Daily

SECTION 7. POSITION RELATED DECISION MAKING

Describe the typical decisions of this position. Explain the direct effect of these decisions.

Work is frequent performed outside the office with remote supervision. The duties require individual initiative and skill in decision-making within the guidelines in Section 6 above. The employee is required to make daily judgments on the size and methodology of investigations and audits as well as investigation follow-up based upon findings received outside the office. Supervisory assistance is available upon request and while in the office.

Decision-making errors can result in incomplete investigation files, possible tort claims against the Agency, incorrect evidence and biased reporting.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
PEME	0005.032	In-person, in writing, by email	Daily	For quality, thoroughness, potential trouble areas, insure performance of duties meets Agency goals and guidelines

Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

SECTION 9. OVERSIGHT FUNCTIONS

THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

- a. How many employees are directly supervised by this position? 0
- How many employees are supervised through a subordinate supervisor? 0

b. Which of the following activities does this position do?

- | | |
|--|---|
| <input type="checkbox"/> Plan work | <input type="checkbox"/> Coordinates schedules |
| <input type="checkbox"/> Assigns work | <input type="checkbox"/> Hires and discharges |
| <input type="checkbox"/> Approves work | <input type="checkbox"/> Recommends hiring |
| <input type="checkbox"/> Responds to grievances | <input type="checkbox"/> Gives input for performance evaluations |
| <input type="checkbox"/> Disciplines and rewards | <input type="checkbox"/> Prepares & signs performance evaluations |

SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

ADDITIONAL REQUIREMENTS: List any knowledge and skills needed at time of hire that are not already required in the classification specification:

Successful employees in these positions should have a background and skills in investigative techniques, accounting and auditing, human relations, analysis of financial statements and computer data, written and verbal communication skills, planning and organizing, and the ability to work with a variety of office machinery. Special consideration may be given to background in professional real estate, escrow and land development activities.

BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
<i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".</i>		

SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

SECTION 12. SIGNATURES

Employee Signature Date

Supervisor Signature Date

Appointing Authority Signature Date