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2 STATE OF ALASKA
3 DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
4 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
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6 **BOARD OF CERTIFIED REAL ESTATE APPRAISERS**
7 **MEETING MINUTES**
8

9 **March 9, 2022**
10 **Teleconference**
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12 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6,
13 a scheduled meeting of the Board of Certified Real Estate Appraisers was held March 9, 2022,
14 at the State of Alaska Atwood Building, 550 W. 7th Avenue, Suite 1550, via Zoom, Anchorage, Alaska.
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19 **Wednesday, March 9, 2022**

20 **Agenda Item 1 - Call to Order**

21 Acting chairperson Mae Hayes called the meeting to order at 9:09 a.m., at which time a quorum
22 was established.
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24 Roll Call

25 Members Present via Zoom

26 Val Kudryn, Certified Residential Real Estate Appraiser

27 Leon McKean, Mortgage Industry Executive

28 Mae Hayes, Certified Residential Real Estate Appraiser
29

30 Members Absent:

31 Ashlee Stetson, Public Member, Chairperson
32

33 Staff Present:

34 Nancy Harris, CBPL REC Executive Administrator

35 Sara Sather, CBPL APR Licensing Examiner
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37 Public in Attendance-via Zoom:

38 None
39

40 Review/Approve Agenda

41 Board Members reviewed the meeting agenda.
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43 **On a motion made duly by Mr. Kudryn, seconded by Mr. McKean, it was**
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45 **RESOLVED to approve the meeting agenda for March 9, 2022.**
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47 **The motion passed unanimously.**
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52 Ethics Report

53 There were no ethics reports to be made.

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55 **Agenda Item 2 – Clarification on Virtual, Online, Synchronous, and Asynchronous**
56 **Courses**

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58 AQB Update provided by Ms. Sather; occupational licensing has received an AQB update as well as
59 questions from education providers and licensees regarding if the Board would like to follow suit with
60 AQB now recognizing synchronous online courses to be the equivalent to traditional classroom courses.
61 Staff wanted to present these questions and documents to the Board to see if the Board would like to
62 proceed with accepting these updates, make any needed regulation changes, or continue as is.

63 Mr. Kudryn stated his interest is to proceed with following with what the Board has previously been
64 working towards in allowing online education. Ms. Hayes agreed and directed the conversation to clarify
65 what was needed to move forward with changing the regulation. She asked if this is something they can
66 make a motion on today. Ms. Sather stated we could proceed with drafting proposed edits, proceed
67 with FAQs, and public comment; the speed at which this is approached is how much time is dedicated
68 today towards proposed edits and what is left to accomplish during the April Board meeting. Ms. Harris
69 clarified there is not a motion they can make today that would allow individuals to satisfy the online
70 education concerns. Ms. Hayes asked if we can adopt what has been outlined in the AQB update and
71 Ms. Harris clarified this would require a regulation change. The Board agreed to proceed with creating
72 proposed edits to the regulations today.

73

74 12 AAC 70.215, 12 AAC 70.220(d), 12 AAC 70.140(f) were initially identified as regulations for proposed
75 edits. The Board agreed to use AQB definitions for Synchronous, Asynchronous, Classroom, Continuing
76 Education. The Board worked together on proposed edits of each section.

77

78 12 AAC 70.215 Mr. Kudryn spoke to not identifying anything in this section that prohibits distance
79 education. Ms. Hayes suggested adding more clarification by defining online courses. Ms. Harris
80 identified the section for definitions, 12 AAC 70.990, may also be applicable to updating definitions.
81 Verbiage was changed from distance to online for clearer understanding that online courses are
82 acceptable for qualifying and continuing education.

83

84 12 AAC 70.220(d) verbiage edited to continue with online course and amount limits updated by striking
85 “up to one half of hours” to continue with the Board’s intent to allow all hours to be obtained through
86 online education.

87

88 12 AAC 70.210 referenced and updated to continue same verbiage.

89

90 Mr. Kudryn noted to ensure FAQs include the AQB definitions of class delivery formats to clarify criteria
91 for each type.

92

93 12 AAC 70.140 verbiage updated to continue with clarification of online instead of distance. Continuing
94 education does not apply to this section, as this is for initial and trainee.

95

96 Within 12 AAC 70.115 Mr. Kudryn proposed instead of changing all the regulations mentioning
97 classroom to update the definition of classroom to include online with synchronous and asynchronous.
98 The Board is in agreement to have a consistent definition between all regulations. New definition for
99 “Classroom” proposed under 12 AAC 70.990.

100 Ms. Hays asked when these proposed regulation edits will be put out for public comment; the Board's
101 intent is to move forward with review timely as many licensees are nervous about not having guidance
102 for online courses. Ms. Sather stated after working on the drafts today the edits can be cleaned up into a
103 more formal draft for review at the April Board meeting at which time more edits could be made or a
104 motion could be made to move forward with public comment. The Board expressed interest in taking
105 time to complete due diligence of reviewing the cleaned up proposed edits before the April meeting.
106 Staff will look into the possibility of this.

107
108 The Board would like to proceed with only written comments during the public comment period.

109
110 Mr. McKean asked if the vote would require everyone to vote in the positive or if it was a majority. Ms.
111 Harris and Ms. Sather confirmed it was majority vote and clarified this next vote is a vote to go out to
112 public comment.

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114 Mr. Kudryn spoke towards FAQ #7 and #21 needing clarification/changes when written. The portion
115 regarding half of hours completed online should be updated in part #7, #21 should reference 70.140
116 regarding core curriculum and striking half of education hours accepted online.

117 Ms. Harris and Ms. Sather clarified there is times to complete FAQs as these are once the regulations are
118 adopted.

119
120 Ms. Sather explained that we have received updates from education providers and licensees with
121 questions regarding online proctoring. Education providers have stated that online proctoring is now
122 continuing to be used outside of COVID mitigations and are seeking Board clarification as to if the Board
123 will accept this as a formal option of completing the exams. Ms. Hayes spoke to licensees having to
124 travel to take tests and understands a need for this. Mr. Kudryn referenced 12 AAC 70.140, which speaks
125 to exams approved if proctored by an official approved by the sponsoring organization, so as long as the
126 education provider has approved the form of proctoring then it is approved by the Board.

127 Ms. Hayes suggested putting this on the FAQs to alleviate concerns of this being accepted. Board is in
128 agreement with this. Mr. Kudryn spoke to seeking more information on online proctoring and how
129 stringent they are. Mr. McKean asked if there are other providers outside of McKissock and Appraisal
130 Institute. Mr. Kudryn and Ms. Harris stated there are others, but not as prevalent.

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133 **Agenda Item 3 – AMC Application**

134 Ms. Sather explained in accordance with AS 08.87.135 and 12 AAC 70.160 the Board is to review and
135 approve the application. The division is updating formatting on forms across all professions.
136 Additionally, Ms. Harris and Ms. Sather have come across some additional information that is required
137 during the ASC registration that is not provided on the current application, which requires additional
138 communication to obtain. The intent is to update the form to collect all needed information at once.
139 These proposed updates were reviewed in the proposed updated Part V and general information. The
140 online application was also reviewed.

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142 **On a motion made duly by Mr. Kudryn, seconded by Mr. McKean, it was**

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144 **RESOLVED to approve the meeting agenda for March 9, 2022.**

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146 **The motion passed unanimously.**

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Agenda Item 4-- Application Review

No applications needing Board review during this teleconference.

Ms. Hayes asked if an appraiser has taken the 15 hour USPAP class instead of the regular 7 hour update that has been approved for continuing education and they then get audited and are found that was inappropriate because that class hadn't been approved for continuing education, do they get a disciplinary action? If so, what happens to appraisers who have taken the 15 hour instead of 7 hour course? Mr. Kudryn replied with clarification that preliminary actions are decided by the Board members in conjunction with reviewing their audit. You would look at precedent and whether or not you think it's appropriate.

Mr. Kudryn and Ms. Hayes discussed that they understand the 15 hour course may be more thorough, as it is for a longer time period, however, the intent of that course is to not only highlight the changes. They would assume they are teaching the current information, however, the reason for taking the 7 hour update is to focus directly on the new changes.

Ms. Hayes stated she has had appraisers come to her with the question of what the penalty would be if the incorrect USPAP course was taken and she informed the Board she honestly did not know what the penalty is. Ms. Hayes asked if the Board recalls anyone having a letter of advisement or if they got in trouble in any way for that mistake. Ms. Harris and Ms. Sather did not have any recollection of recent cases to provide example and can certainly research it and bring it back to the next meeting.

Mr. Kudryn asked for clarification regarding new applicant trainees and their work product review. He stated he has received emails requesting that he look online and select work product from an application that is in the approve or do not approve status on OnBoard. Ms. Sather clarified the Board Ballot was written for Board approval, or not, to sit for the exam and licensure if the exam is passed and work product approved. This would then require communication between Board member and Ms. Sather regarding the approval of work product. Mr. Kudryn clarified by asking, should he vote on OnBoard before reviewing work product or wait until after approved. The Board is in agreement to vote on OnBoard before work product review in regards to if the application and supporting documents are in order and approved. Then separate communication will occur regarding work product review and if it is approved.


Adjourn

On a motion duly made by Mr. Kudryn, seconded by Mr. McKean, it was

RESOLVED to adjourn.

The motion passed unanimously.

Meeting adjourned at 10:42 a.m.



Ashlee Stetson, Chair

4/14/22
Date