

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, May 19th, 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, May 19th, 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 David Derry, Chair.

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

24 David Derry, Chair, Certified General Real Estate Appraiser
25 Wendy Lawrence, Vice Chair, Certified General Real Estate Appraiser
26 William Barnes, Certified Residential or General Real Estate Appraiser
27 Renee Piszczek, Mortgage Lending Member
28 Ashlee Stetson, Public Member

29
30 Division Staff present in the meeting:

31 Tracy Wiard, Occupational Licensing Examiner
32 Joe Bonnell, Records and Licensing Supervisor
33 Melissa Dumas, Administrative Officer II
34 Autumn Roark, Investigator III
35 Amber Whaley, Senior Investigator
36 Greg Francois, Chief Investigator
37 Sher Zinn, Regulations Specialist

41 **Agenda Item #2** **Continuing Education Statement**

42
43 Chair Derry explained that board members or other licensed appraisers in attendance of a board
44 meeting can obtain continuing education credits for attendance. Board member Bill Barnes
45 stated that he would like continuing education credits for meeting attendance. It was advised that
46 he would need to fill out the form on the APR website and submit to Chair Derry for a signature.
47 He still needs to submit the form for the March 2, 2020, the December 9, 2019 meeting and the
48 November 1, 2019 meeting as well.

49
50 **Agenda Item #3** **Ethics Report**

51
52 Chair Derry moved on to the ethics report. He stated that he was the ethics coordinator for the
53 board and he has not received a report of any ethics violations or potential ethics violations from
54 board members or anyone else. He asked the board if there were any violations to report. Bill
55 Barnes reported he had received an e-mail regarding a confidentiality breach for an investigation
56 but he was not sure if that was an ethics violation or not.

57
58 **Agenda Item #4** **Review / Approve Agenda**

59
60 The board reviewed the agenda. There were one suggested changes to the DRAFT agenda.
61 Chair Derry recommended adding the discussion of future meeting dates as an additional topic to
62 agenda item 12.

63
64 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
65 **unanimously, it was RESOLVED to APPROVE the agenda as amended.**

66
67 **Agenda Item #5** **Review/Approve Past Meeting Minutes**

68
69 The board reviewed the meeting minutes from the March 2, 2020 board meeting. Chair Derry
70 noted a typo on line 17, stating the date was listed as December 9, 2019 and it should have been
71 March 2, 2020. Chair Derry also noted that the current agenda incorrectly listed this agenda item
72 as March 20, 2020.

73
74 **On a motion made by Renee Piszczek, seconded by Bill Barnes, and passed unanimously, it**
75 **was RESOLVED to APPROVE the meeting minutes as amended from the March 2, 2020**
76 **board meeting as amended.**

77
78 Off Record: 9:17 AM
79 On Record: 9:29 AM

80 Those present, constituting a quorum of the Board:
81 David Derry, Chair, Certified General Real Estate Appraiser
82 Wendy Lawrence, Vice Chair, Certified General Real Estate Appraiser
83 William Barnes, Certified Residential or General Real Estate Appraiser
84 Renee Piszczek, Mortgage Lending Member
85 Ashlee Stetson, Public Member
86

87 Division Staff present in the meeting:
88 Tracy Wiard, Occupational Licensing Examiner
89 Joe Bonnell, Records and Licensing Supervisor
90 Melissa Dumas, Administrative Officer II
91 Autumn Roark, Investigator III
92 Amber Whaley, Senior Investigator
93 Greg Francois, Chief Investigator
94 Sher Zinn, Regulations Specialist
95

96 **Agenda Item #6** **Investigative Report**
97

98 Autumn Roark provided the board with the investigate report that covered the dates of February
99 21 – May 5 of 2020. The division opened 3 matters and closed 2 of the matters. There is a total
100 of 11 matters that are ongoing and under active investigation.
101

102 Chair Derry asked about the investigative carryovers from 2018? Autumn Roark informed chair
103 Derry that the matters were still active investigations and she could not discuss the specifics of
104 the case. Chair Derry also asked if an advisement letter sent to a respondent for a closed
105 investigations case ever shared with the Appraisal Board? Autumn informed Chair Derry that
106 advisement letters are not shared with the board. Chair Derry asked who drafted the advisement
107 letters and what they are exactly? It was explained that the investigations sections will draft the
108 advisement letter. Usually a board member reviews a case and if there are any violations, which
109 there must be for an advisement letter, one is drafted. The advisement letters are usually non-
110 disciplinary. The advisement letters are not added to the licensees file or public record since the
111 violation did not rise to such level of severity.
112

113 Amber Whaley addressed the board through the chair stating advisement letters are generally for
114 first time or minor offenses. They are used when a board member reviews a complaint and finds
115 that the violation does not rise to a level necessary for a formal board action or discipline. The
116 letters are generally a warning and not made public. The letters are recommended after board
117 member review.
118

119 Bill Barnes asked what the process was if the review was not completed by a board member but
120 a contracted appraiser hired by the division? Amber Whaley stated the people who review cases
121 for the investigations team are required to be a licensed professional on the board or a licensed
122 expert hired by the division. Bill Barnes asked what happens if you contract out to a licensed
123 appraiser and get the results back? Bill stated that it sounds like the issue never comes back to
124 the board. Amber responded that public disciplinary actions will be brought back to the board if
125 the respondent agrees. If not, the issue would go to an administrative hearing. When a licensed
126 professional is contracted out, they review the case, determine what will happen and if it is an
127 advisement letter, the board does not see it.

128

129 Discussion ensued about what would occur if an expert reviewed a case and an advisement letter
130 was recommended, the case would be closed with no further board review. If an expert or a
131 board member reviewed a case and recommended a license action, then the investigator drafts
132 the documents which gets presented to the entire board for approval.

133

134 There was a question asked about a respondent not accepting a license action and how that would
135 play out? It was explained by Amber Whaley if a respondent is presented with a license action
136 and they do not accept it, then the division moves forward with filing an accusation and the cases
137 progress to an administrative hearing. It was explained the process does not change if the
138 respondent has legal counsel. If the respondent does have legal counsel then the division legal
139 counsel gets involved. Cases are confidential until they are closed. It was stated that once an
140 action was finalized, it would come back to the board.

141

142 Chair Derry noted that the ASC recommends for a year to process and close investigations. He
143 then wanted to know how the board still has investigations open from 2018. When a respondent
144 is not agreeable to the recommendation that was made by the board member then the accusation
145 process commences. Chair Derry also asked about getting a reply from respondents and it can be
146 difficult obtaining one. He asked if the board had any recourse to take when a respondent does
147 not reply to the division in a timely manner? It was explained that the division provides a 20-day
148 timeframe to respond to the investigators then a few more opportunities are provided to
149 respondents to document attempted contact and due diligence on the part of the division. There
150 is no way to force a respondent to reply. Bill Barnes stated it is possible with lack of response
151 resulting in a license suspension or revocation. Chair Derry stated if the investigation was
152 confidential then they would not know if the respondent replied. Amber Whaley stated the board
153 reviewer would see the lack of response in the investigative notes.

154

155 Chair Derry asked if the board member reviewing the case sees a lack of response from the
156 respondent could the board member recommend revocation? It was stated by Amber Whaley if
157 there was enough evidence to support a violation that warranted revocation the board member

158 could make that recommendation. He restated that the board has no requirement for a
159 respondent to respond and wondered if there was anything the board could do? Amber Whaley
160 stated some boards have a statute or regulation stating a respondent needs to reply within a
161 certain amount of time and if they do not they would be in violation of said statute or regulation.
162

163 Bill Barnes stated he was disappointed with the process for investigations in Alaska and he
164 would be formulating a letter to take the Governor. He wanted to request the investigators send
165 him a list of any loopholes they see in the investigative process. He asked what percent of
166 complaints received by the investigators come back to the board for a final decision? It was
167 stated all complaints were reviewed by the board unless the complainant does not return the
168 complaint packet. In this case, the case is closed as an incomplete complaint.
169

170 Bill Barnes asked what happens when a respondent fails to respond? Does the case close then?
171 Amber Whaley explained the case does not close in that situation and the case is reviewed by a
172 board member to advise the division how to proceed. If the board member recommends a
173 license action for failure to respond, then the case is reviewed by the entire board. Bill Barnes
174 then asked how many complaints end up in a suspension of license? Amber Whaley advised some
175 statistics would need to be pulled to see how many result in suspension. She also stated the
176 suspension would need to be recommended by the board to move forward. He then asked what
177 Amber Whaley's best guess was as to what percent of complaints result in a fine? She stated she
178 again would have to pull some statistics and did not have a number off the top of her head.
179

180 Bill Barnes then asked how many complaints end up with reviewing costs from the review
181 appraiser who charged a fee? He went on to state that he is asking this because he has
182 geographical competency in a location where 65% of the state's appraisals reside. He would be
183 performing more than 1/5th of the board review work for investigations. He also stated he was
184 never informed that he would be required to complete all this work when he interviewed for the
185 board. He stated he would like to make some improvements to the system to make his time on
186 the board worthwhile. He stated things are done differently in other states and he is aware of it
187 because he lived elsewhere for 22 years. He stated in his time on the Alaska board he has seen
188 fraudulent applications for license with no retribution or revocation of trainee license or
189 supervisory license, appraisers from out of state get a license based on an out of state license that
190 was fraudulently obtained and knows the licensee had no prior experience because he admitted
191 it. Bill Barnes stated he was a little disturbed. He believes there is room for improvement.
192 Supervisor Bonnell stated making improvements is an excellent idea for board members and his
193 suggestion is to review what they would like to see improved and then implement the changes
194 through regulation changes. Bill Barnes was hoping to work with the division to get regulations
195 worked on as he was not sure of the process.
196

197 Chief Investigator Greg Francois wanted to clarify some information regarding replies from
198 respondents. The investigators provide the respondent 2 weeks to reply to an accusation and if
199 there is no reply from the respondent, then the board member is provided a case without any
200 information or documentation from the respondent. If the board member finds that a violation
201 has occurred and a recommendation for disciplinary action is made, then the disciplinary action
202 will be presented to the respondent. The respondent has due process rights where they can either
203 accept the recommendation of the board or they can appeal that and have a hearing with the
204 office of administrative hearings. The hearings can go all the way to the Alaska Supreme Court.
205 It was stated the board only has the authority granted under the statutes and regulations.
206

207 Chair Derry had a few more questions. If a board member as part of a review recommends the
208 suspensions of certification or licensure it should come back to the board. Chair Derry knows of
209 at least 2 cases where he completed a review and recommended a suspension of license or
210 certification and he never knew what happened to those reviews or cases. Greg Francois
211 addressed the board through the chair and asked if the recommendations of suspension or
212 revocation were like board precedent on back patterns of similar cases? Chair Derry stated the
213 board did not have many complaint actions and one case that comes to mind did not have a
214 precedent. Oftentimes the board has issues that come under USPAP that had not come up in the
215 past and there was no precedent. He did state that the case clearly violated a USPAP standard
216 and it never came back to the board and he has no idea what happened. Greg Francois stated if
217 Chair Derry wanted to discuss a specific case he would need to call him so he could look up the
218 specific case. Greg Francois discussed the process with the board if a case goes to an
219 administrative hearing.
220

221 Wendy Lawrence added that she is geographically competent in the Anchorage area. If it was
222 needed she could help with that area. Bill Barnes requested to ask a question, and asked why
223 there were no anonymous complaints allowed? Greg Francois informed the board that
224 knowledge of a person's accuser is one of the things allowed in the constitution. If a complaint
225 is not provided in writing and they are the only source of information, then it cannot be
226 anonymous. It helps if it is in writing. If there is more than one complaint, or if there is
227 something else, like a newspaper report then there is more of fact based need for investigation.
228

229 **Agenda Item #8** **Public Comment**

230
231 Chair Derry moved on to agenda item 8. He asked if there was anyone on the line who was
232 present for public comment? Hearing none he moved on to agenda item 9, the division report.
233
234
235

236 **Agenda Item #9** **Division Report**

237

238 Administrative Officer Melissa Dumas joined the board meeting via videoconference to provide
 239 the FY 2020 3rd quarter division report for the board. She reminded the board that the reports
 240 look different than they used to showing the three biennium years so the board could compare
 241 renewal and non-renewal years. She stated another difference is the expenditures are broken into
 242 investigative and non-investigative expenses. Please see the breakdown of the expenditures
 243 below:
 244

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

Summary of All 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 1st - 3rd QTR				
Revenue																																
Revenue from License Fees	\$	56,250	\$	279,525	\$	335,775	\$	49,640	\$	272,590	\$	322,030	\$	76,010	\$	190,565	\$	266,575	\$	77,544	\$	194,879	\$	272,423	\$	77,544	\$	194,879	\$	272,423	\$	53,160
Allowable Third Party Reimbursements		1,499		-		1,499		-		5,827		5,827		1,534		4,314		5,848		1,534		4,314		5,848		1,534		4,314		5,848		2,559
TOTAL REVENUE	\$	57,749	\$	279,525	\$	337,274	\$	49,640	\$	278,417	\$	327,857	\$	77,544	\$	194,879	\$	272,423	\$	77,544	\$	194,879	\$	272,423	\$	77,544	\$	194,879	\$	272,423	\$	55,719
Expenditures																																
Non Investigation Expenditures																																
2000 - Personal Services		28,642		43,055		71,697		40,694		13,307		54,001		45,123		91,165		136,288		45,123		91,165		136,288		45,123		91,165		136,288		78,029
2000 - Travel		2,920		2,217		5,137		12,596		13,106		25,702		16,384		11,267		27,651		16,384		11,267		27,651		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		7,445		10,666		18,111		7,445		10,666		18,111		15,848
4000 - Commodities		24		42		66		22		13		35		716		161		877		716		161		877		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		69,668		113,259		182,927		69,668		113,259		182,927		96,408
Investigation Expenditures																																
2000 - Personal Services		6,273		10,299		16,512		3,464		19,945		23,409		25,013		18,383		43,396		25,013		18,383		43,396		25,013		18,383		43,396		23,841
2000 - Travel		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-
3023 - Expert Witness		1,625		-		1,625		-		-		-		3,485		1,050		4,535		3,485		1,050		4,535		3,485		1,050		4,535		2,850
3038 - Inter-Agency Legal		12,055		439		12,494		-		-		-		33		33		66		33		33		66		33		33		66		507
3094 - Inter-Agency Hearing/Mediation		-		-		-		-		-		-		217		-		217		217		-		217		217		-		217		-
3000 - Services other		-		-		-		-		-		-		633		-		633		633		-		633		633		-		633		70
4000 - Commodities		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-		-
Total Investigation Expenditures		19,952		10,678		30,631		3,464		19,945		23,409		28,748		21,349		49,897		28,748		21,349		49,897		28,748		21,349		49,897		29,814
Total Direct Expenditures		52,814		89,169		141,983		59,784		51,659		111,443		98,416		134,608		232,824		98,416		134,608		232,824		98,416		134,608		232,824		126,222
Indirect Expenditures																																
Internal Administrative Costs		8,346		10,447		18,793		9,900		9,222		19,122		15,708		20,705		36,415		15,708		20,705		36,415		15,708		20,705		36,415		15,529
Departmental Costs		7,280		13,997		21,217		8,446		7,009		15,455		13,293		21,286		34,579		13,293		21,286		34,579		13,293		21,286		34,579		15,965
Statewide Costs		5,311		8,721		14,032		3,280		2,319		5,599		7,426		11,964		19,790		7,426		11,964		19,790		7,426		11,964		19,790		8,973
Total Indirect Expenditures		20,937		33,165		54,042		21,626		18,550		40,176		36,827		53,955		90,792		36,827		53,955		90,792		36,827		53,955		90,792		40,467
TOTAL EXPENDITURES	\$	73,751	\$	122,274	\$	196,025	\$	81,410	\$	70,209	\$	151,619	\$	135,243	\$	188,563	\$	323,606	\$	135,243	\$	188,563	\$	323,606	\$	135,243	\$	188,563	\$	323,606	\$	166,689
Cumulative Surplus (Deficit)																																
Beginning Cumulative Surplus (Deficit)	\$	57,304	\$	41,302			\$	198,553	\$	166,583			\$	374,791	\$	317,092			\$	374,791	\$	317,092			\$	374,791	\$	317,092			\$	323,608
Annual Increase/(Decrease)		(16,002)		157,251				(31,970)		208,208				(57,699)		6,516				(57,699)		6,516				(57,699)		6,516				(110,970)
Ending Cumulative Surplus (Deficit)	\$	41,302	\$	198,553			\$	166,583	\$	374,791			\$	317,092	\$	323,608			\$	317,092	\$	323,608			\$	317,092	\$	323,608			\$	212,638
Statistical Information																																
Number of Licenses		290		319				287		346				342		298				342		298				342		298				-
Additional information:																																
* 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 license input, potential investigation load, court costs, multiple license and fee types under one program, and program changes per AG 08.01.065.																																

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246

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

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Appropriation	(All)					
AL Sub Unit	(All)					
PL Task Code	APR1					
Sum of Expenditures	Object Type Name (Ex)	2000 - Travel	3000 - Services	4000 - Commodities	Grand Total	
Object Name (Ex)	1000 - Personal Services					
1011 - Regular Compensation	50,007.40				50,007.40	
1014 - Overtime	103.31				103.31	
1023 - Leave Taken	10,908.49				10,908.49	
1028 - Alaska Supplemental Benefit	3,748.95				3,748.95	
1029 - Public Employee's Retirement System Defined Benefits	2,998.11				2,998.11	
1030 - Public Employee's Retirement System Defined Contribution	2,492.46				2,492.46	
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,754.09				1,754.09	
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	625.62				625.62	
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	5,553.67				5,553.67	
1039 - Unemployment Insurance	200.67				200.67	
1040 - Group Health Insurance	19,743.05				19,743.05	
1041 - Basic Life and Travel	29.54				29.54	
1042 - Worker's Compensation Insurance	546.66				546.66	
1047 - Leave Cash In Employer Charge	1,362.88				1,362.88	
1048 - Terminal Leave Employer Charge	789.21				789.21	
1053 - Medicare Tax	852.85				852.85	
1069 - SU Business Leave Bank Contributions	16.04				16.04	
1077 - ASEA Legal Trust	80.50				80.50	
1079 - ASEA Injury Leave Usage	13.43				13.43	
1080 - SU Legal Trust	39.66				39.66	
2000 - In-State Employee Airfare		457.48			457.48	
2001 - In-State Employee Surface Transportation		56.20			56.20	
2002 - In-State Employee Lodging		458.00			458.00	
2003 - In-State Employee Meals and Incidentals		182.00			182.00	
2005 - In-State Non-Employee Airfare		366.35			366.35	
2007 - In-State Non-Employee Lodging		265.00			265.00	
2008 - In-State Non-Employee Meals and Incidentals		90.00			90.00	
2009 - In-State Non-Employee Taxable Per Diem		45.00			45.00	
2010 - In-State Non-Employee Non-Taxable Reimbursement		10.50			10.50	
2012 - Out-State Employee Airfare		1,954.74			1,954.74	
2013 - Out-State Employee Surface Transportation		184.32			184.32	
2015 - Out-State Employee Meals and Incidentals		407.50			407.50	
2036 - Cash Advance Fee		2.00			2.00	
2970 - Travel Cost Transfer		-			-	
3023 - Expert Witness			2,850.00		2,850.00	
3045 - Postage			95.65		95.65	
3046 - Advertising			389.54		389.54	
3069 - Commission Sales			72.00		72.00	
3085 - Inter-Agency Mail			48.23		48.23	
3088 - Inter-Agency Legal			11,262.99		11,262.99	
3094 - Inter-Agency Hearing/Mediation			4,557.00		4,557.00	
4002 - Business Supplies				602.00	602.00	
Grand Total	101,866.59	4,479.09	19,275.41	602.00	126,223.09	

247
248

Agenda Item #10 Regulations Update

249

250
251 Chair Derry introduced the regulations specialist Sher Zinn. She provided the board with a copy
252 of the updated regulations for the board to review for public comment. Sher also informed the
253 board that they had voted to table further regulation changes from the March meeting to this May
254 meeting. Chair Derry thought the review of the tabled regulations from the prior meeting was
255 important.

256

257 The board moved on to discuss changes to 12 AAC 70.220(d) and 12 AAC 70.935 (c)(3). Chair
258 Derry wanted to discuss 12 AAC 70.935 (c)(3) first, which is the regulation regarding
259 supervisory appraiser inspecting the property with the trainee. The change came from a
260 suggestion from the last ASC audit, stating that there is no AQB requirement for the supervisory
261 appraiser to submit the determination of competency in writing to the board. The supervisory
262 appraiser makes the determination of competency for the trainee on their own. Often the form is
263 not submitted from the supervisor. Removing the requirement makes licensure more accessible
264 as many licensed appraisers do not want to take on trainees due to the additional work. The
265 current regulation may be considered more stringent than the AQB criteria. This could become

266 problematic if the form is not submitted by the supervisory appraiser as it may deem all
267 experience without the supervisor invalid.

268

269 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, to delete the**
270 **requirement of a supervisory appraiser to notify the board of trainee competence in 12**
271 **AAC 70.935 (c)(3).**

272

273 Further discussion ensued as Chair Derry thought the revision to the regulation would conflict
274 with 12 AAC 70.935 (f). Chair Derry wanted to make sure (f) would remain in the regulations.
275 He wanted to know if (d) and (e) would need to be removed as well. Sher stated that the board
276 could just repeal 12 AAC 70.935(c)(3). She did not see a conflict with (f) currently. Bill Barnes
277 stated he believed they only needed to remove the portion stating the supervisor should report to
278 the board 10 days after the date of determination. Chair Derry agreed and decided to change the
279 semicolon to a period after the word property type.

280

281 **On a motion made by Renee Piszczek, seconded by Bill Barnes, to amend her prior motion**
282 **to amend 12 AAC 70.935 (c)(3) to delete the end of paragraph 3 starting with the**
283 **supervisory appraisal to the end of the paragraph and add it to the current regulation**
284 **change.**

285

Board Member	Approve	Deny	Refrain
Dave Derry	X		
Wendy Lawrence	X		
Bill Barnes	X		
Renee Piszczek	X		
Ashlee Stetson	X		

286

287

288 Chair Derry directed the board for a discussion to changes to 12 AAC 70.935 (f). This
289 regulation requires half of all continuing education requirements be completed in a classroom
290 setting. Chair Derry felt this was beneficial to keep in the regulations. He did acknowledge that
291 with the covid-19 pandemic distance education use has increased, but he does not believe it is a
292 preferred method of learning. Chair Derry also believed a temporary waiver would provide an
293 opportunity for certified licensees to obtain online credit for their continuing education until
294 06/30/2021 due to the pandemic.

295

296 Sher clarified that this regulation change for the continuing education regulations would likely
297 not be accepted as an emergency regulation. This was different than what OLE Wiard believed
298 regarding the regulations. The board discussed the option of allowing a temporary regulation

299 allowing the certified appraisers to take online continuing education until the renewal in
300 6/30/2021 as an alternative to an emergency regulation. The emergency regulations are
301 primarily used to protect the health and safety of the public and not just to benefit the licensees.
302 It was also noted that the board has over a year before any renewals take place.

303

304 **On a motion made by Bill Barnes, with no second, to table the issue for 90 days to see what**
305 **is going on with Covid-19 at that time. Motion died due to lack of a second.**

306

307 Chair Derry asked how long it would take to get a new regulation into place if the board voted on
308 one today. It was stated around September. Board member Wendy Lawrence stated she would
309 like to advocate for the allowance of synchronous education. She stated she could see where the
310 Alaska Chapter would be interested in continuing with the classroom education because they
311 offer those courses but online, synchronous education would allow licensees more options to
312 complete continuing education.

313

314 Chair Derry discussed the topic of synchronous education and believed the AQB stance was that
315 online education was not synchronous education. It was stated by Wendy Lawrence that the
316 online courses she completed did require interaction and attendance verification. OLE
317 Supervisor Joe Bonnell stated through the chair, that the AQB recently had a meeting clarifying
318 that their recommendations do state a difference between synchronous and online education and
319 that they are recommending states to allow for synchronous education as an alternative but that
320 does not mean online. Although an online course can be synchronous. Bill Barnes asked what
321 synchronous education mean? OLE Supervisor Joe Bonnell stated it meant live, interactive
322 training with attendance taking throughout the course. Both synchronous and online education
323 are considered distance education. Online education is basically reviewing an online
324 presentation and answering questions. Not live, interactive or tracking of attendance,

325

326 **On a motion made by Wendy Lawrence, seconded by Ashlee Stetson, and passed**
327 **unanimously by roll call vote, it was RESOLVED to modify 12 AAC 70.220 (3) (d) allowing**
328 **all continuing education to be obtained through distance education through June 30, 2021**
329 **and add it to the pending regulation change.**

330

331 Bill Barnes commented that before federal and state appraisal licensing all the appraisers in
332 Alaska had to take classes in Fairbanks and Anchorage. He stated today people go the grocery
333 store and wear a mask and maintain 6 feet of separation. This could also be done in a classroom
334 and he believes this may be a slippery slope. He said back in the 60's and 70's appraisal
335 regulation committees fought hard to get continuing education courses offered in Alaska and he
336 is worried the in-person classes will disappear with changes like this.

337

Board Member	Approve	Deny	Refrain
Dave Derry	X		
Wendy Lawrence	X		
Bill Barnes		X	
Renee Piszczek	X		
Ashlee Stetson	X		

338

339 The board moved on to look at and discuss the changes made to the additional regulations not
340 voted on at the prior meeting. It was decided that Sher would draft the new subsection and
341 present to the board after lunch for a review and vote. The statute of limitations was also
342 addressed and it was determined that this topic could be postponed until another time.

343

344 **Agenda Item #11 ASC Appraiser Survey**

345

346 OLE Supervisor Joe Bonnell had three pieces of information for the board. A survey was e-
347 mailed to licensed appraisers in Alaska from the AQB. They are looking to get feedback as they
348 try to update their exams. The survey is being conducted all over the nation and it will be active
349 until June 3, 2020. Joe also asked if the board would like the Covid-19 information from the
350 ASC added to the website. Chair Derry said yes, to post it to the board website. Lastly, there is
351 an opportunity for federal grant money for state appraisal programs. As more information
352 becomes available it will be passed on to the board. The grant is for things like equipment,
353 trainings, and could be used for things like board travel. It was suggested to add any desired
354 travel to and APR Annual Report. The grant would also be available to develop an API. This is
355 an electronic handshake between systems. Currently, the federal registry is a manual process but
356 the API would make it electronic.

357

358 **Agenda Item #12 Board Business**

359

360 Chair Derry moved the board on to agenda item 12. It was asked if all the task list items had
361 been completed? OLE Wiard stated not that she was aware of. The task list is sent to board
362 members after each meeting and it is expected they work on the task or provide a report to the
363 OLE for the next meeting. Of course, questions are always welcome.

364

365 Chair Derry then went on to discuss the APR annual report for FY 2020. Chair Derry asked the
366 board to think about completing the annual report. He has previously completed the annual
367 reports for the APR board and is now asking for a board member to complete the annual report.
368 He reflected on the 2019 annual report as being controversial and would like another board
369 member to please volunteer to complete the report. OLE Wiard stated the board member usually
370 completed the narrative then the OLE would complete the expected expenditures and travel.

371
372 Chair Derry moved on the discuss the next item under board business which is plan future
373 meeting dates. The only meeting scheduled this time is the in-person meeting in Anchorage on
374 September 22, 2020. OLE Wiard will submit the meeting request for this. It was asked if the
375 board wanted a meeting earlier than September in the event the regulation changes went through
376 a little faster than anticipated. Board members did not have a preference and the only meeting
377 planned was the September 22, 2020 meeting.

378
379 Bill Barnes had a few questions before the board broke for lunch. He thought the board had
380 agreed to extend the voting period in Onboard from 10 days to 15 days. No one could remember
381 if that was voted on. Chair Derry asked if Bill had reviewed the minutes from that meeting to
382 see. No one had an answer. Bill asked if all board members were being allowed to vote in the
383 10-day period? Bill stated he would like 15 days to vote because he needs two weekends. OLE
384 Wiard verified that the chair is the only board member that votes on AQB approved continuing
385 education courses. Bill went on to say that reciprocity applications should include a resume and
386 prior work experience be submitted to the board with their application. He stated an applicant
387 who previously attended a meeting as a reciprocity applicant had never completed an appraisal in
388 his life until he received his general certification in another state. Bill was concerned that
389 applicant did not have the required 3000 hours of experience. He just wants to make sure
390 applicants have completed what they are required to. OLE Wiard stated that this requirement
391 would need to be added to the boards statutes and regulations to receive this information.

392
393 Off Record: 11:53 AM

394 On Record: 1:17 PM

395

396 Those present, constituting a quorum of the Board:

397 David Derry, Chair, Certified General Real Estate Appraiser
398 Wendy Lawrence, Vice Chair, Certified General Real Estate Appraiser
399 William Barnes, Certified Residential or General Real Estate Appraiser
400 Renee Piszczek, Mortgage Lending Member
401 Ashlee Stetson, Public Member

402

403 Division Staff present in the meeting:

404 Tracy Wiard, Occupational Licensing Examiner
405 Sher Zinn, Regulations Specialist

406

407

408

409

410 **Agenda Item #10** **Regulations Update**

411
 412 Chair Derry informed the board that they were coming back to vote on the regulation changes
 413 made earlier by the board incorporating the changes made to AAC 70.220(d) and 70.935(c)(3).
 414 Dave wondered under 70.935 would paragraph (d) and (e) still be in the regulations? Sher
 415 advised that they remain. Chair Derry believed paragraph (d) would also need to be modified
 416 but it was stated that was not necessary for the change the board wanted.

417
 418 **On a motion made by Bill Barnes, seconded by Renee Piszczek, and passed unanimously by**
 419 **roll call vote, it was RESOLVED to accept the draft regulations as presented.**

420

Board Member	Approve	Deny	Refrain
Dave Derry	X		
Wendy Lawrence	X		
Bill Barnes	X		
Renee Piszczek	X		
Ashlee Stetson	X		

421
 422 Chair Derry once again brought up the question of the annual report as a carryover topic from
 423 lunch. Board member Wendy Lawrence volunteered to complete the report. OLE Wiard e-
 424 mailed the template for the narrative report as well as the 2017, 2018 and 2019 annual report for
 425 information. OLE Wiard is to send a reminder to board members to list all requested travel in
 426 the upcoming fiscal year. Bill and Wendy were suggested to look for any additional appraisal
 427 conferences that may be worth attending and add it to the annual report in the event of available
 428 funding.

429
 430 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
 431 **unanimously, it was RESOLVED to adjourn the meeting.**

432
 433 Off Record: 1:28 PM

434
 435 Respectfully Submitted,

436
 437
 438 _____
 439 Tracy Wiard, Licensing Examiner Date

440
 441
 442 _____
 443 David Derry, Chair Date