

Call To Order / Roll Call

**Alaska Board of Certified Real Estate Appraisers
Board Roster (As of 01.11.2019)**


Board Member	Appointed	Reappointed	Term Expires
David Derry, Chair <i>Certified General Real Estate Appraiser</i> Kenai, AK	03/01/2014	03/01/2018	03/01/2022
Wendy Lawrence, Vice-Chair <i>Certified Residential Real Estate Appraiser</i> Sitka, AK	08/20/2019		03/01/2020
William Barnes <i>Certified Residential or General Real Estate Appraiser</i> Palmer, AK	08/20/2019		03/01/2022
Renee Piszczek <i>Mortgage Banking Executive</i> Fairbanks, AK	09/02/2014	03/01/2017	03/01/2021
Ashley Stetson <i>Public Member</i> Wasilla, AK	01/11/2019	3/01/2019	03/01/2023

Continuing Education Statement

Ethics Report

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
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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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

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
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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Review / Approve Agenda



**The State of Alaska
Board of Certified Real Estate Appraisers
State Office Building
333 Willoughby Ave, 9th Floor Conference Room B
Juneau, AK 99801**

**Please E-Mail realestateappraisers@alaska.gov
For Zoom Link and Call in Number**

May 19, 2020

9:00 AM

DRAFT Meeting Agenda

<u>Item</u>	<u>Time</u>	<u>Subject</u>	<u>Lead</u>
1.	9:00	Call to Order / Roll Call	Chair
2.	9:05	Continuing Education Statement	Chair
3.	9:10	Ethics Report	Chair
4.	9:15	Review/Approve Agenda	Chair
5.	9:20	Review/Approve Past Meeting Minutes <ul style="list-style-type: none">• March 20, 2020	Chair
6.	9:30	Investigative Report <ul style="list-style-type: none">• Investigative Panel Request	Consalo
7.	9:45	Break	Chair
8.	10:00	Public Comment	Chair
9.	10:15	Division Report	TBD
10.	10:30	Regulations Update <ul style="list-style-type: none">• Update on Regulation Changes• Board Discussion on Changes to 12 AAC 70.220(d) & 12 AAC 70.935 (c)(3)• Statute of Limitations for Appraisers• Emergency Regulations Regarding COVID-19	Zinn



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State Office Building
333 Willoughby Ave, 9th Floor Conference Room B
Juneau, AK 99801**

**Please E-Mail realestateappraisers@alaska.gov
For Zoom Link and Call in Number**

May 19, 2020

9:00 AM

DRAFT Meeting Agenda

- | | | |
|-----------|--|---------|
| 11. 11:30 | ASC Appraiser Survey | Bonnell |
| 12. 11:45 | Board Business <ul style="list-style-type: none">• Create Task List• Suggest Upcoming Agenda Items• Pearson Vue Testing Center Information | Chair |
| 13. 12:00 | Adjourn | Chair |

Review / Approve 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 Monday, March 2nd, 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 teleconference on
17 Monday, December 9th, 2019.

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

20
21 The meeting was called to order at 9:12 a.m. by David Derry, Chair. Board member Renee Piszczek was
22 absent for roll call but did join the meeting shortly thereafter at 9:15 am.

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

25 David Derry, 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 Shyla Consalo, Investigator III
35 Sher Zinn, Regulations Specialist

41 **Agenda Item #3** **Ethics Report**

42

43 Chair Derry moved on to the ethics report. He stated that he has not received a report of any
44 ethics violations or potential ethics violations from board members or anyone else. He asked the
45 board if there were any violations to report. There were none.

46

47 **Agenda Item #2** **Continuing Education Statement Credits**

48

49 Chair Derry stated that board members or other licensed appraisers can obtain continuing
50 education credits for meeting attendance can do so. Board member Bill Barnes stated that he
51 would like continuing education credits for meeting attendance. It was advised that he would
52 need to fill out the form on the APR website and submit to Chair Derry for a signature. This
53 would be required for CE credits for attendance at the December 9, 2019 meeting and the
54 November 1, 2019 meeting as well.

55

56 **Agenda Item #4** **Review / Approve Agenda**

57

58 The board reviewed the agenda. There were no suggested changes to the DRAFT agenda. OLE
59 Wiard noticed later that the approval of past meeting minutes had February 28, 2020 listed as a
60 meeting date instead of February 18, 2020 which was the date of the APR Subcommittee
61 meeting which the minutes needed to be voted on. OLE Wiard made the date change after the
62 board vote.

63

64 **On a motion made by Renee Piszczek, seconded by Bill Barnes, and passed unanimously, it**
65 **was RESOLVED to APPROVE the agenda.**

66

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

68

69 The board reviewed the meeting minutes from the December 9, 2019 board meeting. There was
70 one suggested change on line 209 to include that board member Bill Barnes was present and
71 approved the motion.

72

73 **On a motion made by Bill Barnes, seconded by Renee Piszczek, and passed unanimously, it**
74 **was RESOLVED to APPROVE the meeting minutes from the December 9, 2019 board**
75 **meeting as amended.**

76

77 The board moved on to review the draft meeting minutes from the February 18, 2020 APR
78 Regulations Subcommittee meeting minutes. Board member Bill Barnes stated line 90 should

79 read loan to value or LTV instead of loan value. Chair Derry noted on line 107 should state
80 Dodd-Frank Act instead of the Frank-Dodd Act.

81

82 **On a motion made by Dave Derry, seconded by Bill Barnes, and passed unanimously, it**
83 **was RESOLVED to APPROVE the meeting minutes from the February 18, 2020 APR**
84 **Regulations Subcommittee meeting as amended.**

85

86 The board was several minutes ahead of schedule took a quick break prior to the investigative
87 report.

88

89 Off Record: 9:25 am

90 On Record: 9:30 am

91

92 **Agenda Item #6 Investigative Report**

93

94 Shyla joined the board to provide the investigative report at 9:28 AM. The report covered the
95 period of 11/19/2019 – 02/20/2020. The division opened 4 matters, closed 4 matters and 8
96 matters remained open. These did not cover continuing education audits and consent agreements
97 being handled by the paralegal.

98

99 Chair Derry asked about open cases from 2018. Ms. Consalo stated that it took almost a year for
100 the licensee to respond and the case is being fought. She did notice a trend with appraisers that
101 any disciplinary matters and recommendations are not being readily accepted by the appraisers,
102 they are obtaining lawyers and going to court. This is due to the affects the reprimands has on
103 the appraiser's careers.

104

105 Board member Bill Barnes asked if there was anything in law that requires a real estate appraiser
106 to promptly reply to investigative accusations and letters? Ms. Consalo stated there is no time
107 frame in APR statute or regulation to prompt a reply from a respondent. She did state that once a
108 very lengthy process is exhausted, the respondent may receive an additional violation. For this to
109 happen, investigative staff goes through a very lengthy process to ensure a respondent has every
110 opportunity to respond to investigative correspondence and voice mails. This process takes
111 several months.

112

113 A brief discussion ensued and a timeframe for response or cooperation in statute or regulation
114 would be helpful in expediting the investigation process for open cases. This would give
115 investigators some opportunity to hold the respondent's feet to the fire. Some respondents
116 simply postpone replying to any letters or voicemails from the investigative staff. Bill Barnes

117 had concerns licensees were out in the field with potential violations of incompetence and
118 ignoring correspondence from investigators.

119

120 **Agenda Item #8** **Public Comment**

121

122 The board was available at 10:00 am as listed on the agenda for public comment. There were no
123 members of the public calling in or showing up in person to make a comment. Chair Derry had
124 expected someone to call in. Apparently, Pearson Vue is still not allowing test takers to use
125 more than 1 dry erase board per test even though there is no requirement for only allowing 1 dry
126 erase board from the Division, the board or the ASC. The board took a brief break before
127 moving on to the next agenda item. It was asked that the CBPL Division clear this up with
128 Pearson Vue.

129

130 Off Record: 10:11 am

131

On Record: 10:15 am

132

133 The board took roll call upon return from break.

134

135 Those present, constituting a quorum of the Board:

136 David Derry, Certified General Real Estate Appraiser

137 William Barnes, Certified Residential or General Real Estate Appraiser

138 Renee Piszczek, Mortgage Lending Member

139 Ashlee Stetson, Public Member

140

141 **Agenda Item #9** **Vote/Discuss Pending & Remanded Applications**

142

143 Chair Derry brought the board to the next application. It was inquired if executive session was
144 required and OLE Wiard stated that there was no reason for the board to go into executive
145 session unless it was for any of the reasons set out in AS 44.62.310(c). OLE Wiard stated the
146 application was being presented to the board for a vote. Chair Derry stated the board had voted
147 already. OLE Wiard stated the application had been voted on, there was a remand order and now
148 it was being asked for a board vote again. Chair Derry wanted to know who was asking for a
149 vote and it was determined to be the applicant who was requesting the vote.

150

151 Discussion ensued and it was stated the remand asked the board to determine if the applicants
152 work product submission qualified as non-residential work and met USPAP compliance? The
153 board voted to request new work products and the information necessary to make a USPAP
154 determination. It was stated the applicant responded with an additional report but not the work
155 product necessary to determine USPAP compliance. It was stated to the Chair's knowledge; the

156 board had never received 2 of the requested work files to determine the USPAP compliance.
157 Chair Derry asked if he was missing some information. He asked if the applicant had responded
158 with any of the requested information. He stated the board acted promptly in response to the
159 remand order and have been waiting for quite some time for a response from the applicant. It
160 was stated by the chair that none of the board members suggested this application be brought to
161 the meeting for a vote due to the absence of the additionally requested information. Board
162 member Ashlee Stetson asked board member Bill Barnes to expand on his review of the
163 information the applicant did provide.

164

165 Bill Barnes stated the applicant submitted 32-33 pages of experience credits with his application
166 for a general appraisal license. The supervisory appraiser for the applicant stated on each of the
167 pages of experience credits that there was no commercial work experience. Bill Barnes stated
168 that the supervisors statement means there was residential work experience but no general work
169 experience. Bill Barnes explained that stating no commercial work experience on the work logs
170 is synonymous with stating no general work experience. Bill stated that the original application
171 did not meet the standards for licensure set out in the APR statutes and regulations due to the
172 lack of general appraisal experience.

173

174 The application was remanded to the board by the administrative law judge after the original
175 denial. The board was requested to verify the work experience in the application one more time
176 and review the application for USPAP compliance. The board decided to ask for the work files
177 for two of the three original work product submissions along with the work files for three
178 additional work product submissions. This request was made so the board could verify
179 compliance of standards 1 and 2 of USPAP. It was stated almost all the work products submitted
180 in the original application contained restricted reports. One of the USPAP requirements for a
181 restricted report is to keep a file memorandum for 5 years showing the data and analyses the
182 appraiser used to come up with the value. The restricted report submitted did not show any data
183 or analyses used by the applicant to obtain the value.

184

185 In a regular report the data and the analyses used to obtain the value is in the report. This is not
186 the case with restricted appraisal reports. The board requested the work files and the additional
187 work products after the remand. The applicant declined to submit the requested work files to the
188 board and asked for the board to vote on his application. Due to the lack of compliance with the
189 board's request the applicant could not prove he met the experience requirements for licensure.
190 The burden of proof resides with the applicant. Chair Derry reiterated this information.

191

192 During the meeting, OLE Wiard and the board members were forwarded an e-mail the applicant
193 had sent to OLE Supervisor Bonnell on December 12 of 2019. OLE Wiard read and shared the
194 e-mail with the board. The e-mail asked the board to vote on his application and stated he would

195 not be providing any of the additionally requested work product or work files. It was suggested
 196 by board member Stetson to provide a written response to the applicant stating what the remand
 197 letter asked for and how his lack of response contributed to the outcome of his license. OLE
 198 Wiard informed the board that they could provide that information in a denial letter as a point of
 199 clarification if they chose, but the board could only deny an application for a statutory or
 200 regulatory reason if any of the members of the board were going to vote to deny this application.

201
 202 It was reiterated by the chair that without the work files that were requested from the restricted
 203 reports, the board could not determine if the applicant has the 1500 hours of non-residential
 204 appraisal experience or if the applicant was compliant with USPAP. The applicant is required to
 205 do provide proof of both USPAP compliance and the 1500 hours of non-residential experience to
 206 obtain a license as a certified general appraiser in Alaska. The chair also stated that many non-
 207 appraisers do not understand that a restricted report may simply show a value but no information
 208 on how the value was determined.

209
 210 **On a motion made by Ashlee Stetson, seconded by Bill Barnes, and passed unanimously by**
 211 **roll call vote, it was RESOLVED to DENY Cody Haltermans application for certification**
 212 **as a general real estate appraiser in the State of Alaska given special consideration to 12**
 213 **AAC 70.112(F), which states: *work experience verification forms and a log of completed***
 214 ***appraisals that meet the requirements of 12 AAC 70.110 and 12 AAC 70.935(f) and that verify***
 215 ***the real estate appraisal experience required in 12 AAC 70.108(a).***

216

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

217

218 **Agenda Item #10 Division Report**

219

220 Administrative Officer Dumas provided the board with their 2nd QTR 2020 division report.

221

FY 20 1 st & 2 nd Quarter Revenue	FY 20 1 st & 2 nd QTR Expenditures (Non- Investigative)	FY 20 1 st & 2 nd QTR Expenditures (Investigate)	FY 20 1 st & 2 nd QTR Indirect Expenditures	FY 20 1 st & 2 nd QTR total Expenditures	FY 20 1 st & 2 nd QTR Cumulative Surplus (Deficit)
\$40,184.00	-74,318.00	-23,026.00	-26,978	-124,322	\$239,470.00

222

223 Chair Derry was curious to know if the total revenue was for APR and AMC applications
224 combined? It was stated that is correct. He was curious to know where most of the revenue was
225 coming from. It was stated the division does not track revenue at that level but a rough estimate
226 could be made by multiplying number of AMC licenses by cost to see a total and do the same
227 with APR licenses.

228

229 **Agenda Item #11 Professional License Reform**

230

231 OLE Wiard informed the board that SB 157 and HB 216 were being brought to the Legislature
232 by the current administration. Basically, the bills would create a temporary license type for all
233 occupations overseen by the Division of Corporations, Business and Professional licensing. The
234 purpose of the bills is to make professional licenses more accessible to applicants who want to
235 come to Alaska to create employment and business opportunities.

236

237 Boards are being asked to consider and define the crimes that would prevent an applicant from
238 obtaining a license. Additionally, boards are being asked if there would be a time limit since a
239 crime or offense took place, types of rehabilitation the board would consider appropriate to prove
240 corrective action and definitions for terms used to make licensing decisions, good like moral
241 character and moral turpitude. Boards are being asked to get this information in regulation so
242 that licensees have a very clear picture of what they need to complete to obtain their professional
243 license.

244

245 Chair Derry believes the board already has definitions in place for moral character and moral
246 turpitude. He also thought any felony convictions would bar an applicant for licensure. OLE
247 Wiard stated that the definitions would be placed in regulation. Chair Derry stated they would
248 go through the regulation process and would not necessarily need to be made today. Chair Derry
249 proposed the board do some research in statute and regulation as well as the ASC criteria to see
250 if there are already definitions in place. Chair Derry asked Renee if she would be willing to do
251 the research on this topic before the next meeting, including looking at the ASC? She stated she
252 would do that and provide the information to OLE Wiard for the next board meeting. Chair
253 Derry did not see how a new temporary license would be any easier or efficient for an applicant
254 to apply be reciprocity since the APR board already has a license they can obtain through
255 reciprocity. The board decided to break for lunch.

256

257 Off Record: 11:55 AM

258 On Record: 1:01 PM

259

260

261

262 Those present, constituting a quorum of the Board:
263 David Derry, Certified General Real Estate Appraiser
264 William Barnes, Certified Residential or General Real Estate Appraiser
265 Ashlee Stetson, Public Member
266

267 **Agenda Item #13 Regulations Update**
268

269 The board moved on to the regulations update. Chair Derry thanked the division for providing
270 the regulations change process outline that was presented in the board packet. Chair Derry also
271 wanted to thank the regulations subcommittee for meeting and working on the changes for the
272 APR board statutes and regulations.
273

274 Chair Derry stated he had recently attended the Alaska Chapter of the Appraisal Institute's
275 luncheon meeting and while there he requested some input on some of the suggested statute
276 changes. He specifically asked about the 5-year professional liability period for appraisers and
277 the ability of appraisers to perform evaluations. He had asked the chapter to discuss the topics
278 and send a letter to the board at their next board meeting stating their position.
279

280 Regulations specialist Zinn presented her draft of proposed regulation changes for the board to
281 review. Within her draft were proposed changes in red which were suggested by the ASC. The
282 changes in black had already been accepted by the board at the last board meeting. She
283 requested the board review the red changes and decide to approve, adopt or change the proposed
284 drafts.
285

286 The regulations specialist explained that she added a new regulation section to 12 AAC 70.9XX
287 which requires all CE's for license renewal to be completed during the concluding licensing
288 period. The board could approve this new section or amend the current regulation: 12 AAC
289 70.220(a) by adding, "during the concluding licensing period." The request to add this wording
290 has been made for all boards by the Divisions paralegal. Chair Derry liked the idea of adding the
291 wording to existing regulation 12 AAC 70.220(a). The other board members agreed.
292

293 Chair Derry then moved on to the next regulation 12 AAC 70.108(c) which is recommended by
294 the ASC to be repealed. The suggestion was made because it would take a general appraiser
295 over 2 years to reach 3000 hours and more than 12 months for the certified residential to reach
296 1500 hours. ASC believes it will confuse applicants and could be easily challenged. The AQB
297 also has no limit on the number of hours someone can accumulate in 12 months. This regulation
298 also does not reflect the updated 2018 AQB criteria. It was thought by the chair that this
299 regulation may have been overlooked when the regulation change occurred to reflect the 2018
300 AQB change.

301
 302 **On a motion made by Ashlee Stetson, seconded by Bill Barnes, it was RESOLVED by**
 303 **unanimous roll call vote to ACCEPT the following draft regulations to go to public**
 304 **comment:**

- 305 1) Add, “concluding licensing period,” to 12 AAC 70.220 (a).
- 306 2) Repeal 12 AAC 70.108(c).
- 307 3) Amend 12 AAC 70.110 (a) removing, “By a combination of at least three different
- 308 individuals, on,” and “from at least three different individuals.”
- 309 4) Amend 12 AAC 70.160(a)(1)(E)(ii) to add, “for substantive cause,” after
- 310 surrendered.
- 311 5) Amend 12 AAC 70.160(b) to add, “for substantive cause,” after surrendered.
- 312 6) Amend 12 AAC 70.165(3)(C), removing the words, “an employee.”
- 313 7) Amended 12 AAC 70.165 by adding a new subsection to read: “(b) A real estate
- 314 appraisal management company may not remove an appraiser from the appraisal
- 315 panel until after (1) written notice has been sent to the appraiser of the removal
- 316 from the appraiser panel with an explanation and reason for their action; (2) a
- 317 written notice is received from the appraiser asking to be removed from the
- 318 appraiser panel; or (3) notice of death or incapacitation of the appraiser has been
- 319 received.”
- 320 8) Amend 12 AAC 70.175(a) adding the word, “covered,” and removing, “federally
- 321 related,” after the word, “for.”
- 322 9) Amend 12 AAC 70.175(b) adding the word, “covered,” and removing, “federally
- 323 related,” after the word, “for.”
- 324 10) Amend 12 AAC 70.990(11) to read, “USPAP means the Uniform Standards of
- 325 Professional Appraisal Practice, as developed by the Appraisal Foundation.
- 326 11) 12 AAC 70.990 is amended adding a new subsection to read:
- 327 ○ (12) covered transactions means any consumer credit transaction secured by
- 328 the consumer’s principal dwelling.
- 329 12) Table review of 12 AAC 70.935(c)(3) for May 19, 2020 board meeting.

330
 331 **Roll Call Vote:**

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

333
 334 OLE Wiard reminded the board that a Regulations Change Questionnaire would need to be
 335 completed for each regulation being changed to complete the process.

337 **Agenda Item #13** **Draft Statute to Impose 5 Year Liability**

338

339 Chair Derry brought up the next item of order on the agenda. The board had voted to develop a
340 statute limiting appraiser professional liability to 5 years. Chair Derry believes this was a change
341 the board wanted when they adopted AMC regulations but could not find legislative support at
342 that time. The APR board would still like to proceed with the development of the statute if they
343 can get support for a bill.

344

345 Chair Derry informed the board that this legislation has been happening nationally. The
346 Appraisal Institute has some state statute changes that they have drafted for this purpose. Chair
347 Derry thought this would be a useful resource for the board in drafting the statute they would like
348 to see. He said it is called, *Statutes of Repose*, on the Appraisal Institute website and they have
349 model language the board can use. He would like the language added to the agenda for the May
350 19, 2020 meeting.

351

352 Discussion ensued about State statutes of limitations and the conversation was brought towards
353 bonds and bonding. Ashlee Stetson was wondering if the bond companies ever had legislation
354 and could possibly help sponsor a statute of limitation bill for appraisers. She was thinking since
355 the verbiage was so small it could be added to another bill. Chair Derry stated that was a good
356 idea as it is a lot of work to pass a bill through legislation. Ashlee Stetson offered to do some
357 research to see if there was a co-op or another organization to determine a vested interest if the
358 board wanted to table the discussion until the next meeting. Chair Derry also asked Sher Zinn to
359 find out what the State of Alaska has in statute regarding professional liability already to which
360 she agreed she would do. Chair Derry also stated the Alaska Chapter of the Appraisal Institute is
361 in favor of this statute change if the board needs testimony.

362

363 **Agenda Item #13** **Statute to Allow Appraisers to Perform Evaluations**

364

365 The board had previously voted to develop a statute that would allow appraisers to perform
366 evaluations that are not USPAP compliant. Due to the change in appraisal thresholds, many
367 lenders and entities are using brokers price opinions and realtor value opinions for the basis of
368 their loan valuations. By allowing certified appraisers to have a USPAP exemption, they could
369 compete in this market. Certified appraisers are the most qualified to perform this type of
370 service anyways and could do so for a smaller fee. The Alaska Chapter of the Appraisal Institute
371 was not in favor of the change. The point was to broaden the scope of work certified appraisers
372 could perform in Alaska. The Appraisal Institute does have model language on their website for
373 this legislation as well.

374

375

376

377

378 **Agenda Item #13** **Statute to Remove More Stringent Than**

379
380 Currently the APR statutes do not allow the board to make regulations and processes for
381 licensure that are more stringent than AQB and other related federal criteria. This is spelled out
382 in AS 08.87.020 (a)(3)(A). Some states do have more stringent requirements in their statutes and
383 regulations. To change this statute the board would need legislative sponsorship. There was
384 brief discussion as to who would carry the water for this. Board member Bill Barnes noted that
385 there was an appraiser in the legislature and although she cannot sponsor a bill that could be a
386 conflict of interest she may be able to point the board members in the right direction for the next
387 legislative session.

388
389 The ASC had brought this up during the audit. It was mostly to point out and remind the board
390 that when they are making regulations, they cannot make them more stringent than federal
391 requirements. Board member Bill Barnes noted that almost anyone can get a reciprocity license
392 in Alaska and they may have obtained their original license fraudulently. He believes anyone
393 coming to Alaska through reciprocity should be required to prove they have performed
394 appraisals to protect the public and the banking system from someone who does not have the
395 experience that would otherwise be required. By removing the no more stringent than this would
396 allow the board to be more stringent if they felt a need to be.

397
398 **Agenda Item #13** **Draft Regulation for Continuing Education**

399
400 The board had previously voted to add a section to the existing regulations allowing applications
401 for continuing education that are already approved by AQB and IDECC to submit the
402 application, fees and proof of AQB and/or IDECC certification to be approved. Those courses
403 not approved by AQB or IDECC would still be required to provide all the items in 12 AAC
404 70.200. The regulations subcommittee had drafted the language to amend the regulation. There
405 was about to be a motion to approve the draft but some possible changes were brought to the
406 boards attention by OLE Wiard. It was suggested to keep the requirements for the submission of
407 the application and pay the required fees. Regulations Specialist Zinn recommended mirroring
408 the language of other boards to keep language consistent across boards.

409
410 **On a motion made by Bill Barnes, seconded by Ashlee Stetson, and passed unanimously by**
411 **roll call vote, it was RESOLVED to APPROVE the changes to 12 AAC 70.200 adding sub-**
412 **section (f) to allow courses and seminars approved by the AQB and/or IDECC to apply,**
413 **pay the application fees and provide proof of AQB and IDECC certification to be approved**
414 **by the board. This language could be modified by the regulations specialist as needed.**

415
416 **Roll Call Vote:**

417

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

418

419 **Agenda Item #13 Application Deadline**

420

421 There is currently a regulation that requires applications be complete for 15 days before board
422 review. This currently slows down the processing of applications. This regulation was not
423 known by the chair or other board members.

424

425 **On a motion made by Ashlee Stetson, seconded by Bill Barnes, and passed unanimously by**
426 **roll call vote, it was RESOLVED to APPROVE the repeal of 12 AAC 70.150.**

427

428 **Roll Call Vote:**

429

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

430

431

432 Chair Derry went back to the regulation change for 12 AAC 70.108(c) to change the wording,
433 “in effect,” to applicable as of the date of appraisal. He stated USPAP applies to the date of
434 appraisal not the effective appraisal date and there can be some confusion about that. This would
435 be another amendment to the previously approved change.

436

437 **On a motion made by Bill Barnes, seconded by Bill Barnes, and passed unanimously by roll**
438 **call vote, it was RESOLVED to APPROVE the amendment of 12 AAC 70.108 (a) and (b)**
439 **after the word USPAP to be revised to, “applicable as of the date of appraisal,” and**
440 **removing, “in effect at the time that the work experience was obtained.”**

441

442

443

444

445 **Roll Call Vote:**

446

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

447

448 **Agenda Item #13 Online Continuing Education**

449

450 The ASC does not limit the number of online continuing education that a certified appraiser can
451 take. The APR board has a regulation that allows half of the courses to be taken online and the
452 other half are to be taken in person in a traditional classroom setting. This topic has been
453 discussed by the board at least 2 times in the past and they have maintained the regulation
454 allowing no more than half the continuing education to be completed online. The Alaska Chapter
455 of the Appraisal Institute was also reported to be in favor of the regulation.

456

457 Board member Ashlee Stetson discussed Alaska’s unique geographic makeup as a possible
458 reason to allow all required CE’s to be taken online. She stated distance learning in the state is
459 becoming more popular why would the board want to limit opportunities for people in rural
460 Alaska. Chair Derry stated that there seems to be enough opportunity for licensees to take in
461 person classes as they are regularly offered in Fairbanks, Anchorage and SE Alaska. He stated
462 there was not really an impediment to get to in person classes in Alaska and licensees were able
463 to do this.

464

465 Chair Derry stated that being in a room with peers for a class is much more beneficial due to the
466 exchange of information and knowledge. He stated that due to his limited office size the
467 interchange with other professionals was extremely helpful. Board member Ashlee Stetson
468 asked how many appraisers were residing off the road system and it was stated the majority
469 resided in the Anchorage area. Board member Bill Barnes stated the interchange in a classroom
470 setting with a teacher is much better and he personally despises online education. He stated
471 people taking online courses don’t learn anything and just pass exams.

472

473 **On a motion made by Ashlee Stetson, that died on the floor it was proposed to table the**
474 **discussion of 12 AAC 70.220(d), allowing a half of an appraisers continuing education**
475 **courses to be taken online until the May 19, 2020 board meeting.**

476

477 It was stated this topic could be brought up again at another board meeting even though there
478 was not 2nd to the motion. OLE Wiard also informed the board that the Regulation Changes
479 Questionnaire needed to be completed for each regulation the board just voted on. She informed
480 the board that there were 7 forms. Chair Derry asked if they could be downloaded in On Board.

481 Regulations Specialist Zinn stated the board could appoint a member to complete them. Chair
482 Derry recommended they all get divided up among the members and everyone get 1/3. The
483 other board members concurred. Ms. Zinn stated before the regulations could go out for public
484 comment she would need to meeting minutes and the Regulations Change Forms.

485

486 **Agenda Item #14** **Board Business**

487

488 The board discussed when they would have their next board meeting. Chair Derry stated the
489 next meeting was scheduled for May 19, 2020. OLE Wiard did not have that information so she
490 planned to schedule that meeting after the board meeting. The remaining board members set an
491 additional, tentative meeting for September 22, 2020 in person in Anchorage. This date would
492 be finalized with an e-mail to the other board members. OLE also stated she would see if travel
493 could be approved. OLE Wiard also stated she would draft the task list and e-mail to the board
494 members after the meeting. The meeting concluded.

495

496 Off Record: 3:08 PM

497

498 Respectfully Submitted,

499

500

501

502 _____
Tracy Wiard, Licensing Examiner

_____ Date

503

504

505

506 _____
David Derry, Vice Chair

_____ Date

Investigative Report

Investigative Report



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING

Anchorage Office

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Anchorage, Alaska 99501-3567
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Fax: 907. 269.8195

DATE: May 5, 2020
TO: Alaska Board of Certified Real Estate Appraisers
THRU: Amber Whaley, Senior Investigator *AW*
FROM: Autumn Roark, Investigator *AR*
SUBJECT: Certified Real Estate Appraisers Investigative Report for May 19, 2020 Board Meeting

The following information was compiled as an investigative report to the Board for the period from February 21, 2020 through May 5, 2020. Including cases, complaints, and intake matters, since the last report, the Division opened **three (3)** matters and closed **two (2)** matters, a total of **eleven (11)** matters remain on-going and under active investigation or are pending litigation (*as indicated by italics*).

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

<u>CASE#</u>	<u>OPENED</u>	<u>ALLEGED VIOLATION</u>	<u>PROFESSION</u>
2018-000048	01/11/2018	<i>Incompetence</i>	<i>Real Estate Appraiser</i>
2018-001318	11/19/2018	<i>Violation of Licensing Regulation</i>	<i>Real Estate Appraiser</i>
2018-001336	11/19/2018	<i>Incompetence</i>	<i>Real Estate Appraiser</i>
2019-000294	03/14/2019	<i>Violation of Licensing Regulation</i>	<i>Real Estate Appraiser</i>
2019-000655	07/09/2019	<i>License Application Problem</i>	<i>Applicant</i>
2019-001213	10/15/2019	<i>Falsified Application</i>	<i>Appraisal Management Co</i>
2019-001261	10/31/2019	<i>Violation of Licensing Regulation</i>	<i>Real Estate Appraiser</i>
2019-001402	01/21/2020	<i>Incompetence</i>	<i>Real Estate Appraiser</i>
2020-000026	01/08/2020	<i>Violation of Licensing Regulation</i>	<i>Real Estate Appraiser</i>
2020-000318	03/25/2020	<i>Incompetence</i>	<i>Real Estate Appraiser</i>
2020-000401	04/23/2020	<i>Violation of Licensing Regulation</i>	<i>Real Estate Appraiser</i>

OPEN CASES: TOTAL = 11

*** Indicates a matter with license action before the Board for consideration at this meeting.*

INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING:

<u>CASE#</u>	<u>CLOSED</u>	<u>VIOLATION</u>	<u>CLOSURE TYPE</u>
2019-001084	04/29/2020	<i>Incompetence</i>	<i>Advisement Letter</i>
2020-000357	04/13/2020	<i>Violation of Licensing Regulation</i>	<i>Incomplete Complaint</i>

CLOSED CASES: TOTAL = 2

Break

Public Comment

Division Report

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	\$ 49,440	\$ 272,590	\$ 322,030	\$ 76,010	\$ 190,565	\$ 266,575	\$ 53,160
Allowable Third Party Reimbursements	1,499	-	1,499	-	5,827	5,827	1,534	4,314	5,848	2,559
TOTAL REVENUE	\$ 57,749	\$ 279,525	\$ 337,274	\$ 49,440	\$ 278,417	\$ 327,857	\$ 77,544	\$ 194,879	\$ 272,423	\$ 55,719
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	78,025
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	15,848
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	96,408
Investigation Expenditures										
1000-Personal Services	6,273	10,239	16,512	3,464	19,945	23,409	25,013	18,383	43,396	23,841
2000 - Travel								1,050	1,050	2,546
3023 - Expert Witness	1,625	-	1,625	-	-	-	3,485	1,050	4,535	2,850
3088 - Inter-Agency Legal	12,055	439	12,494	-	-	-	33	33	66	507
3094 - Inter-Agency Hearing/Mediation	-	-	-	-	-	-	217	-	217	-
3000 - Services other								633	633	70
4000 - Commodities								-	-	-
Total Investigation Expenditures	19,952	10,678	30,631	3,464	19,945	23,409	28,748	21,149	49,897	29,814
Total Direct Expenditures	52,814	89,169	141,983	59,784	51,659	111,443	98,416	134,408	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	36,413	15,529
Departmental Costs	7,280	13,937	21,217	8,446	7,009	15,455	13,293	21,286	34,579	15,965
Statewide Costs	5,311	8,721	14,032	3,280	2,319	5,599	7,826	11,964	19,790	8,973
Total Indirect Expenditures	20,937	33,105	54,042	21,626	18,550	40,176	36,827	53,955	90,782	40,467
TOTAL EXPENDITURES	\$ 73,751	\$ 122,274	\$ 196,025	\$ 81,410	\$ 70,209	\$ 151,619	\$ 135,243	\$ 188,363	\$ 323,606	\$ 166,689
Cumulative Surplus (Deficit)										
Beginning Cumulative Surplus (Deficit)	\$ 57,304	\$ 41,302		\$ 198,553	\$ 166,583		\$ 374,791	\$ 317,092		\$ 323,608
Annual Increase/(Decrease)	(16,002)	157,251		(31,970)	208,208		(57,699)	6,516		(110,970)
Ending Cumulative Surplus (Deficit)	\$ 41,302	\$ 198,553		\$ 166,583	\$ 374,791		\$ 317,092	\$ 323,608		\$ 212,638
Statistical Information										
Number of Licensees	290	319		287	346		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 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

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Appropriation	(All)
AL Sub Unit	(All)
PL Task Code	APR1

Sum of Expenditures Object Name (Ex)	Object Type Name (Ex)				Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodities	
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 Trst	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

Regulations Update

Chapter 70. Board of Certified Real Estate Appraisers.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

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 (USPSP) **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 ____/____/____. [AN APPLICANT MAY NOT RECEIVE CREDIT FOR MORE THAN 1,250 HOURS OF EXPERIENCE IN REAL PROPERTY APPRAISAL IN A

Register _____, _____ 2020 PROFESSIONAL REGULATIONS

12-MONTH PERIOD.]

(Eff. 12/13/94, Register 133; am 2/13/2002, Register 161; am 4/16/2004, Register 170; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am 3/28/2019, Register 229; am ____/____/____, Register ____)

Authority: AS 08.87.020

12 AAC 70.110(a) is amended to read:

(a) An applicant's qualifying work experience must be verified [BY A 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 LEAST THREE DIFFERENT INDIVIDUALS], 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 ____/____/____, Register ____)

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

Register _____, _____ 2020 PROFESSIONAL REGULATIONS

REVIEW.] (Eff. 12/13/94, Register 133; am 6/13/97, Register 142; repealed ____/____/____, Register ____)

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

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.

(Eff. 3/28/2019, Register 229; am ____/____/____, Register ____)

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 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 ____/____/____, Register _____)

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 ____/____/____, Register _____)

Register _____, _____ 2020 PROFESSIONAL REGULATIONS

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:

(f) A person or an organization wishing to sponsor a real estate appraisal continuing education course or seminar that is approved by the AQB or the 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 ____/____/____, Register ____)

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;**

(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

Register _____, _____ 2020 PROFESSIONAL REGULATIONS

9/14/2012, Register 203; am 6/28/2015, Register 214; am ____/____/____, Register ____)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.990(11) is amended to read:

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

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

(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 ____/____/____, Register ____)

Authority: AS 08.87.020

12 AAC 70.220. HOURS OF CONTINUING EDUCATION REQUIRED. (a) At the time of certificate renewal, an applicant for renewal who has been certified for

(1) 24 months or more shall document satisfactory completion of at least 28 hours of continuing education;

(2) at least 185 days, but less than 24 months, shall document satisfactory completion of at least 14 hours of continuing education;

(3) less than 185 days is not required to meet continuing education requirements for that renewal.

(b) The board will not recognize continuing education hours claimed by an applicant for renewal for taking the same, or substantially identical, course more than once during a certification period.

(c) Except as provided in (d) of this section, credit is given for classroom and examination hours only and not for hours devoted to class preparation or completion of assignments. A classroom hour is defined in 12 AAC 70.910.

(d) Up to one-half of the hours required by this section may be obtained through distance education approved under 12 AAC 70.210 or online courses approved under 12 AAC 70.215.

(e) As part of the requirements of (a)(1) of this section, an applicant for renewal of a certificate shall document satisfactory completion of a seven-hour National USPAP Update Course, taught by an Appraiser Qualifications Board certified instructor who is a certified appraiser. The board will accept courses determined as equivalent by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation. Completion of the 15-hour national USPAP course used for certification under 12 AAC 70.115 may not be used to satisfy the continuing education renewal requirements of the seven-hour USPAP Update Course required in this subsection.

12 AAC 70.935. SUPERVISION OF TRAINEE APPRAISERS. (a) A supervisory appraiser shall

(1) be in good standing in this state and not subject to any disciplinary action within any jurisdiction within the last three years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice; a supervisory appraiser subject to a disciplinary action is in good standing three years after the successful completion or termination of the sanction imposed against the appraiser;

(2) have been a state-certified appraiser for at least three years before being eligible to become a supervisory appraiser; and

(3) comply with the Competency Rule of the Uniform Standards of Professional Appraisal Practice for the property type and geographic location for which the trainee supervisor is being supervised.

(b) A supervisory appraiser may not supervise more than three trainee appraisers at one time.

(c) A supervisory appraiser shall be responsible for the training, guidance, and direct supervision of the trainee appraiser by

(1) accepting responsibility for a trainee appraiser's appraisal reports by signing each report and certifying that the report is in compliance with the Uniform Standards of Professional Appraisal Practice;

(2) reviewing the trainee appraisal reports; and

(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.

(d) A trainee appraiser shall report to the department, on a form provided by the department, the identity of any supervisory appraiser. A trainee appraiser may have more than one supervisory appraiser. If a trainee appraiser has more than one supervisory appraiser, the trainee appraiser shall report the identity of each supervisory appraiser as required under this subsection.

(e) A supervisor-trainee relationship becomes effective on the date of receipt by the department of the original required form with original signatures.

(f) The supervisory appraiser and the trainee appraiser shall jointly maintain an appraisal log that for each appraisal includes at least

- (1) identification of the type of property;
- (2) the date of the report;
- (3) the address of the appraised property;
- (4) a description of work performed by the trainee appraiser and the scope of the review and supervision of the supervisory appraiser;
- (5) the number of actual work hours by the trainee appraiser on the assignment; and
- (6) the signature and state certification number of the supervisory appraiser; separate appraisal logs shall be maintained for each supervisory appraiser, if applicable.

(g) Before supervising a trainee appraiser, a supervisory appraiser shall complete a course that

- (1) complies with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and
- (2) is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers.

(h) The course that an applicant for certification under 12 AAC 70.125 as a trainee appraiser must take

- (1) must
 - (A) comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and
 - (B) be specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers; and
- (2) is not eligible towards the 75 hours of qualifying education required under 12 AAC 70.125.

1.
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The **Alaska Statute of Limitations** for civil actions sets a time limit after an injury or civil wrong occurs, during which an injured party can file a lawsuit. After that period of time expires, the injured party is no longer permitted to file a claim in an Alaska state court to litigate that matter. The statute ensures that lawsuits that have merit and worthy of being heard are filed within a reasonable time or not at all.

How Does the Statute of Limitations Operate?

The period of time to file a claim will vary depending upon the type of incident that occurred. A claim against a doctor for medical malpractice may be for a different length of time than against an accountant for negligence or fraud. The Alaska statute of limitations can generally be found within the *Alaska Statutes, Title 9, Chapter 9.10* and covers the following rules and exceptions in greater detail.

When does the Alaska Statute of Limitations Begin?

Other than for specific exceptions, the Alaska statute of limitations generally begins to run at the time when a "cause of action arises" - in other words, at the time when an injury occurs that would qualify for a lawsuit to be filed in an Alaska state court.

What is the Discovery Rule?

There are times when a person is unable to discover that they have been injured. For example, fraud that is concealed by an accountant and is not easily discoverable or a medical condition resulting from a doctor's misdiagnosis that can only be detected after the patient's health deteriorates. It wouldn't be fair or reasonable to require the injured party to file a lawsuit when they could not have detected the injury. As a result, in some instances the Alaska statute of limitations begins to run from the time the injured party discovers or should have discovered that they have been injured.

Delaying or Tolling the Alaska Statute of Limitations

In certain circumstances, fairness would require that the statute of limitations be delayed for a period of time. A party may not have the ability to bring a case even though they are aware of an injury or damages. Delaying or "tolling" the statute of limitations typically occurs when the plaintiff is "disabled" - such as a minor child or a person who is mentally incompetent or bankrupt. Once the disability ends, the statute of limitations begins to run.

Calculating the length of time that a plaintiff has to file a lawsuit is complicated and involves many factors and exceptions. Parties that have suffered significant injuries or

damages may wish to [consult with an Alaska attorney](#) to ensure that all claims and notices are filed within the time limits set forth by law.

[Alaska Department of Law: Alaska Statutes](#)

Personal Injury and Negligence

2 years, generally.

Wrongful Death

2 years. See the statute of repose for extended time.

Medical Malpractice

2 years, generally.

Legal and Professional Malpractice

2 years.

Products Liability

2 years.

Assault and Battery

2 years.

False Imprisonment

2 years.

Contracts

Written contracts 3 years. Oral contracts 3 years.

Fraud

10 years.

Personal Property Damages

2 years.

Trespass

6 years.

Libel / Slander / Defamation

2 years from the date of publication (or the date when spoken).

Debt Collection Accounts

10 years.

Collection of Rent

10 years.

Judgment Enforcement
10 years.

Liability of State and Municipalities
Claims against the State may be made in state court.
No-Fault Insurance
None.

Consumer Fraud Complaints
[Alaska Office of the Attorney General](#)

Telephone: (907) 465-3600

Please Take Note: *The statute of limitations laws presented are strictly provided to you “as-is”. While we believe that the legal information is accurate as of the date created, we cannot and do not provide any guarantee, analysis or conclusions. The law may have changed since this article was published. The only way to ensure that the statute of limitations law you are reading is up to date and applies to your specific issue, is to have a legal consultation with an attorney licensed to practice law in the state of Alaska.*

Statutes-

[Chapter 10. Limitations of Actions.](#)

Sec. 09.10.010. General limitations on civil actions.

A person may not commence a civil action except within the periods prescribed in this chapter after the cause of action has accrued, except when, in special cases, a different limitation is prescribed by statute.

Sec. 09.10.030. Actions to recover real property.

(a) Except as provided in (b) of this section, a person may not bring an action for the recovery of real property or for the recovery of the possession of it unless the action is commenced within 10 years. An action may not be maintained under this subsection for the recovery unless it appears that the plaintiff, an ancestor, a predecessor, or the grantor of the plaintiff was seized or possessed of the premises in question within 10 years before the commencement of the action.

(b) An action may be brought at any time by a person who was seized or possessed of the real property in question at some time before the commencement of the action or whose grantor or predecessor was seized or possessed of the real property in question at some time before commencement of the action, and whose ownership interest in the real property is recorded under [AS 40.17](#), in order to

(1) quiet title to that real property; or

(2) eject a person from that real property.

Sec. 09.10.040. Action upon judgment or sealed instrument in 10 years.

(a) A person may not bring an action upon a judgment or decree of a court of the United States, or of a

state or territory within the United States, and an action may not be brought upon a sealed instrument, unless the action is commenced within 10 years.

Sec. 09.10.050. Certain property actions to be brought in six years.

Unless the action is commenced within six years, a person may not bring an action for waste or trespass upon real property.

Sec. 09.10.053. Contract actions to be brought in three years.

Unless the action is commenced within three years, a person may not bring an action upon a contract or liability, express or implied, except as provided in [AS 09.10.040](#), or as otherwise provided by law, or, except if the provisions of this section are waived by contract.

Sec. 09.10.054. Limits on when certain design, construction, and remodeling actions may be brought.

(a) For actions covered under [AS 09.45.881](#) — 09.45.899, a claimant may not begin an action against a construction professional unless the notice of claim under [AS 09.45.881](#) is given within one year after the claimant discovers the defect that is the subject of the action, except that the action may not be begun more than 10 years after substantial completion of the dwelling construction or remodeling that contains or implements the alleged defect.

(b) A limitation imposed under this chapter for an action under [AS 09.45.881](#) — 09.45.899 is tolled between the time the claimant serves notice under [AS 09.45.881](#) and the time the claimant should reasonably understand that settlement under the procedures in [AS 09.45.881](#) — 09.45.899 will not succeed.

(c) In this section,

(1) “action,” “claim,” “construction professional,” and “dwelling” have the meanings given in [AS 09.45.899](#);

(2) “substantial completion” means the date when the construction or remodeling is sufficiently completed to allow the owner of the dwelling or a person authorized by the owner to use or occupy the dwelling or the improvement to the dwelling in the manner for which the dwelling or improvement was intended.

Sec. 09.10.055. Statute of repose of 10 years.

(a) Notwithstanding the disability of minority described under [AS 09.10.140\(a\)](#), a person may not bring an action for personal injury, death, or property damage unless commenced within 10 years of the earlier of the date of

(1) substantial completion of the construction alleged to have caused the personal injury, death, or property damage; however, the limitation of this paragraph does not apply to a claim resulting from an intentional or reckless disregard of specific project design plans and specifications or building codes; in this paragraph, “substantial completion” means the date when construction is sufficiently completed to allow the owner or a person authorized by the owner to occupy the improvement or to use the improvement in the manner for which it was intended; or

(2) the last act alleged to have caused the personal injury, death, or property damage.

(b) This section does not apply if

(1) the personal injury, death, or property damage resulted from

(A) prolonged exposure to hazardous waste;

(B) an intentional act or gross negligence;

(C) fraud or misrepresentation;

(D) breach of an express warranty or guarantee;

(E) a defective product; in this subparagraph, "product" means an object that has intrinsic value, is capable of delivery as an assembled whole or as a component part, and is introduced into trade or commerce; or

(F) breach of trust or fiduciary duty;

(2) the facts that would give notice of a potential cause of action are intentionally concealed;

(3) a shorter period of time for bringing the action is imposed under another provision of law;

(4) the provisions of this section are waived by contract; or

(5) the facts that would constitute accrual of a cause of action of a minor are not discoverable in the exercise of reasonable care by the minor's parent or guardian.

(c) The limitation imposed under (a) of this section is tolled during any period in which there exists the undiscovered presence of a foreign body that has no therapeutic or diagnostic purpose or effect in the body of the injured person and the action is based on the presence of the foreign body.

Sec. 09.10.060. Actions for certain statutory penalties to be brought in three years.

(a) [Repealed, § 2 ch 70 SLA 1996.]

(b) A person may not bring an action upon a statute for penalty or forfeiture where the action is given to the party aggrieved or to that party and the state unless the action is brought within three years, except where the statute imposing it prescribes a different limitation.

(c) [Renumbered as [AS 09.10.065.](#)]

COVID-19 Emergency Regulations

Education:

- Is there any way we can approve online appraiser Continuing Education (CE) courses without IDECC approval?

During this Health Emergency, the Appraiser Qualifications Board (AQB) of The Appraisal Foundation has recommended continuing education (CE) offerings that were originally designed to be presented in a traditional classroom setting can be offered remotely via distance education, without the delivery mechanism approval set forth in Section III.D.3 “Generic Education Criteria” of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:

- 1.The educational offering under consideration is currently approved for traditional classroom presentation;
- 2.The platform utilized for distance education is live and interactive;
- 3.The instructor verifies photo identification of the students; and
- 4.The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course.

The AQB has extended this relief to Trainee/Supervisory courses.

The State may choose to allow CE classroom offerings to be converted to online classes and document* the files accordingly.

- Is there any way we can approve online appraiser Qualifying Education (QE) courses without IDECC approval?

The AQB has not changed the requirements for distance education approval for Qualifying Education.

- Are there any federal live class requirements that must be met in order to obtain or renew an appraisal license?

AQB Criteria allows distance education (online) as well as traditional classroom courses for both Qualifying and Continuing Education.

Coronavirus and Appraisers: Your Questions Answered

How Does the Coronavirus Impact Appraisers?

In response to the growing concerns about COVID-19, commonly referred to as coronavirus, The Appraisal Foundation is providing this assistance to help Appraisers respond to the coronavirus's potential impact on the profession.

Most important is to stay up to date on developments as they are occurring rapidly. The Center for Disease Control and Prevention is providing daily, even hourly updates. Click [here](https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html) (<https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>) for the CDC's website. Check the website often.

The Appraisal Foundation is not a public health authority. Our assistance only applies to the impact on the profession. For public health information, the public health authorities leading on this issue are the [Centers for Disease Control and Prevention](https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html) (<https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>) and the [World Health Organization](https://www.who.int/emergencies/diseases/novel-coronavirus-2019) (<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>).

My state has declared a lock down for all non-essential services. Are appraisers in my state defined as an a non-essential service or an essential service?

Your state appraisal regulator is in the best position to answer this question. The Appraisal Subcommittee has contact information for all state regulators on its website. Click [here](https://www.asc.gov/State-Appraiser-Regulatory-Programs/StateContactInformation.aspx) (<https://www.asc.gov/State-Appraiser-Regulatory-Programs/StateContactInformation.aspx>) for all state regulator contact information.

The U.S. Department of Homeland Security issued guidance that recognizes "Residential and commercial real estate services, including settlement services" as being part of the "Essential Critical Infrastructure" workforce. Click [here](https://appraisalfoundation.sharefile.com/d-s3d2ae107ee044a48) (<https://appraisalfoundation.sharefile.com/d-s3d2ae107ee044a48>) to read the guidance. If a state recognizes this guidance real estate appraisal services performed outside a home office may be allowed to continue with adequate precautions in place. States that recognize this guidance include California, Idaho, Louisiana, Maryland, Michigan, North Carolina, and Ohio. We are also linking to the all the statewide stay-at-home or non-essential business closures. Click [here](https://appraisalfoundation.sharefile.com/d-s059d286f0e14e5bb) (<https://appraisalfoundation.sharefile.com/d-s059d286f0e14e5bb>).

Will the continuing education cycle be extended and will distance education be expanded?

The Appraiser Qualifications Board and the Appraisal Subcommittee are working together to offer relief wherever possible during this unprecedented national emergency. Read the [letter](https://appraisalfoundation.sharefile.com/d-s0a50d8e9003499ca) (<https://appraisalfoundation.sharefile.com/d-s0a50d8e9003499ca>) from the AQB to the ASC.

Will appraiser exams still be offered at this time?

The AQB-approved exam administrators, AMP, PSI and Pearson VUE, are doing their best to continue offering exams at this time, and they have upgraded safety procedures. To get the most up-to-date information for each test administrator, click on these links: AMP, [PSI](https://www.psonline.com/important-notice-update-concerning-covid-19-coronavirus) (<https://www.psonline.com/important-notice-update-concerning-covid-19-coronavirus>) and [Pearson Vue](https://home.pearsonvue.com/coronavirus-update) (<https://home.pearsonvue.com/coronavirus-update>). AMP has not provided updated safety procedures at the time. We will link to them as soon as they do.

NEW Are appraisers required to perform interior inspections of real property during a national health emergency?

These organizations have issued the following guidance:

Appraisal Standards Board

The ASB provides updated guidance on interior inspections during a national health emergency. In addition, the ASB has issued guidance on completing a desktop or exterior-only appraisal, but reporting the results using a GSE form designed for an appraisal with an interior and exterior inspection. Learn how to add proper disclosure and not be misleading. Read the [guidance](https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx) (https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx). The Board has also issued guidance for Personal Property Appraisers - click [here](https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx) (https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx) to read.

NEW The ASB issued guidance on appraisers' receiving interior photos, video, or other technology-based view(s) of the subject, and whether they can state that they performed an interior inspection - click [here](https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx?hkey=29db1bf8-827d-4f7b-b525-06ac9f596637) (https://www.appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx?hkey=29db1bf8-827d-4f7b-b525-06ac9f596637) to read.

Fannie Mae

Fannie Mae issued Lender Letter LL-2020-04 providing temporary guidance on appraisal requirements and completion reports, including allowing exterior-only and desktop appraisals for many transactions. Read the letter on Fannie Mae's COVID-19 page [here](https://www.fanniemae.com/portal/covid-19.html) (<https://www.fanniemae.com/portal/covid-19.html>) .

Freddie Mac

Freddie Mac is revising its appraisal inspection and reporting requirements. Freddie Mac will accept either an appraisal with an exterior-only inspection or a desktop appraisal under certain conditions. Read Freddie Mac's temporary appraisal flexibilities on its bulletin page [here](https://guide.freddiemac.com/app/guide/bulletins) (<https://guide.freddiemac.com/app/guide/bulletins>) .

Federal Deposit Insurance Corporation

FDIC has compiled a list of FAQs, which answers questions about inspections (Answer # 12) and Appraisals (Answer # 13). Read the FAQs [here](https://appraisalfoundation.sharefile.com/share/view/s1c12364968841e8a) (<https://appraisalfoundation.sharefile.com/share/view/s1c12364968841e8a>) . Click [here](https://www.fdic.gov/coronavirus/index.html) (<https://www.fdic.gov/coronavirus/index.html>) to read FDIC's entire COVID-19 webpage.

Federal Housing Administration

FHA released a new Mortgagee Letter announcing guidance for property appraisals that can be done through either exterior-only inspections or desktop-only appraisals. Read the Mortgagee Letter [here](https://www.hud.gov/sites/dfiles/OCHCO/documents/20-05hsgml.pdf) (<https://www.hud.gov/sites/dfiles/OCHCO/documents/20-05hsgml.pdf>) . FHA has also posted a Q&A on COVID-19. Click [here](https://www.hud.gov/sites/dfiles/SFH/documents/SFH_COVID_19_QA.pdf) (https://www.hud.gov/sites/dfiles/SFH/documents/SFH_COVID_19_QA.pdf) to read.

U.S. Department of Veterans Affairs

The VA issued a letter providing guidance on appraisal requirement for VA loans. Click [here](https://appraisalfoundation.sharefile.com/d-s12dfd7c461f4c5ba) (<https://appraisalfoundation.sharefile.com/d-s12dfd7c461f4c5ba>) to read the letter. The VA also issued guidance modifying the appraisal report for desktop appraisals. Click [here](https://appraisalfoundation.sharefile.com/d-seb84109d6cd4fb6b) (<https://appraisalfoundation.sharefile.com/d-seb84109d6cd4fb6b>) to read the letter.

USDA Rural Development

USDA Rural Development announced it is granting lenders temporary exceptions pertaining to appraisals, repair inspections and income verification for the Single-Family Housing Guaranteed Loan Program. Click [here](https://www.rd.usda.gov/sites/default/files/USDA_RD_SA_COVID_GovDelivery_SFH_Origination03272020.pdf) (https://www.rd.usda.gov/sites/default/files/USDA_RD_SA_COVID_GovDelivery_SFH_Origination03272020.pdf) to read the announcement.

What is the status of The Appraisal Foundation's Meetings?

The AQB Certified USPAP Instructor Course originally scheduled for March 26 to 29 has been postponed to July 26 to 28. The Foundation will be deferring your registration fee until the July meeting. Please check with your airline directly as many are offering waivers for travelers with reservations in March and April. If no waivers are offered, you will need to cancel your reservation. The Foundation is working directly with the Embassy Suites about the future arrangements. Right now, you need to cancel your current hotel reservation. When all the details are finalized, the Foundation will immediately notify course registrants about rebooking hotel and flight arrangements.

The originally scheduled Appraiser Qualifications Board public meeting on May 15 will now be a virtual meeting starting at 1:00 PM Eastern. Hear the latest information from the Foundation, the Appraisal Standards Board and the Appraiser Qualifications Board. Topics will include updated on the AQB's recent activities and an updated on crisis-related guidance such recommendations concerning distance learning and extension of continuing education cycle. Click [here](https://appraisalfoundation.sharefile.com/share/view/sa4c49eb91d74120b) (<https://appraisalfoundation.sharefile.com/share/view/sa4c49eb91d74120b>) to read the AQB's letter. To register to watch this virtual meeting, click [here](https://zoom.us/webinar/register/WN_FUzVL7xeQ6eP_dc8Yh-2lg) (https://zoom.us/webinar/register/WN_FUzVL7xeQ6eP_dc8Yh-2lg).

The AARO/Foundation Steering Committee has cancelled the 2020 Investigator Training course series. Anyone registered for these courses has received notification of the change and instructions on how to get reimbursed for airline fees that they weren't able to get

credited/refunded. The Steering Committee will reassess the situation over the summer. At that time a decision will be made on whether or not to offer the Level I course on September 14-16 in Tampa, FL. We will notify you of any such decision. At this time, there is no intent to hold Levels II and III in 2020.

For more information about the status of the future meetings, please check back here.

Are there Unique Issues That the Coronavirus Presents to the Appraisal Profession?

Just as other real estate professionals, appraisers must be mindful of their obligations under the Fair Housing Act, and be sure not to discriminate against any particular segment of the population. While the coronavirus outbreak began in Wuhan, China, that does not provide a basis for treating Chinese persons or persons of Asian descent differently.

Is there anything else Appraisers should do?

Yes. Do not panic, stay informed, and use your best judgment. The situation is rapidly changing, so focus on putting policies and procedures in place to keep your clients informed.

Media Contact:

The Appraisal Foundation

info@appraisalfoundation.org (<mailto:info@appraisalfoundation.org>)



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<https://twitter.com/uspap>

<http://www.linkedin.com/company/the-appraisal-foundation>

<https://www.youtube.com/user/appraisalfoundation>

Welcome to The Appraisal Foundation's Website

Learn more »

http://tafapp.advsolhosting.net/imis/TAF/About_Us/TAF/About_Us:hkey=800ad342-8e15-4010-b123-64e5e2159269

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(http://appraisalfoundation.org/iMIS/TAF/TAF_Privacy_Policy.aspx)



Appraisal Subcommittee

Federal Financial Institutions Examination Council

COVID-19 Health Emergency Frequently Asked Questions of the Appraisal Subcommittee (ASC)

Disclaimer: The responses/opinions below are provided by ASC staff in response to common inquiries from State Appraiser and AMC Regulatory Agencies during the COVID-19 Health Emergency, and do not represent the responses/opinions of the Appraisal Subcommittee.

Appraiser Program Questions

Temporary Practice:

- What if we cannot process temporary practice applications within five business days?

ASC Policy Statement 2 requires State Appraiser Programs to issue temporary practice permits within five business days of receipt of a completed application. However, it also allows flexibility as long as the State documents* the file as to the circumstances justifying the delay or other action. Please contact your assigned ASC Policy Manager if you have specific questions.

- Our State requires fingerprinting background checks for temporary practice applicants. We have been notified that fingerprinting is not available at this time. What can we do?

Fingerprint background checks are a State requirement, not federal. You could consult with your attorney to see if you have the ability to waive or defer this type of background check in lieu of a different type of background check or self-reporting.

Appraiser Registry:

- What if we cannot submit updates to the Appraiser Registry?

Contact your assigned ASC Policy Manager. ASC IT will help the States keep the Registries updated, including adding information for the State.

- What if we cannot pay the ASC invoices?

Contact your assigned ASC Policy Manager. The ASC will work with States if they are unable to process invoices during this emergency.

Education:

- Is there any way we can approve online appraiser Continuing Education (CE) courses without IDECC approval?

During this Health Emergency, the Appraiser Qualifications Board (AQB) of The Appraisal Foundation has recommended continuing education (CE) offerings that were originally designed to be presented in a traditional classroom setting can be offered remotely via distance education, without the delivery mechanism approval set forth in Section III.D.3 “Generic Education Criteria” of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:



Appraisal Subcommittee

Federal Financial Institutions Examination Council

1. The educational offering under consideration is **currently approved** for traditional classroom presentation;
2. The platform utilized for distance education is live and interactive;
3. The instructor verifies photo identification of the students; and
4. The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course.

The AQB has extended this relief to Trainee/Supervisory courses.

The State may choose to allow CE classroom offerings to be converted to online classes and document* the files accordingly.

- Is there any way we can approve online appraiser Qualifying Education (QE) courses without IDECC approval?

The AQB has not changed the requirements for distance education approval for Qualifying Education.

- Are there any federal live class requirements that must be met in order to obtain or renew an appraisal license?

AQB Criteria allows distance education (online) as well as traditional classroom courses for both Qualifying and Continuing Education.

Applications:

- Our board meetings have been cancelled due to the COVID-19 Health Emergency until further notice. We may have trouble meeting timelines for processing applications. Will we be out of compliance?

ASC Policy Statement 4 states that applications for credentialing should be timely processed by State agencies (within 90 calendar days after receipt of a completed application). However, it also allows flexibility if the files are sufficiently documented* to explain the basis for the delay.

- Will there be any allowances made for CE requirements due to the COVID-19 Health Emergency situation?

Section III.F.13 “Criteria Specific to Continuing Education” of the Criteria includes provisions for States agencies impacted by a State, or federally declared disaster, to allow credential holders an additional 90 days to complete their required continuing education. The current National Emergency is a federally declared disaster, and therefore qualifies for State agencies to use the



Appraisal Subcommittee

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90-day extension during this crisis. Please contact your assigned ASC Policy Manager if you know you are planning to extend appraiser credentials.

- What if our State Governor issues executive orders relating to renewal of licenses, and other orders that may result in our State Program being out of compliance with Title XI requirements?

Please contact your assigned ASC Policy Manager to discuss. The ASC will work with a State in these instances.

- Is the AQB offering any relief regarding Trainee/Supervisory appraiser course delivery?

The AQB temporary relief to allow CE education offerings originally designed for traditional classroom settings to be offered remotely includes the Trainee/Supervisory appraiser course.

Reciprocity:

- Our State requires letters of good standing from each State that a reciprocal applicant is currently credentialed in before we issue a reciprocal credential. We may have an issue receiving those letters from the other States. What should we do?

The ASC encourages States to rely on the private side of the Appraiser Registry to verify a reciprocal applicant's current status instead of asking for letters of good standing from other State appraiser programs. This is always an option available to the States.

- Our State requires fingerprinting background checks for appraiser applicants. We have been notified that fingerprinting is not available at this time. What can we do?

Fingerprint background checks are a State requirement, not federal. You could consult with your attorney to see if you have the ability to waive or defer this type of background check in lieu of a different type of background check or self-reporting.

Enforcement:

- Our disciplinary hearings and board meetings have been cancelled and will be held in abeyance until the state of emergency in our State has lifted. This will likely affect the timeliness of complaint/enforcement case resolution. Will we be out of compliance if these cases take over one year to resolve?

ASC Policy Statement 7 allows for exemptions to the one-year timeline for special documented circumstances. Special documented circumstances are those extenuating circumstances beyond the control of the State agency that delays normal processing of a complaint. This National Emergency qualifies as a special circumstance that could delay the processing of complaints. Please document* the basis for delay in the files.



Appraisal Subcommittee

Federal Financial Institutions Examination Council

AMC Program Questions

AMC Registry:

- What if we cannot submit updates to the AMC Registry?

Contact your assigned ASC Policy Manager. ASC IT will help the States keep the Registries updated, including adding information for the State.

- What if we cannot pay the ASC invoices?

Contact your assigned ASC Policy Manager. The ASC will work with States if they are unable to process invoices.

Enforcement:

- Our disciplinary hearings and board meetings have been cancelled and will be held in abeyance until the state of emergency has lifted. This will likely affect the timeliness of AMC complaint/enforcement case resolution. Will we be out of compliance if these cases take over one year to resolve?

ASC Policy Statement 10 allows for exemptions to the one-year timeline for special documented circumstances. Special documented circumstances are those extenuating circumstances beyond the control of the State agency that delays normal processing of a complaint. This National Emergency qualifies as a special circumstance that could delay the processing of complaints. Please document* the basis for delay in the files.

USPAP Questions

- Are appraisers required to perform interior inspections of real property during a national health emergency?

Please access the Appraisal Foundation Q&A page for USPAP information.

https://appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx?hkey=29db1bf8-827d-4f7b-b525-06ac9f596637

*Note: Documentation can simply be a note to the file(s) regarding the basis for delay, or an overall written policy providing staff relief from having to meet timelines due to the Program's adherence with the State and Federal guidelines during this National Emergency.

Board Business

Future Agenda Items

From: [Nelson, Christine](#)
Subject: PV COVID-19 April 29 Global Update
Date: Wednesday, April 29, 2020 6:13:29 PM

Dear clients,

We are writing with the most recent updates to test delivery affected by COVID-19 across the globe. We continue to work hard to make decisions that will resume testing where possible while protecting the health and safety of our candidates and employees.

With additional government guidance pending, we are extending the temporary suspension of exam deliveries through May 10th in India.

- PPCs and PVTC/PVTC Select exam deliveries suspended
- Candidates will begin to receive cancellation/reschedule email notices; new appointments now available May 11th and beyond

As always, please refer to our [Coronavirus Update Page](#) for additional details and the most up-to-date information on test delivery in specific regions.

Please let me know if you have any questions about today's update.

Thank you,

Christine Nelson
Program Manager
Regulatory Services

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Annual Report

Fiscal Year 2020

CERTIFIED BOARD OF REAL ESTATE APPRAISERS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
FY 2020 Annual Report**

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**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
FY 2020 Annual Report**

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Dave Derry Chair General Real Estate Appraiser	Kenai, AK	Mar 01, 2014	Mar 01, 2022
Wendy Lawrence Vice Chair Residential Real Estate Appraiser	Sitka, AK	Mar 01, 2018	Mar 01, 2022
William Barnes General Real Estate Appraiser	Anchorage, AK	Mar 01, 2018	Mar 01, 2022
Renee Piszczek Mortgage Banking Executive	Fairbanks, AK	Sep 02, 2014	Mar 01, 2021
Ashlee Stetson Public Member	City Location	Jan 11, 2019	Mar 01, 2023

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
FY 2020 Annual Report**

Identification of Staff

Tracy Wiard – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Allan Alcancia – Licensing Examiner

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Division of Corporations, Business and Professional Licensing
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Juneau, Alaska 99811-0806
(907) 465-2550

Joe Bonnell – Record and Licensing Supervisor

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
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Sher Zinn – Regulations Specialist II

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Autumn Roark – Investigator III

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**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
FY 2020 Annual Report**

Narrative Statement

FY 2020 Narrative Statement (continued)

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
Fiscal Year 2020 Annual Report**

Budget Recommendations for FY 2021

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
09/02/2020	Anchorage , AK	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
12/13/2020	Teleconference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
May 15, 2021	Teleconference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
Fiscal Year 2020 Annual Report**

Budget Recommendations for FY 2021

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
Fiscal Year 2020 Annual Report**

Budget Recommendations for FY 2021 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

<input type="checkbox"/> Airfare:	\$0.00
<input type="checkbox"/> Hotel:	\$0.00
<input type="checkbox"/> Ground:	\$0.00
<input type="checkbox"/> Conference:	\$0.00
<input type="checkbox"/> Other:	\$0.00

Describe "Other" (break out all sections):

Total Estimated Cost: \$0.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				

Net Total: \$0.00 \$0.00 \$0.00 \$0.00

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#4 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#5 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#6 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

Out-of-State Meetings and Additional In-State Travel

#7 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

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Budget Recommendations for FY 2021 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

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Budget Recommendations for FY 2021 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

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Budget Recommendations for FY 2021 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Summary of FY 2021 Fiscal Requests	
Board Meetings and Teleconferences:	\$0.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$0.00

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Legislation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

**CERTIFIED BOARD OF REAL ESTATE APPRAISERS
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Regulation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

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Goals and Objectives

Part I

FY 2020's goals and objectives, and how they were met:

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Goals and Objectives (continued)

Part I (continued)

FY 2020's goals and objectives, and how they were met:

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Goals and Objectives

Part II

FY 2021's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

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Goals and Objectives (continued)

Part II (continued)

FY 2021's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

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Sunset Audit Recommendations

**Date of Last Legislative Audit:
Board Sunset Date:**

Audit Recommendation:

Action Taken:

Next Steps:

Date Completed:

Audit Recommendation:

Action Taken:

Next Steps:

Date Completed:

Sunset Audit Recommendations (continued)

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Sunset Audit Recommendations (continued)

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Audit Recommendation:
Action Taken:
Next Steps:
Date Completed:

Adjourn