

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS

BY AUTHORITY OF AS 08.01.070(2), AND IN COMPLIANCE WITH THE PROVISIONS OF AS 44.62, ARTICLE 6, A SCHEDULED MEETING OF THE ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS WAS HELD ON 12/19/2023 VIA ZOOM.

CONDENSED MINUTES OF THE MEETING HELD 12/19/2023

These minutes have been reviewed and approved by the Board through mail ballot on 2/22/24.

Date:	12/19/23
Time:	10:03 am the meeting was called to order
Location:	Zoom: https://us02web.zoom.us/meeting/register/tZUuc-6ppj0rHtPzL4zoZhxovld6tJGwy7ae
Attending:	Board Members: May Hayes, Leon McKean, Val Kudryn Staff: Sara Sather, Melissa Dumas, Anna Gabriel, Glenn Saviers Public Members: Malan Paquette, Erin Dixson
Absent:	Staff: Alison Osborne

1. Call to Order/Roll Call	
Brief Discussion:	The Board Meeting was called to order at 10:03 am with Mae Hayes, Leon McKean, and Val Kudryn present.
	The agenda was approved as written.
	There were no ethics disclosures made.
	Mae Hayes and Val Kudryn have requested CE for attending the meeting.
Motion:	On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED to approve the agenda for December 19, 2023 as written.
Recorded Votes:	Mae Hayes - Y
	Valery (Val) Kudryn - Y
	William (Leon) McKean - Y
Action Items:	Staff will email CE for participation request to Mae Hayes and Val Kudryn.
	The meeting is to proceed as drafted in the agenda.
2. Public Comment	

Brief Discussion:	Malan Paquette – Advocate out of the South Kenai Peninsula (administrative forensic advocacy): Ms. Paquette shared that the public notice does not have a way to contact the Board directly. The main email and phone number provided does not always allow for timely responses. Additionally, she mentioned the meeting agenda is not attached to the public notices, which the public noticing AWS website does allow for. Lastly, she commented the disclosure on the bottom does not meet the minimum for accessibility. Ms. Paquette stated these items of concern feel as if the Board is distancing from the public. Ms. Paquette did share the registration and then zoom information provided was efficient.	
	No other public comment at this time.	
Motion:	No motion necessary.	
Recorded Votes:	Mae Hayes -	
	Valery (Val) Kudryn -	
	William (Leon) McKean -	
Action Items:	The Board requested for staff to share these comments with corresponding staff in charge of public notices.	
	The Board took a break from 10:11 – 10:15 as they are ahead of schedule. 10:16 all members back and the Board remained present for if any other public members arrived. During this time there was no additional public comment received.	
3. Division Update		
Brief Discussion:	Ms. Dumas provided a summary of the Q4 report to include a summary of the revenue for FY23 equaling 226,344 and expenditures equaling 161,923. Ms. Dumas explained that the nonrenewal year ended with a surplus of 130,556 carrying over into FY23. 195,277 is what is being carried over into this upcoming nonrenewal year. Ms. Dumas explained that if all things stay the same there is not an expected deficit. A fee analysis will be conducted before the next renewal.	
	It was shared that the appraisal profession is currently representing .43% of division expenses. Professional licenses for appraisers have increased by 57% from FY19 to FY23. AMCs are a large contributor to this increase.	
	After the Fall AARO Conference staff had reached out to Ms. Dumas, as the Chair had gained information regarding the ASC providing grants and wanted to inquire if the Board may apply for this regarding the side-by-side comparison.	
	Today Ms. Dumas provided an update stating that the division does not have receipt authority to receive grants. She stated if additional information can be obtained to include	

	<p>the estimated amount, what this will cover, and the deadline to apply, this is something that could potentially be looked into for the FY25 budget. Additionally, Ms. Dumas stated that SBPR third party funds could be a potential avenue of requesting one-time funds.</p> <p>Through Ms. Dumas’s question, Ms. Hayes stated she, herself, would probably be identified as the grant’s manager if the Board were able to pursue a grant through the ASC.</p> <p>Ms. Dumas asked for any information regarding the funds to be requested be sent to her and she will look into what options may be available. Ms. Hayes stated she will get what information she has to Ms. Sather to forward to Ms. Dumas.</p> <p>Mr. Kudryn inquired where the statistical information is located on the state website for license numbers. Within the Division of Corporations, Business and Professional Licensing main webpage, on the right-hand side select Division Repots. At the bottom of the page under Division Reports there is an option to select Professional Licensing Statistics.</p>	
Motion:	No motion necessary.	
Recorded Votes:	Mae Hayes -	
	Valery (Val) Kudryn -	
	William (Leon) McKean -	
Action Items:	<p>Ms. Hayes will send what information she has regarding the inquiry for additional funds to assist with a side-by-side comparison to Ms. Sather to be forwarded to Ms. Dumas.</p> <p>Ms. Sather will send requested ASC contact information to Ms. Hayes.</p>	
4. Investigations		
Brief Discussion:	<p>Ms. Gabriel provided a summary of the current Investigations Report. There are currently 6 open cases with 3 closed cases, all of which are for 2023 matters.</p> <p>There were no additional questions from the Board at this time.</p>	
Motion:	No motion necessary.	
Recorded Votes:	Mae Hayes -	
	Valery (Val) Kudryn -	
	William (Leon) McKean -	

Action Items:	No action items for this agenda item.	
	The Board took a brief break from 11:00 to 11:04. 11:04 all Board Members present to proceed with the agenda items.	
5. Executive Administrator Discussion		
Brief Discussion:	<p>Ms. Saviers provided a summary of documents presented in the Board Member Book including provided tips and references, what is required to move forward, a summary of current EA positions, and potential range wages for an Executive Administrator (EA) position. She explained that an EA is partially exempt, which means there are not standard minimal qualifications. It is recommended to not include specific qualifications within statute as this can “box in” the hiring requirements. This also may be difficult to recruit for. In place of listing these requirements, it is encouraged for a Board Member to be part of the hiring process so the Board may provide input on applicant qualifications. Ms. Saviers went on to further explain a range 23 is what most EA positions are placed at. She also recognizes that the Appraiser Board has complexities being the only Board with Federal oversight and recognizes that the Board may have many tasks they might seek an EA to assist with. However, the salary range comes down to what the Board is comfortable with and sees as competitive for the work this position will be asked to do.</p>	
	<p>Ms. Saviers pulled the pay ranges for some state appraisers, which showed level 1 at a range 16, level 2 at a range 18, and level 3 at a range 21. Right of way appraisers with a level 1 at a range 21 and level 2 at a range 22.</p>	
	<p>The Board and Ms. Saviers discussed that this EA position could seek a licensed appraiser to fill the seat. It is recommended this stipulation is not listed as a requirement in statute, as specific requirements listed in statute often make the recruiting process more difficult, however, could be stated that a candidate holding this license may be placed at a higher priority for consideration. The Board expressed the expertise of an appraiser’s knowledge could be beneficial, however, they agreed understanding of the administrative process and government is of higher importance for this position.</p>	
	<p>The Board agreed to proceed with a range 23 as the requested salary range for this EA position.</p>	
	<p>It was asked where the difference in this increased salary would come from. Ms. Saviers explained that if needed, application fees would be increased. If an increase was needed this would be an increase across all applications. However, she stated she is not necessarily expecting an increase as the Real Estate EA, who oversees the current Occupational Licensing Examiner, would then no longer need to code her time to the appraiser program. Additionally, the potential EA for the appraiser Board may not necessarily code all time to the appraiser program if time allowed them to assist with other Boards (which is common).</p>	

Motion:	<p>Mr. Kudryn stated; I would like to make a motion to move forward with the suggested changes to AS 08.87.20 and new subsections required that we discussed under seeking legislation to create an executive administrator as well as having Chairwoman Mae Hayes and Board Member Leon McKean pursue legislative support in creating this executive administrator position for the Board of Certified Real Estate Appraisers.</p> <p>Second by Mr. McKean</p> <p>It was stated on the record, after the motion was made, that the motion did not include the intent for this EA position to be at a range 23. The Board stated an amendment to the motion was not required as the Board is in agreement for this EA position to be placed at a range 23, which was discussed and agreed upon on the record.</p> <p>On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED to move forward with seeking legislative change to create an executive administrator position at a range 23 with the Board of Certified Real Estate Appraisers. Both Ms. Hayes and Mr. McKean are authorized to speak for the Board regarding this.</p>	
Recorded Votes:	Mae Hayes - Y	
	Valery (Val) Kudryn - Y	
	William (Leon) McKean - Y	
Action Items:	Ms. Saviers will draft a one pager regarding the EA position to be shared with the Board.	

6. Statute Project(s)		
Brief Discussion:	<p>Ms. Hayes provided an update that there has been no new movement regarding seeking sponsorship for the statute changes. She will continue to seek sponsorship.</p> <p>The Board discussed and agreed it would be beneficial for Mr. McKean to also assist with seeking legislative sponsorship for the ongoing statute changes as well as the addition of seeking statute change for an EA position with the Board of Real Estate Appraisers. Ms. Hayes stated she will share the working document that outlines the current statute changes being sought with Mr. McKean.</p>	

Motion:	<p>Mr. Kudryn stated, I would like to make a motion for Leon to be the additional Board Member providing assistance with finding legislation support for the ongoing regulation project with AQB verbiage, PAREA, and everything that includes what Mae was working on and presented to legislative sponsor.</p> <p>Second by Mr. McKean.</p>	
	<p>On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED to add Mr. McKean as an authorized Board Member to speak for the Board and assist seeking legislative sponsorship regarding the requested statute changes.</p>	
Recorded Votes:	Mae Hayes - Y	
	Valery (Val) Kudryn - Y	
	William (Leon) McKean - Y	
Action Items:	<p>Ms. Hayes stated she will share the complete document of all current statute projects with Mr. McKean.</p>	
7. Regulation Project(s)		
Brief Discussion:	<p>As the regulation specialist was unable to join today's meeting with the updated draft regulations for review, the Board has tabled this topic until the 2/20/24 meeting.</p>	
Motion:	<p>No motion necessary for this agenda item at this time.</p>	
Recorded Votes:	Mae Hayes -	
	Valery (Val) Kudryn -	
	William (Leon) McKean -	
Action Items:	<p>This item will be added to the next Board Meeting's agenda.</p> <p>The Board took a break for lunch from 12:02 – 12:30. 12:36 the Board was back on the record with all members present.</p>	

8. Continued Board Discussion(s)	
Brief Discussion:	Mr. Kudryn provided an update on the work product checklist stating this is still in progress.
	Mr. Kudryn provided an update to his continued mass appraisal research, as he has reached out to contacts brought back from the AARO conference. Mr. Kudryn stated that speaking with Don Rogers, the EA for the North Carolina Board, has provided the most information. NC does allow for mass appraisal work to count towards work experience as long as it is compliant with standards 5 & 6 of USPAP as well as contains certification from the appraiser. NC has staff appraisers that review a selection of the work products. Mr. Kudryn stated that he would like to do some additional research to determine if Alaska department of review and tax assessors are compliant with USPAP standards. Mr. Kudryn shared that the other responses he has received have stated they do not accept mass appraisal work.
Motion:	No motion necessary at this time.
Recorded Votes:	Mae Hayes -
	Valery (Val) Kudryn -
	William (Leon) McKean -
Action Items:	Mr. Kudryn will continue to research the topic of mass appraisal work. Additionally draft verbiage for an FAQ guiding applicants and staff on requirements for mass appraisal work accepted as well as reviewing other state's work logs for mass appraisal work to determine what next steps will need to be taken in Alaska towards a work log.
9. New Business	
	<p>Ms. Sather provided a question from staff regarding compliance with AMC registry requirements. At the Fall AARO Conference the ASC (Appraisal Subcommittee) shared some of the common AMC concerns they are seeing in the recent onsite compliance reviews. Ms. Sather explained that one that she sought clarification on was when the ASC shared that they expect states to take some kind of action when an AMC does not submit their paperwork and corresponding fee for the AMC National Registry.</p> <p>Alaska is on a 2 year licensing cycle, however, yearly the Appraisal Management Company Annual Federal Registration form and fee are required. If we do not receive the AMC</p>

Annual Federal Registration form and fee status letters are sent to the AMC. If they do not submit and renew prior to June 30th of each year the AMC then becomes inactive on the AMC National Registry. This means that an AMC could have an active state of Alaska license (because they renewed their license with us) but have an inactive status on the AMC National Registry (because they did not submit their AMC Annual Federal Registration form and fee). According to the ASC this is insufficient and could be a flag when they conduct Alaska's compliance review. The ASC stated they cannot tell states what to do specifically, but they would expect states to take some kind of action against the AMC even if it was in the form of filing a formal complaint against them, as the AMC is out of compliance.

Ms. Sather explained this topic is being presented to the Board to identify if this concern with AMC noncompliance is something the Board would like to take action on. Staff did speak with the investigator who believes this is something that staff or the Board could refer to Investigations under AS 08.87.020 Powers and Duties of the Board, however, the statutes and regulations regarding AMCs do not provide much direction regarding this topic or AMC disciplinary action. Ms. Sather stated that if this was something the Board wanted to forward to Investigations staff would need formal direction from the Board as well as clarification if staff was to refer this information or if it needed to proceed through the Board first.

Mr. Kudryn inquired if this is a widespread problem or something they would be trying to be proactive about. Ms. Sather stated the answer is a little bit of both. This is a repeated concern staff see. Reminders are sent beginning of June stating this form and fee are required by end of June. After the June deadline a reminder is sent to those that do not submit, for which staff do see a reply from some AMCs. This does take much time from staff. Ms. Sather informed that there currently are AMCs that are out of compliance as they have not submitted the annual form and fee nor responded to the sent status letters.

The Board inquired what action Investigations might take. Ms. Sather explained that she would not be able to speak to what action would be taken, however, she can see if Ms. Gabriel can rejoin the meeting today or to place this on the agenda for the next meeting. The Board requested to continue with the discussion. As Alaska statutes and regulations are written there is not clear identification for any disciplinary action. It could be as simple as Investigations reaching out to inform them of this complaint and noncompliance, however, Ms. Sather can't confirm this. Ms. Sather stated that at the AARO conference other states shared they have taken action regarding these types of concerns by adding clear disciplinary actions to their regulations and statutes.

Mr. Kudryn inquired if there was something in place, or could be, that when an AMC renews their license there would be a limitation that they can't renew unless they are current with their national registry requirements. Ms. Sather explained she did not believe this was something that could be in place as the renewal is every two years whereas the Appraisal Management Company Annual Federal Registration form and fee is required annually. Additionally, as they are two separate applications and with renewals being offered online Ms. Sather is unclear if there could be a way for the system to monitor that information to know if renewal was allowed or not.

	<p>The Board agreed at this time they would like to proceed with staff forwarding this information of AMC noncompliance regarding the annual ASC National Registry to Investigations, it does not need to first proceed through the Board.</p>
	<p>Ms. Sather inquired with the Board if they would be interested in allowing staff to reach out to local universities and colleges to see if they would be interested in the Degree Review Program provided by the AQB. Ms. Sather provided a summary explaining that similar to how the AQB reviews and provides a CAP approval for individual courses, they also provide a service of reviewing degrees compared to the core education requirements. If a degree is approved this would mean an individual would not only graduate with a degree, which is a licensing requirement for some license types, but would also allow them to have some to all of their core education completed. This is a program that the AQB provides for free. Additionally, Ms. Sather stated if this is something the Board is interested in Ms. Sather is offering her time to communicate with the universities and colleges to determine their interest and work through the process with them if needed.</p> <p>The Board expressed interest in this and agreed to provide Ms. Sather with permission to reach out to local universities and colleges.</p>
<p>Motion:</p>	<p>Mr. Kudryn stated, I would like to make a motion for division staff to have authority to file a formal complaint for any AMC that fails to be in compliance due to not filing the AMC Annual Federal Registration form 08-4730 in a timely manner and failing to pay that fee annually.</p> <p>Second by Mr. McKean.</p> <p>On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED to provide division staff with authority to file a formal complaint with Investigations for any AMC that fails to be in compliance due to not filing the AMC Annual Federal Registration form and fee in a timely manner.</p> <p>Mae Hayes – Y</p> <p>Valery (Val) Kudryn – Y</p> <p>William (Leon) McKean – Y</p> <p>Mr. Kudryn stated, I would like to make a motion for staff to contact the local universities to determine if they have any interest in the AQB Degree Review Program and assisting with that.</p> <p>Second by Mr. McKean.</p> <p>On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED to grant division staff permission to communicate with local universities and colleges regarding the AQB Degree Review Program.</p>

Recorded Votes:	Mae Hayes - Y	
	Valery (Val) Kudryn - Y	
	William (Leon) McKean - Y	
Action Items:	Ms. Sather will follow up with Investigations regarding AMCs that are currently out of compliance regarding the Appraisal Management Company Annual Federal Registration form and fee.	
	Ms. Sather will proceed with reaching out to local universities and colleges to determine if there is any interest in the AQB Degree Review Program.	
10. Pending Board Ballots		
Brief Discussion:	Staff shared that there are currently 21 ballots pending on OnBoard. Board Members stated they will review the pending ballots after the meeting.	
Motion:	No motion necessary at this time.	
Recorded Votes:	Mae Hayes -	
	Valery (Val) Kudryn -	
	William (Leon) McKean -	
Action Items:	Board Members will review the pending ballots.	
11. Board Business		
Brief Discussion:	Ms. Sather provided an update from the last meeting stating that clarification has been received that if the Board would like for staff to approve CE Audits that clearly meet requirements, with no questions or concerns, a formal motion would be needed on the record. Any CE Audits with concerns or questions will need to continue to be presented to the Board and paralegal for consideration.	

	<p>The Board stated they would still like for staff to have authority to approve CE Audits that clearly meet requirements.</p> <hr/> <p>Summary from AARO Conference</p> <p>Ms. Sather provided a summary to include;</p> <ul style="list-style-type: none"> -Weblinks were provide for HUD trainings located on youtube. If anyone wanted those links she can share those. -The ASC shared the most common concerns they are seeing right now with the recent compliance reviews include 1) verbiage for substantive cause and 2) panel size confusion and when to place the AMC on the registry. -The PAL Act (Portal for Appraisal Licensing Act) is continuing to move in Congress. This is a new mechanism for completing and processing appraisal license applications. It authorizes the ASC to work with states to create a central portal for managing and submitting license and certification applications. The goal with this is to streamline the process. It will provide centralized FBI level background checks as well as maintain all education records. -It was shared that HUD is continuing to take steps and fund projects regarding bias concerns. -As previously discussed, Ms. Hayes brought back grant questions and Ms. Sather brought back questions regarding AMC compliance with the National Registry. <p>Ms. Hayes provided a summary to include;</p> <ul style="list-style-type: none"> -The previously discussed question to the division; if the Board may apply for an ASC grant to assist with projects. -Many notes were taken on items regarding changes to USPAP. -There are 15% more females in the last 2 years within the profession, showing that the industry has been working hard to attract more people. -There was discussion on airbnbs, which Ms. Hayes stated she will report on at a later date. <p>The upcoming AARO Conferences were discussed, Spring May 3-5 and Fall October 28-30. Mr. Kudryn expressed that he would like to go to one, saying he could preliminary attend the Spring conference. Ms. Hayes expressed she is still interested in attending and will go to any. Ms. Hayes stated there doesn't seem to be a pressing need for two Board Members to go to the same conference unless there is a new Board Member.</p> <hr/> <hr/> <hr/>
<p>Motion:</p>	<p>Mr. Kudryn stated, I would like to make a motion for staff to have the authority to approve all CE audits that clearly meet the requirements and any that have questions or don't meet the requirements would go through the normal process of the Board and paralegal review.</p> <p>Second by Mr. McKean.</p> <p>On a motion duly made by Mr. Kudryn, second by Mr. McKean, it was RESOLVED for division staff to have authority to approve CE audits that clearly meet requirements. Any CE audits with concerns or questions will continue through the Board and paralegal.</p>

Recorded Votes:	Mae Hayes - Y	
	Valery (Val) Kudryn - Y	
	William (Leon) McKean - Y	
Action Items:	Staff will proceed with processing approved CE audits and presenting those with questions and concerns to the Board for consideration.	
12. Adjourn		
Brief Discussion:	The Board agreed to adjourn at 1:28 pm.	
Motion:	On a motion duly made by Mr. McKean, second by Mr. Kudryn, it was RESOLVED to adjourn.	
Recorded Votes:	Mae Hayes - Y	
	Valery (Val) Kudryn - Y	
	William (Leon) McKean - Y	
Action Items:	Meeting minutes will be drafted and placed on OnBoard for Board review. Approved minutes will be placed on the website.	
	Tabled agenda items will be added to the next meeting.	

Next Meeting:	February 20, 2024 at 10 am via zoom
Adjournment:	1:28 pm