

State of Alaska
Board of Certified Real Estate
Appraisers

Board Meeting
March 24, 2021
Video Conference

Alaska Board of Certified Real Estate Appraisers

Board Roster

(As of 03.22.2021)

Mae Hayes
Mortgage Banking Executive
Fairbanks, AK

Val Kudryn
Certified Residential Real Estate Appraiser
Sitka, AK

Leon McKean
Mortgage Banking Executive
Fairbanks, AK 99701

Ashley Stetson
Public Member
Wasilla, AK



STATE OF ALASKA

**DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

**DIVISION OF OCCUPATIONAL LICENSING
BOARD OF DENTAL EXAMINERS**

MISSION STATEMENT

To protect the health, safety, and welfare of Alaskans by ensuring that practitioners possess competency, ethical standards, and integrity necessary to offer or deliver quality services to consumers.

VISION STATEMENT

To ensure that all Alaskans receive the best possible dental care.



**The State of Alaska
Board of Certified Real Estate Appraisers
Draft Agenda
March 24, 2021
Registration Link:**

[https://zoom.us/meeting/register/tJlocemvpjsoH9ZKIfnpRevzfHCzLL2DKwcu](https://zoom.us/join/joinMeeting?url=joinMeeting?url=https://zoom.us/meeting/register/tJlocemvpjsoH9ZKIfnpRevzfHCzLL2DKwcu)

Call In #: 1-253-215-8782

Meeting ID: 965 6078 0252

Agenda

- | | | | |
|-------|------------|--|----------------------|
| I. | 10:00 a.m. | Call to Order/ Roll Call | Chair Stetson |
| | | i. Review/Approve Agenda | |
| | | ii. Ethics Report | |
| | | iii. Continuing Education Statement | |
| II. | 10:05 a.m. | Introduce New Board Members | Chair Stetson |
| III. | 10:10 a.m. | Review/Approve Past Meeting Minutes | Chair Stetson |
| | | i. October 27, 2020 | |
| IV. | 10:15 a.m. | Public Comment | |
| V. | 10:30 a.m. | Investigations | Investigator Miller |
| VI. | 11:00 a.m. | Division Update | Division Staff (TBD) |
| VII. | 11:30 a.m. | Statute/Regulation Update | TBD |
| | | • "Substantive Cause" Definition | |
| VIII. | 12:00 p.m. | Lunch | |
| IX. | 1:00 p.m. | Staff Report | |
| | | i. Grant Availability from the ASC | Joe Bonnell |
| | | ii. Valuation and Fairness Act of 2021 | |
| | | iii. AMC Program Update | |
| | | iv. 2021 License Renewals | |
| X. | 1:15 p.m. | Board Business | Chair Stetson |
| | | i. Approve Pending Applications | |
| | | ii. Continuing Education, Synchronous | |
| | | iii. 2021 Annual Report | |

iv. Schedule Next Meeting


XI. 1:30 p.m.

Adjourn

DRAFT

MEMORANDUM

State of Alaska Department of Law

TO: _____ DATE: _____
FILE NO.: _____
TEL. NO.: _____
FROM: Angie White
Litigation Assistant
Department of Law
Opinions, Appeals, & Ethics Section
FAX: _____
SUBJECT: Executive Branch Ethics Act, AS
39.52 Quarterly Report


******SAMPLE LANGUAGE – PLEASE COPY ONLY THE PARTS THAT APPLY
ONTO YOUR BOARD OR COMMISSION’S LETTERHEAD ******

As designated ethics supervisor and chair [executive director] for the _____, I wish to advise you that I have received no notifications of potential violations or requests for ethics determinations under the Ethics Act (AS 39.52) and have made no written determinations for this quarter.

OR

As designated ethics supervisor and chair [executive director] for the _____, I have received ___ notification(s) of a potential violation and ___ requests for ethics determinations under the Ethics Act (AS 39.52) I have attached a copy of the notices and requests along with my written determination(s) for review by the attorney general. I did [did not] receive an advisory opinion from the Attorney General.

AND

Except as addressed above, no other [board member] [commissioner] disclosed a potential conflict of interest at a recorded public meeting during this quarter.

OR

In addition to the above, at the [date] meeting, [Board member] [Commissioner] _____ disclosed a potential conflict with respect to _____ [*insert brief description*]____. *Insert disposition:* [S/He refrained from participation.] *or* [I determined s/he could [could not] participate.] *or* [The Board [Commission] members voted to permit [not to permit] participation.]

CONFIDENTIAL

ETHICS SUPERVISOR DETERMINATION FORM

(Board or Commission Member)

Board or Commission: _____

Member Disclosing Potential Ethics Violation: _____

I have determined that the situation described on the attached ethics disclosure form

does or would violate AS 39.52.110 - .190. Identify applicable statute below.

does not or would not violate AS 39.52.110 - .190.

Signature of Designated Ethics Supervisor (Chair)

Printed Name of Designated Ethics Supervisor

Date: _____

COMMENTS (Please attach a separate sheet for additional space):

Large light blue rectangular area for comments.

Note: Disclosure Form must be attached. Under AS 39.52.220, if the chair or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110 - 39.52.190 will exist if the member participates, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be liable under the Ethics Act for action in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Forward disclosures with determinations to the State Ethics Attorney as part of your quarterly report. Quarterly reports are submitted to Litigation Assistant, Opinions, Appeals & Ethics, Department of Law, 1031 W. 4th Avenue, Suite 200, Anchorage, AK 99501.

Revised 2012

State of Alaska Department of Law

Who Is My Designated Ethics Supervisor?

Every state public officer, employee or board or commission member, has a designated ethics supervisor.

Executive Agencies

The ethics supervisor for each agency is the Commissioner or a senior manager to whom the Commissioner has delegated the function. The current ethics supervisor for each agency is listed below. The ethics supervisor for a Commissioner is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor.

Boards and Commissions

The Chair of each board and commission serves as the ethics supervisor for the other members and any executive director. The ethics supervisor for the Chair is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor. If a board or commission employs staff, the executive director serves as the ethics supervisor for these employees.

Public Corporations

The Chair of the board serves as the ethics supervisor for the other members of the board and any executive director. The executive director is the ethics supervisor for employees of the corporation.

Office of the Governor

The ethics supervisor for the Governor and Lieutenant Governor is the Attorney General. By delegation from the Governor, the ethics supervisor for the staff of the offices of the Governor and Lieutenant Governor is Guy Bell, Director of Administrative Services.

University of Alaska

By delegation of the University President, the ethics supervisor for university employees is Associate General Counsel Andy Harrington.

EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

Commerce, Community & Economic Development: Jon Bittner, Deputy Commissioner

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

Labor & Workforce Development: Michael Monagle, Director, Division of Workers Compensation

Law: Jonathan Woodman, Assistant Attorney General

Military & Veterans Affairs: Marty Meyer, Special Assistant to Commissioner

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

- Highways & Public Facilities: Steve Hatter, Deputy Commissioner
- Aviation: John Binder, Deputy Commissioner
- Central Region: Rob Campbell, Regional Director
- Northern Region: Rob Campbell, Acting Regional Director
- Southcoast Region: Acting Regional Director
- Alaska Marine Highway System: Michael Neussl, Deputy Commissioner
- Headquarters: Mary Siroky, Administrative Services Director

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
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State of Alaska

Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

Revised 9/2013

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State of Alaska
Department of Law
Executive Branch Ethics Act

Responsibilities of Designated Ethics Supervisors for Boards
and Commissions

Boards and commissions subject to the Ethics Act have designated ethics supervisors. The chair serves as the designated ethics supervisor for board or commission members and the executive director. The executive director is the designated ethics supervisor for staff. The designated ethics supervisor for a chair is the governor, who has delegated this responsibility to Guy Bell, Administrative Director of the Office of the Governor.

Designated ethics supervisors should refer to the Manual for Designated Ethics Supervisors (April 2008), available from the state ethics attorney, regarding their responsibilities under the Ethics Act. Briefly, as designated ethics supervisor, you must --

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
 1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
 1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, ethicsreporting@alaska.gov, fax no. 907-279-2834.

You may request ethics advice from your agency's Assistant Attorney General or from the State Ethics Attorney, Jon Woodman, at 269-5100 or jonathan.woodman@alaska.gov. Please direct questions about reporting procedures to Kim Halstead at 269-7195 or kimberly.halstead@alaska.gov.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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ETHICS REPORT

**CONTINUING EDUCATION
STATEMENT**

**INTRODUCE NEW
BOARD MEMBERS**

**REVIEW / APPROVE PAST
MEETING MINUTES**

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS, & PROFESSIONAL LICENSING

4 BOARD OF CERTIFIED REAL ESTATE APPRAISERS

5
6 MINUTES OF THE BOARD MEETINGS

7 Tuesday, October 27th, 2020

8
9 *These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and*
10 *Professional Licensing.*

11
12 *These minutes have not been reviewed or approved by the Board.*

13
14
15 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
16 scheduled meeting of the Board of Certified Real Estate Appraisers was held via videoconference on
17 Tuesday, October 27th, 2020.

18
19 **Agenda Item #1** **Call to Order/Roll Call**

20
21 The meeting was called to order at 9:06 a.m. by Renee Piskczek, acting Chair.

22
23 Those present, constituting a quorum of the Board:

24 Renee Piszczek, Mortgage Lending Member
25 Ashlee Stetson, Public Member
26 Mae Hayes, Appraiser

27
28 Division Staff present in the meeting:

29
30 Joe Bonnell, Records and Licensing Supervisor
31 Andy Khemelev, Licensing Supervisor
32 Rebecca Hattan
33 ALJ Slotnick, Judge

34
35 **Agenda Item #2** **Review/Approve Agenda**

36
37 Ms. Piszczek asked the board to review the agenda.

38
39 **On a motion made by Ashley Stetson, seconded by Mae Case, and passed unanimously, it**
40 **was RESOLVED to APPROVE the agenda as written.**

41 **Agenda Item #3 Ethics Report**

42
43 There were none.

44
45 **Agenda Item #4 Continuing Education Statement**

46
47 Ms. Case wanted to use her time on the board as continuing education.

48
49 **Agenda Item #5 Introduce New Board Member/Staff**

50
51 Ms. Case introduced herself to the board. She is an appraiser and broker and a new member of
52 the Board.

53
54 Mr. Bonnell let the board know there is also a member of the State's staff who is present in the
55 meeting, Mr. Andy Khmelev. Ms. Tracy Wiard the former OLE will be the licensing examiner
56 for The Chiropractor Board but will still be offering help for the foreseeable future with Ms.
57 Bonnell and Mr. Khmelev.

58
59 **Agenda Item #6 Elect New Board Chair**

60
61 The board discussed briefly their availability of becoming Chair.

62
63 **On a motion made by Mae Case, seconded by Renee Piszczek, and passed unanimously, it**
64 **was RESOLVED to elect Ashlee Stetson as board chair.**

65
66 *The board took a break.*

67
68 Off Record: 9:26am

69 On Record: 10:31am

70
71 **Those present, constituting a quorum of the Board:**

72 Renee Piszczek, Mortgage Lending Member

73 Ashlee Stetson, Public Member

74 Mae Hayes, Appraiser

75
76 **Division Staff present in the meeting:**

77 Joe Bonnell, Records and Licensing Supervisor

78 Andy, Licensing Supervisor

79 Andy Khmelev, Licensing Supervisor

80 Rebecca Hattan
81 S. Slotnick, Judge
82 Cody Halterman, Appraiser
83

84 **Agenda Item #7 OAH Hearing: Case 19-0615-REA**

85
86 *Judge Slotnick entered the teleconference.*

87
88 Judge Slotnick presented the process of how hearings work and explained Case 19-0615-REA.
89 The case was currently at the initial denial state. Mr. Halterman was willing to withdraw to his
90 application if the board will vacate the denial of the application to show no record of the denial
91 of his application. Judge Slotnick explained he had helped the parties fashioned a decision to
92 present to the board to vacate the denial. He said that if the board decides to appeal the
93 settlement agreement, it would be costly to the board. Judge Slotnick reminded the board that he
94 can serve as an advisor only for the purpose of the case and serves as a neutral party.
95

96 The Chair entertained a motion to go into deliberative session.

97
98 *Cody Halterman entered the teleconference at 9:55am.*
99

100 Ms. Halterman explained he would like the denial to be reversed and said he accepts that he
101 cannot get licensed in Alaska. The Board asked Mr. Halterman to email his statement to the
102 Board.
103

104 Mr. Joe Bonnell made a statement that the division has reviewed and has agreed to and signed
105 the statement that is presented and that it is ultimately up to the Board.
106

107 The Chair entertained a motion to go into deliberative session.

108 **On a motion made by Mae Hayes, seconded by Renee Piszczek, and passed unanimously, it**
109 **was RESOLVED to go into deliberative session to discuss the proposed mediated**
110 **settlement agreement in the matter of Cody Halterman.**
111

| Board Member | Approve | Deny | Refrain |
|---------------------|----------------|-------------|----------------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

112
113 Off Record: 10:08am.
114 On Record: 10:24am.

115
 116 Those present, constituting a quorum of the Board:
 117 Renee Piszczek, Mortgage Lending Member
 118 Ashlee Stetson, Public Member
 119 Mae Hayes, Appraiser

120
 121 Division Staff present in the meeting:
 122 Joe Bonnell, Records and Licensing Supervisor
 123 Rebecca Hattan
 124 Andy Khemelev, Licensing Supervisor

125
 126 **On a motion made by Mae Hayes, seconded by Renee Piszczek, and passed unanimously, it**
 127 **was RESOLVED to accept the mediated settlement agreement in the matter of Cody**
 128 **Halterman.**

| Board Member | Approve | Deny | Refrain |
|----------------|---------|------|---------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

130
 131 **Agenda Item #8 Review/Approve Minutes**

132
 133 *Rebecca Hattan exited the teleconference 10:27am.*

134
 135 There were no changes to the May 19th, 2020 minutes. The chair entertained a motion to approve
 136 the minutes.

137
 138 **On a motion made by Renee Piszczek, seconded by Mae Hayes, and passed unanimously, it**
 139 **was RESOLVED to approve the minutes for May 19th, 2020 as written.**

| Board Member | Approve | Deny | Refrain |
|----------------|---------|------|---------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

140
 141
 142 **Agenda Item #9 Break**

143
 144 The Board recessed.

146 Off Record: 10:33am.

147 On Record: 11:01am.

148 **Agenda Item #10 Board Member Training**

149

150 *Director Sara Chambers entered the teleconference at 11:00am.*

151

152 Director Chambers shared a Power Point presentation about the responsibility of the Board and
153 provided information on every aspect of the division, funding, training, and the process of how
154 licenses are approved or denied.

155

156 The board recessed for lunch.

157

158 *Off Record: 12:04pm.*

159 *On Record: 1:00pm.*

160

161 Those present, constituting a quorum of the Board:

162 Renee Piszczek, Mortgage Lending Member

163 Ashlee Stetson, Public Member

164 Mae Hayes, Appraiser

165

166 Division Staff present in the meeting:

167 Joe Bonnell, Records and Licensing Supervisor

168 Sara Chambers, Director

169 Andy Khemelev, Licensing Supervisor

170

171 **Agenda Item #12 Board Member Training Continued**

172

173 Director Chambers continued with her training. There was a question about conflict of interest.
174 She clarified that there would be no conflict of interest if it has nothing to do with the board there
175 is typically not a conflict.

176

177 The board had 4 minutes to spare before the next agenda item and recessed.

178

179 *Off Record: 1:56pm.*

180 *On Record: 2:01pm.*

181

182 Those present, constituting a quorum of the Board:

183 Renee Piszczek, Mortgage Lending Member

184 Ashlee Stetson, Public Member

185 Mae Hayes, Appraiser

186

187 Division Staff present in the meeting:

188 Joe Bonnell, Records and Licensing Supervisor

189 Andy Khemelev, Licensing Supervisor

190

191 **Agenda Item #13 Public Comment**

192

193 The was no public comment.

194

195 *Investigator, Autumn Miller entered the teleconference at 2:03pm.*

196

197 **Agenda Item #14 Investigative Report**

198

199 There were 11 open cases and 2 closed cases.

200

201 **On a motion made by Mae Hayes, seconded by Renee Piszczek, and passed unanimously, it**
202 **was RESOLVED for the Alaska State Board of Certified Real Estate Appraisers to enter**
203 **into executive session in accordance to AS 44.62.310c and Alaska constitutional rights to**
204 **privacy provisions to discuss confidential licensee information with staff members Autumn**
205 **Miller and Joseph Bonnell in attendance.**

206

| Board Member | Approve | Deny | Refrain |
|----------------|---------|------|---------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

207

208 *Off Record: 2:06pm.*

209 *On Record: 2:13pm.*

210

211 Those present, constituting a quorum of the Board:

212 Renee Piszczek, Mortgage Lending Member

213 Ashlee Stetson, Public Member

214 Mae Hayes, Appraiser

215

216 Division Staff present in the meeting:

217 Joe Bonnell, Records and Licensing Supervisor

218 Autum Miller, Investigator

219 Andy Khemelev, Licensing Supervisor

220 Ms. Stetson entertained a motion to accept the consent agreement that was presented.

221

222 **On a motion made by Mae Hayes, seconded by Renee Piszczek and passed unanimously, it**
223 **was RESOLVED to accept the consent agreement for Case Number 2019-001213.**

224

| Board Member | Approve | Deny | Refrain |
|----------------|---------|------|---------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

225

226 *Investigator, Autumn Miller exited the teleconference at 2:15pm.*

227

228 **Agenda Item #15 Regulations Update**

229

230 Mr. Bonnell provided guidance that the board may change what they would like and move to
231 approve the regulation project as written or amended.

232

233 The board decided to add a definition as to what a substantive cause is in regulation to
234 supplement 12 AAC 70.160(a)(1)(E)(ii) and 12 AAC 70.160(b).

235

236 **On a motion made by Renee Piszczek, seconded by Mae Hayes, and passed unanimously, it**
237 **was RESOLVED to adopt 12 AAC 70.160(a)(1)(E)(ii) and 12 AAC 70.160(b) as written**
238 **with the addition adding a definition of substantive cause in regulation.**

239

| Board Member | Approve | Deny | Refrain |
|----------------|---------|------|---------|
| Mae Hayes | X | | |
| Renee Piszczek | X | | |
| Ashlee Stetson | X | | |

240

241 **Agenda Item #16 Board Business**

242

243 There were no pending applications to approve.

244

245 A task was added to contact Sher Zinn about the board's request to add a definition in
246 regulations.

247

248 The board decided that they will have a meeting on January 12th, 2021.

249

250

251

252 **Agenda Item #16** **Board Business**

253

254 **On a motion made by Mae Hayes, seconded by Renee Piszczek, and passed unanimously, it**
255 **was RESOLVED to adjourn the meeting.**

256

257 Off Record: 3:05 PM

258

259

260

261 Respectfully Submitted,

262

263

264

265 _____
Joseph Bonnell, Licensing Examiner

Date

266

267

268

269 _____
David Derry, Chair

Date

DRAFT

PUBLIC COMMENT



THE STATE
of **ALASKA**

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8160
Fax: 907.269.8156

MEMORANDUM

DATE: March 10, 2021
TO: Board of Certified Real Estate Appraisers
THRU: Greg Francois, Chief Investigator *CLP*
FROM: Autumn Miller, Investigator
RE: Investigative Report for the March 24, 2021 Meeting

The following information was compiled as an investigative report to the Board for the period of October 22, 2020 thru March 10, 2021; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

OPEN - 5

| <u>Case Number</u> | <u>Violation Type</u> | <u>Case Status</u> | <u>Status Date</u> |
|---------------------------|-----------------------------------|---------------------------|---------------------------|
| 2020-001092 | Continuing education | Complaint | 11/24/2020 |
| 2018-001318 | Violation of licensing regulation | Monitor | 06/30/2020 |
| 2018-001336 | Incompetence | Monitor | 06/30/2020 |
| 2019-001261 | Violation of licensing regulation | Investigation | 10/22/2020 |
| 2019-001402 | Incompetence | Investigation | 10/05/2020 |

Closed - 8

| <u>Case #</u> | <u>Violation Type</u> | <u>Case Status</u> | <u>Closed</u> | <u>Closure</u> |
|----------------------|------------------------------|---------------------------|----------------------|-----------------------|
|----------------------|------------------------------|---------------------------|----------------------|-----------------------|

REAL ESTATE APPRAISER

| | | | | |
|-------------|-----------------------------------|----------------------|------------|--------------------------|
| 2020-000863 | Violating professional ethics | Closed-Intake | 10/26/2020 | Incomplete Complaint |
| 2021-000002 | Incompetence | Closed-Intake | 02/08/2021 | Incomplete Complaint |
| 2019-000294 | Violation of licensing regulation | Closed-Complaint | 02/11/2021 | No Action - No Violation |
| 2020-000318 | Incompetence | Closed-Complaint | 11/02/2020 | No Action - No Violation |
| 2018-000048 | Incompetence | Closed-Investigation | 12/14/2020 | Advisement Letter |
| 2019-000655 | Contested license denial | Closed-Investigation | 12/03/2020 | Application Withdrawn |
| 2019-001213 | Falsified application | Closed-Investigation | 12/08/2020 | License Action |
| 2020-000026 | Violation of licensing regulation | Closed-Investigation | 10/28/2020 | Advisement Letter |

END OF REPORT

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Certified Real Estate Appraisers enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff to remain during the session.

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- **matters involving consideration of government records that by law are not subject to public disclosure.**

DIVISION UPDATE

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Schedule of Revenues and Expenditures

| Board of Certified Real Estate Appraisers | FY 14 | | | FY 15 | | | Biennium | | | FY 16 | | | FY 17 | | | Biennium | | | FY 18 | | | FY 19 | | | Biennium | | | FY 20 | | FY 21 1st & 2nd QTR | |
|---|-----------|---------------|-----------|----------------|-----------|----------------|-----------|---------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|----------------|-----------|---------------|-----------|-----------|-----------|----------|-----------|----------------|-----------|------------------------|--|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revenue | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Revenue from License Fees | \$ | 56,250 | \$ | 279,525 | \$ | 335,775 | \$ | 49,440 | \$ | 272,590 | \$ | 322,030 | \$ | 76,010 | \$ | 190,565 | \$ | 266,575 | \$ | 80,550 | \$ | 30,520 | \$ | 2,559 | \$ | - | \$ | 80,550 | \$ | 30,520 | |
| Allowable Third Party Reimbursements | | 1,499 | | - | | 1,499 | | - | | 5,827 | | 5,827 | | 1,534 | | 4,314 | | 5,848 | | - | | - | | - | | - | | - | | - | |
| TOTAL REVENUE | \$ | 57,749 | \$ | 279,525 | \$ | 337,274 | \$ | 49,440 | \$ | 278,417 | \$ | 327,857 | \$ | 77,544 | \$ | 194,879 | \$ | 272,423 | \$ | 83,109 | \$ | 30,520 | \$ | - | \$ | - | \$ | 83,109 | \$ | 30,520 | |
| Expenditures | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Non Investigation Expenditures | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1000 - Personal Services | | 28,642 | | 43,055 | | 71,697 | | 40,694 | | 13,307 | | 54,001 | | 45,123 | | 91,165 | | 136,288 | | 98,414 | | 13,934 | | - | | - | | - | | - | |
| 2000 - Travel | | 2,920 | | 2,217 | | 5,137 | | 12,596 | | 13,106 | | 25,702 | | 16,384 | | 11,267 | | 27,651 | | 1,933 | | - | | - | | - | | - | | - | |
| 3000 - Services | | 1,275 | | 33,177 | | 34,452 | | 3,008 | | 5,288 | | 8,296 | | 7,445 | | 10,666 | | 18,111 | | 30,418 | | 11,562 | | - | | - | | - | | - | |
| 4000 - Commodities | | 24 | | 42 | | 66 | | 22 | | 13 | | 35 | | 716 | | 161 | | 877 | | 602 | | - | | - | | - | | - | | - | |
| 5000 - Capital Outlay | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | |
| Total Non-Investigation Expenditures | | 32,862 | | 78,491 | | 111,352 | | 56,320 | | 31,714 | | 88,034 | | 69,668 | | 113,259 | | 182,927 | | 131,367 | | 25,496 | | - | | - | | - | | - | |
| Investigation Expenditures | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1000-Personal Services | | 6,273 | | 10,239 | | 16,512 | | 3,464 | | 19,945 | | 23,409 | | 25,013 | | 18,383 | | 43,396 | | 38,249 | | 11,680 | | - | | - | | - | | - | |
| 2000 - Travel | | - | | - | | - | | - | | - | | - | | 3,485 | | 1,050 | | 1,050 | | 2,547 | | - | | - | | - | | - | | - | |
| 3023 - Expert Witness | | 1,625 | | - | | 1,625 | | - | | - | | - | | - | | - | | 4,535 | | 4,050 | | 2,400 | | - | | - | | - | | - | |
| 3088 - Inter-Agency Legal | | 12,055 | | 439 | | 12,494 | | - | | - | | - | | 33 | | 33 | | 66 | | 2,453 | | 11,606 | | - | | - | | - | | - | |
| 3094 - Inter-Agency Hearing/Mediation | | - | | - | | - | | - | | - | | - | | 217 | | - | | 217 | | - | | - | | - | | - | | - | | - | |
| 3000 - Services other | | - | | - | | - | | - | | - | | - | | - | | 633 | | 633 | | 111 | | - | | - | | - | | - | | - | |
| 4000 - Commodities | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | | - | |
| Total Investigation Expenditures | | 19,952 | | 10,678 | | 30,631 | | 3,464 | | 19,945 | | 23,409 | | 28,748 | | 21,149 | | 49,897 | | 47,410 | | 25,686 | | - | | - | | - | | - | |
| Total Direct Expenditures | | 52,814 | | 89,169 | | 141,983 | | 59,784 | | 51,659 | | 111,443 | | 98,416 | | 134,408 | | 232,824 | | 178,777 | | 51,182 | | - | | - | | - | | - | |
| Indirect Expenditures | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Internal Administrative Costs | | 8,346 | | 10,447 | | 18,793 | | 9,900 | | 9,222 | | 19,122 | | 15,708 | | 20,705 | | 36,413 | | 21,754 | | 10,877 | | - | | - | | - | | - | |
| Departmental Costs | | 7,280 | | 13,937 | | 21,217 | | 8,446 | | 7,009 | | 15,455 | | 13,293 | | 21,286 | | 34,579 | | 17,090 | | 8,545 | | - | | - | | - | | - | |
| Statewide Costs | | 5,311 | | 8,721 | | 14,032 | | 3,280 | | 2,319 | | 5,599 | | 7,826 | | 11,964 | | 19,790 | | 18,005 | | 9,003 | | - | | - | | - | | - | |
| Total Indirect Expenditures | | 20,937 | | 33,105 | | 54,042 | | 21,626 | | 18,550 | | 40,176 | | 36,827 | | 53,955 | | 90,782 | | 56,849 | | 28,425 | | - | | - | | - | | - | |
| TOTAL EXPENDITURES | \$ | 73,751 | \$ | 122,274 | \$ | 196,025 | \$ | 81,410 | \$ | 70,209 | \$ | 151,619 | \$ | 135,243 | \$ | 188,363 | \$ | 323,606 | \$ | 235,626 | \$ | 79,607 | \$ | - | \$ | - | \$ | 235,626 | \$ | 79,607 | |
| Cumulative Surplus (Deficit) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Beginning Cumulative Surplus (Deficit) | \$ | 57,304 | \$ | 41,302 | \$ | 198,553 | \$ | 198,553 | \$ | 166,583 | \$ | 374,791 | \$ | 374,791 | \$ | 317,092 | \$ | 317,092 | \$ | 323,608 | \$ | 171,091 | \$ | (152,517) | \$ | (49,087) | \$ | 323,608 | \$ | 171,091 | |
| Annual Increase/(Decrease) | | (16,002) | | 157,251 | | (31,970) | | 208,208 | | 208,208 | | (57,699) | | 6,516 | | 6,516 | | 323,608 | | (152,517) | | (49,087) | | - | | - | | - | | - | |
| Ending Cumulative Surplus (Deficit) | \$ | 41,302 | \$ | 198,553 | \$ | 166,583 | \$ | 166,583 | \$ | 374,791 | \$ | 317,092 | \$ | 317,092 | \$ | 323,608 | \$ | 323,608 | \$ | 171,091 | \$ | 122,004 | \$ | - | \$ | - | \$ | 171,091 | \$ | 122,004 | |
| Statistical Information | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Number of Licenses for Indirect calculation | | 290 | | 319 | | | | 287 | | 346 | | | | 342 | | 298 | | | | 345 | | | | | | | | | | | |
| Additional information: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: Fee reduction FY19 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

| | |
|-------------------------|-------|
| Appropriation Name (Ex) | (All) |
| Sub Unit | (All) |
| PL Task Code | APR1 |

| Sum of Budgetary Expenditures Object Name (Ex) | Object Type Name (Ex) | | Grand Total |
|--|--------------------------|------------------|------------------|
| | 1000 - Personal Services | 3000 - Services | |
| 1011 - Regular Compensation | 13,833.94 | | 13,833.94 |
| 1014 - Overtime | 1.38 | | 1.38 |
| 1023 - Leave Taken | 1,825.79 | | 1,825.79 |
| 1028 - Alaska Supplemental Benefit | 981.36 | | 981.36 |
| 1029 - Public Employee's Retirement System Defined Benefits | 54.62 | | 54.62 |
| 1030 - Public Employee's Retirement System Defined Contribution | 835.99 | | 835.99 |
| 1034 - Public Employee's Retirement System Defined Cont Health Reim | 532.59 | | 532.59 |
| 1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical | 200.41 | | 200.41 |
| 1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab | 1,892.55 | | 1,892.55 |
| 1039 - Unemployment Insurance | 30.09 | | 30.09 |
| 1040 - Group Health Insurance | 4,454.63 | | 4,454.63 |
| 1041 - Basic Life and Travel | 6.89 | | 6.89 |
| 1042 - Worker's Compensation Insurance | 149.48 | | 149.48 |
| 1047 - Leave Cash In Employer Charge | 337.19 | | 337.19 |
| 1048 - Terminal Leave Employer Charge | 223.61 | | 223.61 |
| 1053 - Medicare Tax | 221.84 | | 221.84 |
| 1063 - GGU Business Leave Bank Usage | - | | - |
| 1077 - ASEA Legal Trust | 16.60 | | 16.60 |
| 1079 - ASEA Injury Leave Usage | 4.33 | | 4.33 |
| 1080 - SU Legal Trst | 10.70 | | 10.70 |
| 3023 - Expert Witness | | 2,400.00 | 2,400.00 |
| 3046 - Advertising | | 92.76 | 92.76 |
| 3088 - Inter-Agency Legal | | 21,296.21 | 21,296.21 |
| 3094 - Inter-Agency Hearing/Mediation | | 1,779.40 | 1,779.40 |
| Grand Total | 25,613.99 | 25,568.37 | 51,182.36 |

Division of Corporations, Business and Professional Licensing

2021 Legislative Guidance for Professional Licensing Board & Commission Members

As a member of a professional licensing board or commission, you have considerable latitude—as well as responsibility—to recommend changes to your licensing program’s enabling statutes. Members of the public, consumers, other professionals, and your industry’s association confidently approach members of the legislature to affect the change they wish to see in your practice. Whether taking the initiative or reacting to an active bill, board members also need to be prepared to champion their cause!

THE OPEN MEETINGS ACT ALWAYS APPLIES

AS 44.62.310(h) provides detailed definitions of "governmental body," "meeting," and "public entity" that, when combined, define what constitutes a public meeting. A meeting of a decision or policy-making body occurs when more than three members or a majority of the members, whichever is less, engage collectively in discussion of a subject on which the body is authorized to act and set policy and is therefore subject to the Open Meetings Act. Under this definition, it doesn't matter where the meeting occurs, if it was prearranged, or who arranged it and could include unplanned casual or social contact in any location, including the office of a legislator or an industry gathering.

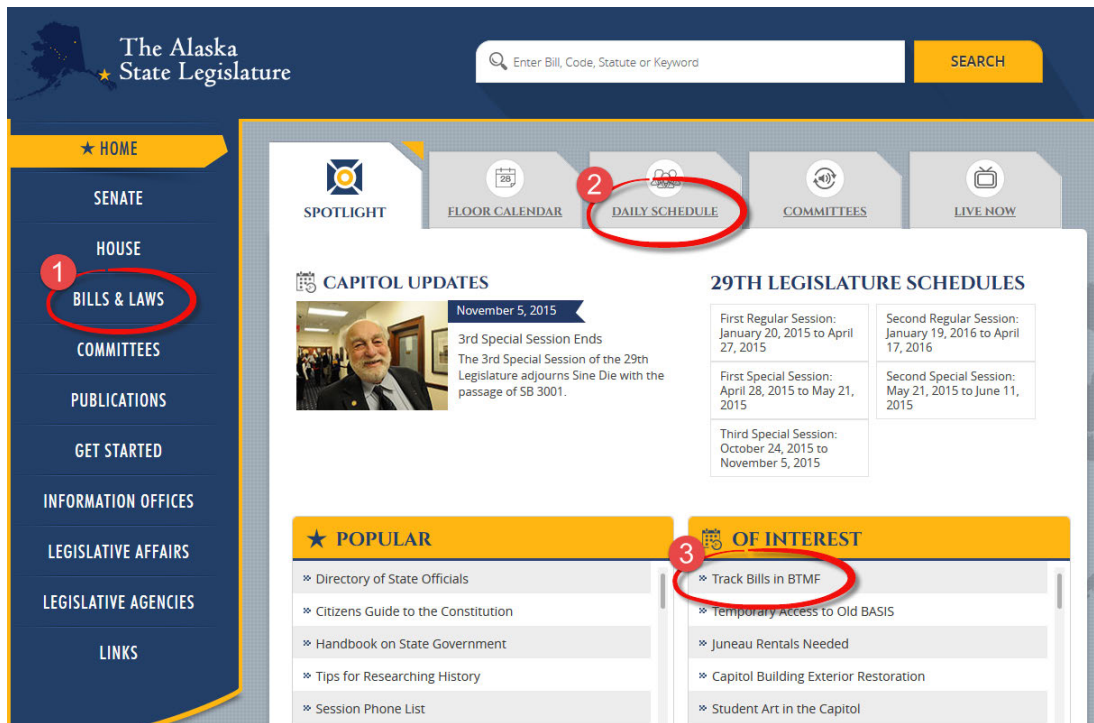
Members of boards and commissions should take care not to conduct business over email, lest the public be removed from the process. Board members should not email each other about board business; if a special meeting is needed, a member can alert staff and a meeting can be arranged and publicly noticed. Remember, all board member email correspondence is discoverable, and your board business is also the public’s business.

This information is contained in the *CBPL Guide to Excellence in Regulation*. Board members are provided a bound copy of this guidance manual; however, if you need another copy, you may download it here:
[https://www.commerce.alaska.gov/web/Portals/5/pub/CBPL Board.Commission.Guide.pdf](https://www.commerce.alaska.gov/web/Portals/5/pub/CBPL_Board.Commission.Guide.pdf).

BE INFORMED: IF NOT YOU, THEN WHO?

- Ahead of the legislative season, select on the record a member who will serve as the point person for legislative activity. In the absence of this person, the division will look to the chair of the board for input, interpretation, and intervention, if a quick answer is needed. If the board is championing a piece of legislation, a history of the meeting minutes reflecting the issues and board’s perspective should be compiled by this leader and made available to board members and division management, who will be at every hearing. This research and history will be especially helpful to new board members who are appointed.
- When a bill is filed, division management will alert program staff. The examiner or executive should ensure that their board members are made aware of legislation that is filed that will affect them. With sometimes more than 50 bills to track, analyze, and testify on, division management may not be able to keep the board apprised of every late-breaking detail. Division management will periodically send updates to staff regarding legislation or request discussion with the board.
- That said, know where to find your bill using the Alaska State Legislature’s web page: akleg.gov. (See graphic below.)
 1. The **BILLS & LAWS** section on the sidebar links to a searchable list of documents. If you know the bill number, you can search using the bar at the top of the screen.
 2. The **DAILY SCHEDULE** shows all committee activity for the day you choose. It is subject to change, but it is a good starting place to see what is happening where.

3. The **BTMF**—or Bill Tracking Management Facility is your best friend when trying to keep up with a bill. Take the time to set up your profile and register the bill you want to track, then you will receive email updates when its status changes or is scheduled for a hearing.



GUIDELINES FOR BOARD MEMBER TESTIMONY

- Encourage the board to become engaged: Track the bill online, participate in hearings, write a letter supporting the board’s official position, and discuss the legislation in a public meeting. It is a best practice for organizations to speak with “one voice.” Any testimony or correspondence by a board member on behalf of a board must represent deliberation and action taken on the record in a public meeting.
- Staff may not express opinions on behalf of the board or discuss legislation with elected officials without prior arrangements with division management and clearance from the Governor’s Legislative Office. If the board has published a resolution or letter regarding the legislation as a result of a vote at a public meeting, staff may provide that document to legislators per department procedures.
- Individual board members may offer their personal or professional opinions on the legislation by clarifying that while they are appointed to a board, they do not speak on behalf of the board.
- Boards must provide a member to testify telephonically (or in person, if in Juneau) at every hearing when being considered for reauthorization per AS 08.03. Without member interest and advocacy for the board or commission’s continuation, it is possible that the sponsor could withdraw the bill and the board could sunset.
- The chair or elected board spokesperson should be prepared to answer questions posed by staff or legislators, testify telephonically (or in person, if in Juneau) on bills that require subject matter expertise or upon request, and otherwise be available on short notice to engage in this process.
- Be sure to differentiate the state licensing board from the industry association. Sometimes, they share the same goals. Sometimes, they do not. Legislators must keep track of a lot of names and organizations, so be sure that you are clear that you represent the State of Alaska.

- Nervous? Don't worry! Please email or call the division director or deputy director to discuss tips or even run through some potential questions/roleplay.

LEGISLATIVE TESTIMONY CALL-IN DO'S AND DON'TS - *Note that contact info may change if hearings are held via Zoom.*

Do remember this "off-net" system is designed to serve those who do not have any other way to testify or have a legitimate reason for using the system.

Do remember that off-net calls to the committee must be authorized prior to the meeting by the chairman. A minimum of 24 hours in advance is appreciated. Please work through the Director, Division Operations Manager, or the committee chairman's office for authorization.

Do use the streaming video available at <http://akl.tv/> to watch for your bill to come up. The chairman will announce the order of bills at the beginning of the meeting. Callers may be disconnected from the meeting if they call in prior to their bill being taken up. If video streaming is not an option for you, please contact the committee aide to make arrangements to call in early. Once the bill is before the committee, call 844-586-9085, give your name, bill number and ask to be connected to the _____ Committee.

Do Not call in before the bill you are testifying on comes before the committee.

Do remember the off net call-in lines are for testifiers only. If you wish to listen in, please use the live streaming at <http://akl.tv/>.

Do use the "mute" function of your phone until called on to testify. If this function is not available on your phone, ask the Legislative Information Office (LIO) moderator to mute your call.

Do Not use the "hold" function.

Do try to be in a quiet room without distractions or interruptions. Car noise, open windows, and barking dogs can all be heard by the legislative committee and guests at the hearing. These avoidable disturbances will detract from the credibility of your message. Please treat the important responsibility of testifying with utmost respect and professionalism.

Do remember that everything transmitted over your phone will be broadcast directly into the meeting room and recorded to become part of the permanent record.

Do remember to be in a location with good reception if using a cell phone. Disruptions coming into the meeting via the phone lines will result in all callers being disconnected from the system. This will require testifiers to call back to be reconnected. Turn off your computer or TV speakers if listening online so you do not create an audio "loop."

Do try to adhere to time limits imposed by the chairman.

Remember: There are a limited number of phone lines coming into the Capitol. These lines are also used by LIOs around the state. When all the phone lines are used up, an LIO may not be able to call in with a room full of people.

**STATUTE / REGULATION
UPDATE**

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 9, 2021

RE: Filed Permanent Regulations: Board of Certified Real Estate Appraisers

Board of Certified Real Estate Appraisers regulations re: appraisal work experience requirements for applicants, ownership of appraisal management companies, appraisers on appraiser panels, reporting requirements for appraisal management companies, continuing education, and supervisory appraisers (12 AAC 70.108; 12 AAC 70.110(a); 12 AAC 70.150 - 12 AAC 70.220; 12 AAC 70.935(c)(3); 12 AAC 70.990)

| | |
|------------------------|----------------|
| Attorney General File: | 2020200412 |
| Regulation Filed: | 3/9/2021 |
| Effective Date: | 4/8/2021 |
| Print: | 238, July 2021 |

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Sher Zinn, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF DENTAL EXAMINERS


The attached seven pages of regulations, dealing with qualifications for appraisers, continuing education, and Appraisal Management Companies, are hereby certified to be a correct copy of the regulation changes that the Board of Real Estate Appraisers adopted at its October 27, 2020 meeting, under the authority of AS 08.01.065, AS 08.87.020, AS 08.87.120, AS 08.87.130, AS 08.87.135, AS 08.87.155, and AS 08.87.310, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Real Estate Appraisers paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 1/22/2021
Wasilla, Alaska

DocuSigned by:

21F77BBB64DC4F4

Ashlee Stetson, Chair
Board of Real Estate Appraisers

April Simpson, for

FILING CERTIFICATION

I, *↑* Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on March 9th, 2021 at 9:01 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for 
Kevin Meyer, Lieutenant Governor

Effective: April 8, 2021
Register: 238, July 2021

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 70. Board of Certified Real Estate Appraisers.

12 AAC 70.108(a) is amended to read:

(a) An applicant for certification as a general real estate appraiser shall submit verification of 3,000 hours of appraisal work obtained continuously over a period of not less than 18 months. At least 1,500 hours of the appraisal work must be in nonresidential appraisal work. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) ^(A) **applicable as of the date of appraisal** [IN EFFECT AT THE TIME THAT THE WORK EXPERIENCE WAS OBTAINED].

12 AAC 70.108(b) is amended to read:

(b) An applicant for certification as a residential real estate appraiser shall submit verification of 1,500 hours of appraisal experience obtained continuously over a period of not less than 12 months. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with the USPAP **applicable as of the date of appraisal** [IN EFFECT AT THE TIME THAT THE WORK EXPERIENCE WAS OBTAINED].

12 AAC 70.108(c) is repealed:

(c) Repealed 4/8/2021. ~~[AN APPLICANT MAY NOT RECEIVE CREDIT FOR MORE THAN 1,250 HOURS OF EXPERIENCE IN REAL PROPERTY APPRAISAL IN A 12-MONTH PERIOD.]~~

(Eff. 12/13/94, Register 133; am 2/13/2002, Register 161; am 4/16/2004, Register 170; am

Register 238, July 2021 PROFESSIONAL REGULATIONS

5/24/2007, Register 182; am 9/14/2012, Register 203; am 3/28/2019, Register 229; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020

12 AAC 70.110(a) is amended to read:

by one or more [A]

(a) An applicant's qualifying work experience must be verified ~~[BY A~~ ^{(((keep lowercase)))} COMBINATION OF AT LEAST THREE DIFFERENT INDIVIDUALS, ~~]~~ on forms provided by the department, and, for an applicant for certification as a general real estate appraiser or a residential real estate appraiser, a log submitted by the applicant of appraisal work performed. If an applicant cannot, for good cause, provide work experience verification forms ~~[FROM AT~~ ^(from one or more [A]) LEAST THREE DIFFERENT ~~]~~ ^{(((keep lowercase)))} INDIVIDUALS, ~~]~~ ^(E, I) the board may consider and approve other kinds of work experience verification.

(Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 4/16/2004, Register 170; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020

12 AAC 70.150 is repealed:

~~12 AAC 70.150. Application deadline. Repealed. [TO BE SCHEDULED FOR BOARD-
REVIEW, AN APPLICATION FOR CERTIFICATION OR COURSE APPROVAL MUST BE
COMPLETE AND FILED WITH THE DEPARTMENT, AS DEFINED IN 12 AAC 02.920, AT
LEAST 15 DAYS BEFORE THE SCHEDULED DATE OF THE BOARD'S APPLICATION
REVIEW.]~~ (Eff. 12/13/94, Register 133; am 6/13/97, Register 142; repealed 4 / 8 / 2021,

Register 238)

Authority: AS 08.87.020

12 AAC 70.160(a)(1)(E)(ii) is amended to read:

(ii) has not had a real estate appraiser certificate denied, cancelled, suspended, revoked, put on probation, or surrendered, for a substantive cause, in

accordance with AS 08.87.135(b)(2); and

lieu of a pending revocation, as described in

and for a substantive cause as determined by the same state that issued the certificate

lieu of a pending revocation, as described in

12 AAC 70.160(b) is amended to read:

(b) Owners of the appraisal management company may not have had a real estate appraiser certificate denied, cancelled, suspended, revoked, put on probation, or surrendered, for

a substantive cause, in accordance with AS 08.87.135(a)(7). A person who owns at least 10 percent of a real estate management company must be of good moral character as defined in this section.

and for a substantive cause as determined by the same state that issued the certificate

(Eff. 3/28/2019, Register 229; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020 AS 08.87.130 AS 08.87.135

12 AAC 70.165(3)(C) is amended to read:

(C) a [AN EMPLOYEE] director, officer, or agent.

12 AAC 70.165 is amended by adding a new subsection to read:

(b) A real estate appraisal management company may not remove an appraiser from the appraisal panel until after

(1) written notice has been sent to the appraiser of the removal from the appraiser

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panel with an explanation and reason for the action;

(2) a written notice is received from the appraiser asking to be removed from the appraiser panel; or

(3) notice of death or incapacitation of the appraiser has been received. (Eff. 3/28/2019, Register 229; am 4 / 8 / 2021, Register 238)

Authority: AS 08.01.065 AS 08.87.130 AS 08.87.135
AS 08.87.020

12 AAC 70.175(a) is amended to read:

(a) A registered appraisal management company shall report annually on a form provided by the department and submit the registry fee required in 12 AAC 02.370(b)(5) for each appraiser on the appraiser panel performing appraisals for **covered** [FEDERALLY RELATED] transactions in the state during the preceding calendar year.

12 AAC 70.175(b) is amended to read:

(b) Federally regulated appraisal management companies shall report annually to the board information required by AS 08.87.155 on a form provided by the department and submit the registry fee required in 12 AAC 02.370(b)(5) for each appraiser on the appraiser panel performing appraisals for **covered** [FEDERALLY RELATED] transactions in the state during the preceding calendar year. (Eff. 3/28/2019, Register 229; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020 AS 08.87.135 AS 08.87.155
AS 08.87.130

12 AAC 70.200 is amended by adding a new subsection to read:

Insert circled text from page 7 here

(f) A person or an organization wishing to sponsor a real estate appraisal continuing education course or seminar that is approved by the Appraiser Qualifications Board (AQB) or the International Distance Education Certification Center (IDECC) shall apply for board approval of that course or seminar by submitting

(1) the application and fee required under (a)(1) and (2) of this section; and

(2) verification the course is approved by the AQB or the IDECC. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/13/97, Register 142; am 9/16/2000, Register 155; am 6/22/2005, Register 174; am 12/28/2018, Register 228; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.220(a)(1) is amended to read:

(1) 24 months or more shall document satisfactory completion of at least 28 hours of continuing education during the concluding licensing period;

12 AAC 70.220(a)(2) is amended to read:

(2) At least 185 days, but less than 24 months, shall document satisfactory completion of at least 14 hours of continuing education during the concluding licensing period;

12 AAC 70.220 is amended by adding a new subsection to read:

licensing

(f) During the renewal period of July 1, 2019 to June 30, 2021, the requirements of (d) of

an unlimited number of the hours required by this section may be obtained through distance education described in

Register 238, July 2021 PROFESSIONAL REGULATIONS

this section ~~do not apply due to the public health emergency declared by the governor March 11, 2020, under AS 26.23.020~~ (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 1/7/2001, Register 157; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 6/22/2005, Register 174; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.935(c)(3) is amended to read:

(3) personally inspecting each appraised property with the trainee appraiser until the supervisory appraiser determines that the trainee appraiser is competent, in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, for the property type[; THE SUPERVISORY APPRAISER SHALL MAKE THE DETERMINATION OF COMPETENCY IN WRITING ON A FORM PROVIDED BY THE DEPARTMENT AND SHALL SUBMIT THE DETERMINATION TO THE DEPARTMENT NOT LATER THAN 10 DAYS AFTER THE DATE OF THE DETERMINATION].

(Eff. 6/28/2015, Register 214; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.990(11) is amended to read:

(11) "USPAP" means the Uniform Standards of Professional Appraisal Practice, developed by the Appraisal Foundation; [.]

paragraph

12 AAC 70.990 is amended by adding a new subsection to read:

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(12) "covered transactions" means any consumer credit transaction secured by the consumer's principal dwelling. (Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/5/98, Register 146; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am 3/28/2019, Register 229; am 4 / 8 / 2021, Register 238)

Authority: AS 08.87.020

12 AAC 70.200(a)(3)(H) is amended to read:

(H) the instructor's resume that includes the instructor's

(i) [(1)] name;

(ii) [(2)] recognition in the real estate industry; and

(iii) [(3)] professional designations and affiliations.

↑ ((Position circled text at spot marked on page 5))

LUNCH

STAFF REPORT

From: [James R. Park](#)
To:



Subject: Real Estate Valuation and Fairness Act of 2021
Date: Friday, March 12, 2021 11:32:38 AM
Attachments: [VFA_030421.pdf](#)

All –

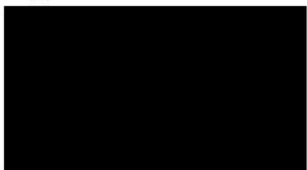
This draft was one of over 2 dozen pieces of legislation included in Wednesday’s House Financial Services Committee hearing titled “Justice for All: Achieving Racial Equity Through Fair Access to Housing and Financial Services.”

If passed, it would have a significant impact on the ASC. Several member agencies are also included on the Task Force the ASC would facilitate. We’ll keep you apprised of any further developments.

Thanks,

Jim

James R. Park
Executive Director
Appraisal Subcommittee



[DISCUSSION DRAFT]117TH CONGRESS
1ST SESSION**H. R.**

To establish an interagency Task Force to analyze Federal collateral underwriting standards and guidance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M introduced the following bill; which was referred to the Committee on

A BILL

To establish an interagency Task Force to analyze Federal collateral underwriting standards and guidance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Real Estate Valuation
5 Fairness and Improvement Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Two Federal agencies, the Federal Home
2 Owners' Loan Corporation and the Federal Housing
3 Administration played a major role in the develop-
4 ment of the modern home mortgage origination in-
5 dustry.

6 (2) Both Federal agencies explicitly considered
7 the racial and ethnic make up of neighborhoods
8 when underwriting loans and valuing the real estate
9 to be used as home loan collateral.

10 (3) Both agencies devalued property or refused
11 to make loans secured by property in communities of
12 color.

13 (4) The harmful consequences of this discrimi-
14 nation remain unresolved.

15 **SEC. 3. REAL ESTATE VALUATION TASK FORCE.**

16 (a) ESTABLISHMENT.—The Appraisal Subcommittee
17 of the Financial Institutions Examination Council shall fa-
18 cilitate the establishment and convening of an Interagency
19 Task Force on Real Estate Valuation (in this section re-
20 ferred to as the “Task Force”).

21 (b) MEMBERS.—The Task Force shall consist of the
22 following members or their designees:

23 (1) The Director of the Federal Housing Fi-
24 nance Agency.

1 (2) The chair of the board of directors of the
2 Federal National Mortgage Association.

3 (3) The chair of the Board of Directors of the
4 Federal Home Loan Mortgage Corporation.

5 (4) The President of the Government National
6 Mortgage Association.

7 (5) The Chairperson of the board of directors
8 of one of the Federal home loan banks, selected by
9 the Chairpersons of the boards of directors of all of
10 the Federal home loan banks.

11 (6) The Assistant Secretary of the Department
12 of Housing and Urban Development who is the Fed-
13 eral Housing Commissioner.

14 (7) The Undersecretary for Rural Development
15 of the Department of Agriculture.

16 (8) The Secretary of Veterans Affairs.

17 (9) The Director of the Bureau of Consumer
18 Financial Protection, who shall serve as the Chair-
19 person of the Task Force.

20 (10) The Comptroller of the Currency.

21 (11) The Chairperson of the Board of Directors
22 of the Federal Deposit Insurance Corporation.

23 (12) The Chairman of the Board of Governors
24 of the Federal Reserve System.

1 (13) The Chairman of the National Credit
2 Union Administration Board.

3 (14) The Chairman of the State Liaison Com-
4 mittee.

5 (c) DUTIES.—The Task Force shall—

6 (1) harmonize to the greatest extent possible
7 the various collateral underwriting standards and
8 guidance of the agencies and entities represented on
9 the Task Force governing residential and commer-
10 cial real estate valuations, including standards and
11 guidance with respect to appraisals, non-traditional
12 and alternative methods of providing real estate
13 property evaluations such as automated valuation
14 models, processes and procedures for managing re-
15 considerations of value by consumers, and standards
16 and guidance with respect to common collateral un-
17 derwriting challenges, such as energy efficient hous-
18 ing and limited or inactive markets;

19 (2) to the extent that standards or guidance de-
20 scribed under paragraph (1) are not harmonized, the
21 Task Force shall issue a report to Congress explain-
22 ing why harmonization cannot or should not be im-
23 plemented;

24 (3) establish specific definitions for limited or
25 inactive housing markets in which comparable sales

1 are limited or unavailable over a certain period of
2 time, and establish greater flexibilities and guidance
3 for appraisals and any underwriting processes asso-
4 ciated with appraisals conducted in such markets,
5 such as the ability to consider market evidence for
6 similar properties in other geographic areas or uti-
7 lizing a range of value;

8 (4) aggregate data across Task Force members
9 and conduct a study to determine whether there are
10 racial disparities at both the borrower and commu-
11 nity level in the valuation and price of the residential
12 real estate to be used as collateral for mortgage ap-
13 plications processed by Task Force Members;

14 (5) identify specific causes of such racial dis-
15 parities and—

16 (A) adopt changes to address such causes;

17 or

18 (B) if the Task Force determines that ad-
19 ditional statutory authority is needed to adopt
20 such changes, issue a report to Congress de-
21 scribing the needed statutory authority; and

22 (6) Evaluate whether there are any barriers to
23 entry that are disproportionately preventing minori-
24 ties from entering into the appraisal profession, such
25 as current minimum requirements established by the

1 Appraiser Qualifications Board, the cost and avail-
2 ability of education, the content of the State ap-
3 praiser exam questions, or the time it takes to finish
4 training.

5 (d) MEETINGS.—The Task Force shall convene regu-
6 larly, including with the advisory committee described
7 under subsection (g), to carry out the duties under sub-
8 section (c) and submit the reports required under sub-
9 section (f).

10 (e) SHARING OF INFORMATION.—Each agency and
11 entity represented on the Task Force shall share with the
12 Task Force any data of the agency or entity necessary
13 for the Task Force to carry out the duties of the Task
14 Force under this Act.

15 (f) REPORTS.—

16 (1) INITIAL.—The Chairperson of the Task
17 Force shall submit a report to the Congress not
18 later than the expiration of the 24-month period be-
19 ginning on the date of the enactment of this Act de-
20 tailing the findings and any actions taken to further
21 the duties of the Task Force as of such time and de-
22 scribing any planned efforts and activities.

23 (2) ONGOING.—Periodically after the submis-
24 sion of the report pursuant to paragraph (1), the
25 Chairperson shall submit reports to the Congress

1 setting forth updates of the findings and actions
2 taken to further the duties of the Task Force.

3 (g) ADVISORY COMMITTEE.—The Task Force shall
4 establish an advisory committee to provide advice with re-
5 spect to the duties of the Task Force. The advisory com-
6 mittee shall consist of—

7 (1) at least 2 civil rights advocates;

8 (2) at least 2 consumer advocates;

9 (3) at least 2 real estate appraisers (or rep-
10 resentatives of real estate appraiser trade groups);

11 (4) at least 1 small lender (or representative of
12 a trade group for small lenders);

13 (5) at least 1 representative of a trade group
14 that represents private investors;

15 (6) at least 2 representatives of appraisal man-
16 agement companies or trade groups for such compa-
17 nies;

18 (7) at least 2 individuals who are industry ex-
19 perts on alternative valuation models; and

20 (8) at least 1 representative of the organization
21 that adopts the appraisal standards and appraiser
22 qualification criteria under title XI of the Financial
23 Institutions Reform, Recovery, and Enforcement Act
24 of 1989 (12 U.S.C. 3331 et seq.).

1 (h) SUNSET.—The Task Force shall terminate upon
2 the expiration of the 5-year period beginning on the date
3 of the enactment of this Act.

4 **SEC. 4. PROMOTING DIVERSITY AND INCLUSION IN THE AP-**
5 **PRAISAL PROFESSION.**

6 The Financial Institutions Reform, Recovery, and
7 Enforcement Act of 1989 is amended—

8 (1) in section 1103(a) (12 U.S.C. 3332(a))—

9 (A) in paragraph (3), by striking “and” at
10 the end;

11 (B) in paragraph (4), by striking the pe-
12 riod at the end and inserting a semicolon;

13 (C) in paragraph (5), by striking the pe-
14 riod at the end and inserting a semicolon;

15 (D) in paragraph (6), by striking the pe-
16 riod at the end and inserting “a semicolon;
17 and”;

18 (E) by adding at the end the following new
19 paragraph:

20 “(7) administer the grant program under sec-
21 tion 1122(j).”; and

22 (2) in section 1106 (12 U.S.C. 3335)—

23 (A) by inserting “(a) IN GENERAL.—” be-
24 fore “The Appraisal Subcommittee”;

1 (B) by striking the comma after “com-
2 ment”;

3 (C) by inserting before “Any regulations”
4 the following:

5 “(b) REGULATIONS.—”; and

6 (D) in subsection (a) (as so designated by
7 subparagraph (A) of this paragraph), by adding
8 at the end the following: “The Appraisal Sub-
9 committee may coordinate, and enter into
10 agreements, with private industry stakeholders
11 (including appraisal management companies
12 and industry associations) to facilitate activities
13 and practices that ensure diversity among indi-
14 viduals newly hired as appraisers in their first
15 employment positions in the appraisal indus-
16 try.”;

17 (3) in section 1122 (12 U.S.C. 3351), by add-
18 ing at the end the following new subsection:

19 “(j) GRANT PROGRAM TO PROMOTE DIVERSITY AND
20 INCLUSION IN THE APPRAISAL PROFESSION.—

21 “(1) IN GENERAL.—The Appraisal Sub-
22 committee shall carry out a program under this sub-
23 section to makes grants to State agencies, nonprofit
24 organizations, and institutions of higher education to

1 promote diversity and inclusion in the appraisal pro-
2 fession.

3 “(2) ELIGIBLE ACTIVITIES.—Activities carried
4 out with amounts from a grant under this Act shall
5 be designed to promote diversity and inclusion in the
6 appraisal profession, and may include—

7 “(A) funding scholarships;

8 “(B) providing training and education;

9 “(C) providing implicit bias training for
10 appraisers; and

11 “(D) other activities as determined appro-
12 priate to further the purposes of this grant pro-
13 gram by the Appraisal Subcommittee.

14 “(3) ALLOCATION OF FUNDS.—In making
15 grants under this subsection, the Appraisal Sub-
16 committee shall—

17 “(A) allocate 50 percent of the funds made
18 available to Historically Black Colleges and
19 Universities or universities with degree pro-
20 grams approved by the Appraiser Qualifications
21 Board or a relevant State regulatory agency
22 for—

23 “(i) scholarships for students of color
24 who want to pursue a career in real estate
25 appraisal; and

1 “(ii) subsidizing living expenses for
2 those students while in training; and

3 “(B) allocate 20 percent of the funds to
4 cover the cost of fulfilling the experience re-
5 quirements or other applicable requirements
6 that the students described under subparagraph
7 (A) will need to complete in order to become
8 appraisers.

9 “(4) ADMINISTRATIVE COSTS.—The Appraisal
10 Subcommittee may use 1 percent of amounts appro-
11 priated pursuant to paragraph (6) to cover the ad-
12 ministrative costs of carrying out this subsection.

13 “(5) REPORTS.—For each fiscal year during
14 which grants are made under the program under
15 this subsection, the Appraisal Subcommittee shall
16 submit a report to the Congress regarding imple-
17 mentation of the program and describing the grants
18 made, activities conducted using grant amounts, and
19 the number of individuals served by such grants,
20 disaggregated by race, ethnicity, age, and gender.

21 “(6) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to the Ap-
23 praisal Subcommittee for grants under this sub-
24 section \$50,000,000 for each of fiscal years 2021
25 through 2025.”.

BOARD BUSINESS

ADJOURN