

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 July 25, 2018

8
9 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
10 scheduled meeting of the Board of Certified Real Estate Appraisers was held via teleconference on
11 Wednesday, July 25, 2018.

12
13 **Agenda Item #1** **Call to Order/Roll Call**

14
15 The meeting was called to order at 9:01 a.m. by David Derry, Chair.

16
17 Those present, constituting a quorum of the Board:

18 David Derry, Chair, Certified General Real Estate Appraiser
19 Wendy Lawrence, Certified Residential Real Estate Appraiser
20 Donald Faulkenburry, Public Member
21 Renee Piszczek, Mortgage Lending Member
22 Robert Tracy, Certified Residential Real Estate Appraiser

23
24 Division Staff present in the meeting:

25 Dawn Dulebohn, Occupational Licensing Examiner
26 Jun Maiquis, Regulations Specialist
27 Sher Zinn, Regulations Specialist
28 Sara Chambers, Deputy Director
29 Greg Francois, Chief Investigator
30 Marilyn Zimmerman, Paralegal

31
32 Chair Derry opens the meeting by welcoming new board member Wendy Lawrence, Certified
33 Residential Real Estate Appraiser to her first meeting.

34
35 Mr. Derry continues by confirming that all board members have reviewed their board packet in
36 OnBoard and that any technical issues that they might have encountered were resolved.

37
38 **Agenda Item #2** **Ethics Disclosure/Review Ethics**

40 There were no ethics issues to disclose.

41

42 **Agenda Item #3 Review/Approve Agenda**

43

44 Chair David Derry prompted the board to review the meeting agenda. Mr. Derry proposed a
45 change to the agenda to allow for a lunch break at 12:00p.m. Mr. Derry also inquired why there
46 was no public comment scheduled. OLE Dulebohn responded that, after consulting Division,
47 there was no public comment scheduled because of the nature of this meeting being primarily
48 focused on writing regulations. OLE Dulebohn reports that no one interested in making public
49 comment has contacted OLE Dulebohn prior to the meeting.

50

51 Ms. Piszczek reports that she has an appointment at 2:00 p.m. and will have to leave the meeting
52 at 1:45 p.m.

53

54 **On a motion made by Donald Faulkenburry, seconded by Renee Piszczek, and passed**
55 **unanimously, it was:**

56 **RESOLVED to APPROVE the agenda as written with the addition of a lunch break**
57 **at noon.**

58

59 **Agenda Item #4 Review/Approve Past Meeting Minutes**

60

61 The board briefly reviewed the past meeting minutes from October 28, 2016, January 12, 2018,
62 and May 11, 2018.

63

64 Mr. Derry inquired as to the reason for the October 28, 2016 minutes needing to be reviewed so
65 far after the fact. OLE Dulebohn reports that the paralegal found that the minutes on the website
66 were still draft and that they could not find evidence of those minutes ever being approved by the
67 board.

68

69 **On a motion made by Renee Piszczek, seconded by Robert Tracy, and passed unanimously,**
70 **it was:**

71 **RESOLVED to APPROVE the minutes for the October 28, 2016 meeting as written.**

72

73 **On a motion made by Robert Tracy, seconded by Renee Piszczek, and passed unanimously,**
74 **it was:**

75 **RESOLVED to APPROVE the minutes for the January 12, 2018 meeting as written.**

76

77 Mr. Derry states for the record that he is calling in from Halibut Cove, Alaska and there is not
 78 always great telephone reception there. Mr. Derry asks that if there is anything that isn't clear on
 79 the record that he be made aware so it can be restated or corrected.

80

81 **On a motion made by Robert Tracy, seconded by Wendy Lawrence, and passed**
 82 **unanimously, it was:**

83 **RESOLVED to APPROVE the minutes for the May 11, 2018 meeting as written.**

84

85 Mr. Derry asks OLE Dulebohn about the preferred method of submitting the minutes signature
 86 pages. OLE Dulebohn responds that the signature pages are in the board packet and the
 87 preferred method of receipt is if he could print, sign, scan, and e-mail those pages back to
 88 Division at his earliest convenience.

89

90 **Agenda Item #5 Old Business**

91

92 Previous Task List

93

94 OLE Dulebohn was asked by Chair David Derry to go over the Task List stemming from the
 95 May 11, 2018 meeting. Those tasks were as follows:

96

#	TASK	RESULT
1	Board Directed OLE Dulebohn to update and correct FAQ's 9, 16, 14, 18, 19	FAQ's 16, 14, 18, 19 were corrected at the board's request. FAQ 9 was not corrected as requested since it was found that the information was correct as stands. OLE Dulebohn also reviewed the rest of the FAQ's and found that number 3, 4, 7, 8, 11, 17, 20, 22, and 23 needed amendments and made the necessary corrections. The updated version was posted to the board's website on July 24, 2018.
2.	OLE Dulebohn was directed by the board to remove the Determination of Competency (and correct a typo) forms in the applications and instead add it to the website with an accompanying FAQ.	Division decided to keep the form in the Residential and General applications and to add it to the Trainee application in addition to adding the form to the board's website.
3.	Mr. Derry was tasked with researching if a federal fee cap exists for courtesy licenses.	OLE Dulebohn happened to inquire about that cap at the June Investigator training, found it to be \$250, updated

		the application, and it was posted to the website in June 2018.
4.	OLE Dulebohn was asked to put the regulations language with the Department of Law notes made known by Laura Carrillo into the July board packet	OLE Dulebohn contacted the attorney who made the notes (Joan Wilson) who confirmed that the copy the board has requested is out of date (4/2017). The most up to date version of the regulations language is dated April 10, 2018.
5.	OLE Dulebohn was asked to send referencing regulation to Mr. Derry prior to arranging a meeting between him and our paralegal to discuss changing Centralized Regulation in regard to accommodating the board so they do not have to pre-approve continuing education courses for consent agreement since they already approve courses prior to applicants taking them	OLE Dulebohn discussed this subject with the paralegal again after the meeting. Ms. Zimmerman agreed that the board would not have to review ce certificates for consent agreements any more as long as they are board approved and do not fit 12 AAC 70.220(b).
6.	Mr. Derry was tasked with completing the board contribution for the 2018 Annual Report before July 1, 2018	Received July 23, 2018
7.	Mr. Fell was asked to find out the investigative procedure for soliciting experts for the reviewing appraisal panel and whether public notice and approval are needed and will report back to the board as soon as possible	Not completed
8.	Mr. Fell was asked to look into the possibility of changing the name of the form title "Board Member Review" to Board Member Screening" as soon as possible	Not completed
9.	Upon receiving Mr. Fell's report, the board will provide the verbiage they want to post to solicit reviewers and steps will be taken to post on the board's website.	Not completed
10.	OLE Dulebohn will research what is needed for the board to create and approve a disciplinary matrix to be used as a tool to aid investigations	Samples were requested and received from Chief Investigator Francois on 7/17/2018 and will be distributed to the board for the 9/24/2018 meeting
11.	Mr. Tracy is tasked with drafting a letter of support in reply to Mr. Safer's correspondence about barriers to licensure by close of business on May 24, 2018	Not completed. Mr. Tracy states he will send the letter by close of business on July 25, 2018.
12.	OLE Dulebohn will draft a response to Mr. Curtis stating that the board thanks him for his suggestions and concerns but Alaska will remain a non-reviewer specific state.	Completed 5/31/2018
13.	Mr. Derry will write thank you notes to the sponsors of HB 329 and SB 155 as soon as possible	Not completed. Mr. Derry states he will complete the thank you notes to Rep. Josephson and Sen. Meyer before the 9/24/2018 meeting

14.	OLE Dulebohn will forward the AMC extension request for approval to Michaela Fowler	Completed 5/2018
15.	OLE Dulebohn is tasked with sending out the 2018 finalized meeting dates	Completed May 2018
16.	Mr. Tracy will send the state regulation links that can be used as sample regulation language for AMC to OLE Dulebohn to distribute to the board as soon as possible.	Not completed. Sent to the board during the July 25 meeting.
17.	OLE Dulebohn will send out e-mail to course sponsors to set guidelines for the course approval process before July meeting	Not completed. Pending resolution of possible discrepancies brought forth by Mr. Derry on 7/4/2018
18.	OLE Dulebohn was tasked with amending the board's voting ballot to include a place for the work products review to be identified by the designated member at the time of the initial review and that selection is to be disclosed to the applicant only after the applicant has successfully passed their exam	Completed May 2018
19.	OLE Dulebohn is tasked with changing the Supervisor application form to say "a supervisory appraiser shall be certified and in good standing in the State of Alaska for at least 3 years before applying on this form" and make note of this in the FAQ's	After consulting Division, the form was changed and posted on the website on 7/19/2018
20.	The board will define the classroom hour, live webinar, and classroom hours via distance education in 12 AAC 70.990 during the next regulations project.	Should be completed during the 7/25/2018
21.	OLE Dulebohn will confirm Mr. Faulkenburry's contact information since he states he did not receive voicemails regarding the implementation of OnBoard program for board packet dissemination as soon as possible	Completed. Mr. Faulkenburry confirms the phone number ending in "62" should be used.

97

98 **TASK:**

99 **OLE Dulebohn will update the Supervisor Approval Letter to include a reference to FAQ**
100 **#11.**

101

102 **TASK:**

103 **Mr. Tracy will complete Task 11 stemming from the May 11, 2018 meeting by close of**
104 **business July 25, 2018.**

105

106 **TASK:**

107 **Mr. Derry will complete Task 13 stemming from the May 11, 2018 meeting before the**
108 **September 2018 meeting.**

109

110 **TASK:**

111 **OLE Dulebohn will send a pdf of SB 155 to the board by July 27, 2018**

112

113 **TASK:**
114 **Mr. Tracy will complete Task 16 stemming from the May 11, 2018 meeting by close of**
115 **business July 25, 2018 and OLE Dulebohn will distribute to the board.**

116
117 **TASK:**
118 **OLE Dulebohn will add uncompleted Tasks 7-9, 17, 20 and pending task 10 to Task List**
119 **for September 24, 2018 meeting**

120
121 During this portion of the meeting, it was disclosed that Investigator Doug Fell is no longer with
122 the Department of Investigations. Chief Greg Francois will be filling in until Mr. Fell's
123 replacement can be found.

124
125 Mr. Derry stated for the record that he was unable to attend the signing of HB 329 and SB 155
126 because of the short notice he was given by the Governor's office to the events. Mr. Derry asked
127 if OLE Dulebohn was able to attend the signing of SB 155 in Juneau. OLE Dulebohn replied
128 that she given less than 24 hours' notice of the signing so she was unfortunately unable to attend.

129
130 Mr. Derry would like to add task number 20 under Agenda # 10 as the first bullet point.

131
132 Federal AMC Extension Status

133
134 The Alaska Board of Certified Real Estate Appraisers was granted an federal extension for
135 Appraisal Management Companies until August 10, 2019.

136
137 **Agenda Item #6** **Review/Approve Regulations Draft Language**

138
139 Chair Derry identifies that the board has finished the first five agenda items early. He asks if
140 OLE Dulebohn has received any draft or sample regulations language for SB 155 from the board
141 members to which she responds that she has not. OLE Dulebohn states that if anyone has any
142 language to submit, they could do it at that moment so she may distribute it to the entire board
143 for review. Mr. Derry instructs the board to wait until they could confer with Deputy Director
144 Chambers who will be joining the meeting later.

145
146 Mr. Derry states for the record that he objected to the specificity of SB 155 because he felt most
147 of its language should be saved for regulation.

148
149 Mr. Derry directs the board to review the regulations draft language with Department of Law
150 notes that the board requested be included in this meeting's board packet after being made aware
151 of its existence in the May 11, 2018 meeting by Supervisor Laura Carrillo. OLE Dulebohn

152 reminds the board that the attorney who made the notes, Joan Wilson, contacted Division and
153 stated that that specific draft was from April 2017 and therefore the draft that the board has dated
154 April 10, 2018 is the current draft and the one that needs review and approval from the board.

155
156 Mr. Derry inquires as to whether the current draft has any language to address certificate holders
157 receiving continuing education credit for attendance to board meetings. OLE Dulebohn replies
158 that the board has not yet drafted language or made a motion for that regulations change. They
159 were advised by Deputy Director Chambers in the May 11, 2018 that if the board decided to
160 award continuing education for attendance to board meetings, they were within their rights to do
161 so. Any concerns as to the ethics of board members receiving continuing education credit for
162 meetings they are mandated to attend would be addressed when the regulation was reviewed by
163 the Department of Law. Mr. Derry states that continuing education credit is allowed under The
164 Real Property Appraiser Qualifications Criteria as long as it is available to everyone and not just
165 board members. Mr. Derry states he would like to see this item included in the next regulations
166 draft that the board reviews.

167
168 **On a motion made by Wendy Lawrence, seconded by Renee Piszczek, and passed**
169 **unanimously with a roll call vote, it was:**

170 **RESOLVED to ADOPT new regulations language that states State appraiser**
171 **regulatory agencies may award continuing education credit to credentialed appraisers who**
172 **attend a state appraiser regulatory agency meeting, under the following conditions:**

- 173 **a. Credit may be awarded for a single state appraiser regulatory agency meeting per**
174 **continuing education cycle. The meeting must be open to the public and must be a**
175 **minimum of two (2) hours in length. The total credit cannot exceed seven (7) hours;**
176 **and**
177 **b. The state appraiser regulatory agency must ensure that the credentialed appraiser**
178 **attend the meeting for the required period of time.**

179
180 Referencing material is AQB Criteria May 2018, page 10, number 15.

181
182 OLE Dulebohn informs the board that a Regulation Changes Questionnaire will need to be
183 submitted with this change. She explains that since the board is ahead of schedule, they have yet
184 to hear from Regulations Specialist Sher Zinn on this updated form and how to complete it. Mr.
185 Derry states a preference for one board member to be delegated to complete the questionnaire
186 outside of the board meeting and e-mail it back to Division for submission.

187
188 **TASK:**

189 **Mr. Derry will complete the Regulation Changes Questionnaire in regards to adding a**
190 **regulation that allows continuing education credit for board meeting attendance and will**
191 **submit it to OLE Dulebohn as soon as possible.**

192

193 **Agenda Item #10 Administrative Business**

194

195 **Fall AARO Conference**

196

197 Chair Derry states that the board approved Mr. Tracy, OLE Dulebohn, and himself to attend the
198 Spring AARO Conference in April 2018 but when that travel request was submitted to Division
199 for approval, attendance by two board members was denied by the Director due to the
200 Governor’s austerity measures. During correspondence between Chair Derry and Mr. Tracy on
201 who should attend, it was decided that Mr. Tracy would attend the spring conference and Mr.
202 Derry would attend the fall conference. No other board member expressed an interest in
203 attending.

204

205 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
206 **unanimously with a roll call vote, it was:**

207 **RESOLVED that the board APPROVE David Derry and Dawn Dulebohn attend**
208 **the 2018 AARO Fall Conference that will be held on October 19-22, 2018.**

209

210 **TASK:**

211 **Mr. Derry will complete and submit his Travel Request form and submit it to OLE**
212 **Dulebohn by August 25, 2018.**

213

214 **Meeting Dates**

215

216 Travel for the September 24, 2018 in person meeting in Anchorage was submitted to Division for
217 approval and purchase the first week of July 2018.

218

219 In the May 11, 2018 meeting, the board set the dates for the remainder of 2018. The board will
220 set all of 2019’s meeting dates in the November 19, 2018 board meeting.

221

222 **TASK:**

223 **OLE Dulebohn will put the 2019 calendar in the November 19th board packet for reference**
224 **when they schedule meeting dates for 2019.**

225

226 **Agenda Item #6 (continued) Review/Approve Regulations Draft Language**

227

228 *Regulations Specialist Jun Maiquis joined the meeting at 9:50 a.m.*

229

230 Fee Reduction/ Regulations Draft Language

231

232 Regulations Specialist Jun Maiquis addresses the board regarding the fee reductions proposed
233 and currently out for public comment. Mr. Maiquis apologizes to the board for not getting the
234 proposed reductions out sooner. He states that Division was waiting for the board to write their
235 regulations for SB 155 so all the changes would be public noticed together and reduce cost to the
236 board. Since there was a delay in the board's drafting of those regulations, Division determined
237 it was best to post the reductions now to allow for public comment and revisions so those fee
238 reductions could be applied as soon as possible. In response to Chair Derry's question, Mr.
239 Maiquis states that public comment period for fee reductions ends August 13th, 2018, and it
240 should go into effect October 2018.

241

242 Mr. Derry verifies with OLE Dulebohn that the increase to the total fee of \$250 (\$150 for the
243 license and \$100 non-refundable application fee) for courtesy licenses is in compliance with
244 federal regulations.

245

246 Mr. Maiquis invites questions or comments from the board in regards to regulation changes to 12
247 AAC 02.370, 12 AAC 70.100, 12 AAC 70.105, 12 AAC 70.111, 12 AAC 70.112, 12 AAC
248 70.113, 12 AAC 70.125, 12 AAC 70.200, and 12 AAC 70.210 and hears none.

249

250 **On a motion made by Robert Tracy, seconded by Donald Faulkenburry, and passed**
251 **unanimously with a roll call vote, it was:**

252 **RESOLVED that the board APPROVE the drafted regulations dated April 10, 2018**
253 **as written.**

254

255 This motion covers the draft regulations on page 70-85 of the board packet.

256

257 Mr. Maiquis follows up with questions pertaining to the approved draft regulations.

258 **Q- Does the board want to allow both written and oral comments on the proposed**
259 **regulations changes?**

260 A- Written only.

261 **Q- Does the board want to allow more than 30 days for comments on the proposed**
262 **regulations changes?**

263 A- No. 30 days is adequate.

264 **Q- Does the board foresee these regulations changes incurring any additional costs (i.e.**
265 **additional continuing education or licensing fees)?**

266 A- No.

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Agenda Item #7 **Regulation Changes Questionnaire**

Regulations Specialist Sher Zinn joins the meeting at 10:10 a.m.

Regulations Specialist Sher Zinn addresses the board in regards to the newly amended Regulation Changes Questionnaire. Ms. Zinn walks the board through the form highlighting that this form should be completed for each change to regulations, preferably in the meeting and on the record, and will be submitted to the regulations specialists by the licensing examiner after its completion.

The purpose of this questionnaire is to answer questions that the regulations team may need to help format regulation, accompany the regulation on a FAQ page, aid in the creation of applications and licensee notifications, and create a checklist to ensure that the regulation is in compliance with state statute and/or federal laws.

Mr. Derry asks if the task of completing the questionnaire could be delegated to one board member or if it has to be completed by the entire board in the meeting. Ms. Zinn replies that it should be done during the meeting, on the record, while the regulation change is fresh in everyone’s mind but if the board wants to delegate one member to complete it and then have the licensing examiner distribute it to the rest of the board for comments before sending it on to the Regulations Specialist, that would be acceptable if done in a timely manner.

Mr. Faulkenburry asks Ms. Zinn if a questionnaire is required for the fee reduction that the board just reviewed. Ms. Zinn replied that a questionnaire need not be completed for the fee change since it is generated by Division. Mr. Faulkenburry followed up with whether a questionnaire should be done for each project as a whole or each regulation specifically, Ms. Zinn responded that a questionnaire needs to be completed for each regulation if they don’t pertain to the same subject.

Regulations Specialists Zinn and Maiquis left the meeting at 10:21 a.m.

Chief Greg Francois joined at 10:22 a.m.

Mr. Derry references that Agenda Item 8 doesn’t begin until 10:30 a.m. and so he proposes a brief break.

David Derry, Chair, called for a break at 10:23 a.m. to reconvene at 10:30 a.m.

306 **Agenda Item #8** **Proposed Regulations Projects/Language Drafting**

307
308 *Back on the record at 10:32 a.m. with all board members, OLE Dulebohn, and Chief Francois in*
309 *attendance.*

310
311 Regulations Stemming from SB 155

312
313 Chair Derry makes the board aware that Division has designated a team consisting of Chief
314 Investigator Greg Francois and Deputy Director Sara Chambers (who is standing in for
315 Professional Licensing Program Coordinator Colleen Kautz) to assist the board with its
316 regulation projects pertaining to SB 155. OLE Dulebohn clarifies that this team is here to help
317 the board hone the draft language that they were to have written in preparation to this meeting.

318
319 *Deputy Director Sara Chambers joined at 10:37 a.m.*

320
321 Mr. Derry requests that Ms. Chambers give the board guidance on how to write the regulations
322 for SB 155. Ms. Chambers advises that the board look at what was created in the bill and
323 determine what needs to be developed in regulation such as:

- 324
- 325 • Outline as to what the regulation should accomplish (i.e. standards and content)
 - 326 • License Type (clarify anything that was not already included in statute)
 - 327 • Other elements in the bill that will need further clarification by the board
 - 328 • Fees (although they are the responsibility of the Division, they board may weigh in with
information they would like considered)

329
330 Mr. Derry states that the board has some samples from other states regarding Appraisal
331 Management Companies (AMC) but since SB 155 was very specific to Alaska, he doesn't feel as
332 though they will be helpful to which Ms. Chambers agrees that using other state regulations may
333 be tricky since the board has to abide by Alaska law.

334
335 Mr. Derry inquires whether the board is just writing an outline. Ms. Chambers replies that given
336 the time constraint the board is looking at to enact their regulations, the board should aim to
337 make these regulations as solid as possible to avoid any un-necessary delays or having to re-
338 public notice them. Ms. Chambers continues by stating that the board is tasked with writing
339 what the regulation should accomplish (standards and content) and the regulations specialist will
340 only be responsible for putting their language in the correct format. The board will need to vote
341 to approve that language they have written by making a motion on the record.

342

343 Mr. Derry and Ms. Chambers discuss the implementation date for AMC legislation. Ms.
 344 Chambers clarifies it is not August 10, 2019 (which is the federal extension deadline) but the
 345 effective date of state regulation is actually January 1, 2019. Ms. Chambers goes on to explain
 346 the timeline that was included in the board packet and the process.
 347

Bill #	Short Title	Current Status	Program	Date of Next Board Meeting	Latest date to Regulations Specialist	Latest Date to Public Comment	Latest Date Adopted	Latest Date to Lt. Governor	Ability to Adopt Regs	Effective Date of Regs	Notes
SB 155	Real Estate Appraisal Management Companies	Await Transmit Gov.	APR	7/25/2018	08/01/2018	08/15/2018	10/01/2018	11/15/2018	Upon Signing	1/1/2019	Creates license type for AMC; adds new OLE

348
 349 Ms. Chambers goes on to say that SB 155 states that having the regulations complete by January
 350 1, 2019 allows the AMC's adequate notice so they can begin applying for licensure by March 1,
 351 2019. Ms. Chambers states that it is important to get as much done during this meeting as
 352 possible so the board can submit their regulations project to the regulations specialist as soon as
 353 possible. Mr. Derry and Ms. Chambers discuss that (according to the timeline chart Ms.
 354 Chambers has drafted) by October 1, 2018 the board needs to review the regulations project that
 355 has hopefully been out for public comment and make any changes necessary in order to vote to
 356 approve the final regulations product. The October deadline would give the regulations
 357 specialists and Department of Law six weeks to complete their due diligence before the
 358 regulations go the Lt. Governor for signing. The purpose of having the effective date be January
 359 1, 2019 is allow for time for Division to create the applications and forms to allow for AMC
 360 licensure by March 1, 2019.

361
 362 Mr. Derry asks for volunteers to help write the SB 155 regulations outline to be presented to the
 363 board. Board members Renee Piszczek and Robert Tracy volunteer to help Mr. Derry. Ms.
 364 Chambers contributes that these regulations cannot be adopted by mail ballot and that a publicly
 365 noticed emergency meeting would be advisable in this instance.

366
 367 The board agrees to set an emergency subcommittee teleconference for August 8, 2019 at 10:00
 368 a.m. and an emergency teleconference meeting to review and approve the regulations formed on
 369 August 13, 2018 at 10:00 a.m. Mr. Derry asks for input from Ms. Chambers who advises that
 370 because of the delay in the writing of the regulations, the board should be careful to make their
 371 regulations language as polished as possible to allow the regulations specialists to put the board's
 372 language into the correct format on the first attempt. In order to do this, she believes the board
 373 will need at least a few hours for each meeting.

374
375 Mr. Derry asks that the final version of SB 155 be distributed to the board so they may review it
376 before the emergency subcommittee meeting and teleconference in August.

377
378 **TASK:**
379 **OLE Dulebohn will disseminate a pdf of SB 155 to the board members by close of business**
380 **on July 25, 2018.**

381
382 Ms. Chambers recommends that when each of the subcommittee members have a draft of outline
383 for SB 155 regulations that they send it to OLE Dulebohn to distribute to the other subcommittee
384 members.

385
386 **TASK:**
387 **Subcommittee members will submit a copy of their regulations outline to OLE Dulebohn**
388 **before August 7, 2018 to allow for the other subcommittee members to review and make**
389 **notes it prior to the August 8, 2018 meeting.**

390
391 Mr. Derry elicits any additional advice from Mr. Francois who states that he believes everything
392 has been covered by Ms. Chambers and emphasizes that the board be clear in their direction of
393 the regulations to avoid any legal issues in the future.

394
395 Mr. Faulkenburry reports that he will be unable to attend the August 13th meeting due to a prior
396 commitment.

397
398 *Deputy Director Sara Chambers and Chief Greg Francois left the meeting 11:12 a.m.*

399
400 Regulations Stemming from the AQB 2018 Criteria Change

401
402 Mr. Derry directs the board's attention to the second bullet point in Agenda Item 8 which is that
403 state regulations need to be updated in to be in compliance with The Real Property Appraiser
404 Qualification Criteria (AQB) that was effective May 1, 2018. He references AS 08.87.020(3)
405 *...regulations...may not be more stringent than the corresponding minimum requirements for*
406 *receiving approval of the state's program of certification of real estate appraisers under 12*
407 *U.S.C. 3331-3351 or other federal law.*

408
409 Mr. Derry asks for advice on how to proceed with the regulations for the AQB Criteria change.
410 OLE Dulebohn responds that an outline of which state regulation would be impacted and what
411 the change will be should be all that is required of the board. She points out that in the board

450 *Back on the record at 1:31 p.m. with board members David Derry, Robert Tracy, Wendy*
451 *Lawrence, and Donald Faulkenburry. Staff in attendance are OLE Dulebohn and Paralegal*
452 *Zimmerman.*

453
454 Paralegal Marilyn Zimmerman joins the meeting to present a consent agreement for Douglas
455 DeLaGrange and a appeal letter from John Emery contesting the board's decision in regards to
456 his 2017 audit.

457
458 After a brief discussion with Ms. Zimmerman, Chair Derry asks for a motion for the board to go
459 into Executive Session.

460
461 **In a motion duly made by Robert Tracy, seconded by Wendy Lawrence, and passed with**
462 **unanimous consent, it was:**

463 **RESOLVED to ENTER into Executive Session in accordance with AS 44.62.310(c), and**
464 **Alaska Constitutional Right to Privacy Provisions, "subjects that tend to prejudice the**
465 **reputation and character of any person, provided the person may request a public**
466 **discussion" for the purpose of discussing CE Consent Agreements. Board staff Dawn**
467 **Dulebohn and Marilyn Zimmerman to remain in the room during Executive Session.**

468
469 *Off the record at 1:36 p.m.*

470
471 *Back on the record at 2:01 p.m. with all board members except Renee Piszczek. Paralegal*
472 *Zimmerman left when the board exited Executive Session.*

473
474 Mr. Derry asks for a motion in the matter of Douglas DeLaGrange.

475
476 **On a motion made by Donald Faulkenburry, seconded by Robert Tracy, and passed**
477 **unanimously with a roll call vote, it was:**

478 **RESOLVED that the board ACCEPT the continuing education consent agreement**
479 **#2017-001171 for DOUGLAS DELAGRANGE as written.**

480
481 Mr. Derry asks for a motion in the matter of the appeal letter submitted by John K. Emery. Mr.
482 Derry notes that the letter is undated and OLE Dulebohn interjects that the letter in question from
483 Mr. Emery is a second submittal made by e-mail on July 23, 2018.

484
485 **On a motion made by Robert Tracy, seconded by Donald Faulkenburry, and passed**
486 **unanimously with a roll call vote, it was:**

487 **RESOLVED that the board EXTEND a offer of a consent agreement to JOHN K.**
488 **EMERY to address the continuing education deficit stemming from the 2017 audit.**

489

490 A notification letter of the board’s decision will be sent to Mr. Emery by Paralegal Zimmerman.
491 OLE Dulebohn advises Mr. Derry that the signature page for Mr. DeLaGrange’s consent
492 agreement can be found in OnBoard and returned to Division by the same method as the meeting
493 minute signature pages.
494

495 **Agenda Item #10 (continued)** **Administrative Business**

496
497 Chair Derry asks that OLE Dulebohn compile a task list stemming from this meeting and
498 distribute it to all the board members. OLE Dulebohn replies that she will compile the list and
499 include the tasks that were not completed from the May 11, 2018 meeting.
500

501 **TASK:**
502 **OLE Dulebohn will send tasks from the July 25, 2018 meeting and distribute it to the**
503 **board.**
504

505 OLE Dulebohn brings to the board’s attention that the only item not addressed in this meeting
506 was Task # 20 “definition of classroom hour, live webinar, and classroom hours via distance
507 education should be added to 12 AAC 70.990 during the next regulation project “stemming from
508 the May 11, 2018 meeting that Mr. Derry wanted to complete today. Mr. Derry inquires as to
509 where the definitions may exist. OLE Dulebohn states that the definition for “classroom hour”
510 and “classroom hours via distance education” are written in the 2015 AQB Criteria and that the
511 definition for “live webinar” may be available from the International Distance Education
512 Certification Center (IDECC). She references that the regulation that would be amended with
513 the addition of these items would be 12 AAC 70.990.
514

515 Mr. Derry asks for a volunteer to write the draft regulation language for Task #20 and hearing
516 none took it upon himself.
517

518 **TASK:**
519 **Mr. Derry will look up the definition of classroom hour, live webinar, and classroom hours**
520 **via distance education and draft a regulation to be presented to the board for review and**
521 **approval in the August 13, 2018 meeting.**
522

523 Mr. Derry brings up one last regulations change that he believes should be made for 12 AAC
524 70.990(1) by removing “Standard 1 and Standard 2 of” so the regulation would read: “*appraisal*
525 *experience*” *includes fee and staff appraisals, ad valorem tax appraisals, appraisal reviews,*
526 *appraisal analysis, real estate counseling, and feasibility analysis and study, all of which must*
527 *have been performed in accordance with the Uniform Standards of Professional Practices*
528 *described in 12 AAC 70.900; because of updates to the Uniform Standards of Professional*

532 appraisal analysis, real estate counseling, and feasibility analysis and study, all of which must
533 have been performed in accordance with the Uniform Standards of Professional Practices
534 described in 12 AAC 70.900; because of updates to the Uniform Standards of Professional
535 Practices. OLE Dulebohn volunteers to re-write this regulation to present to the board for review
536 and approval at the August 13, 2018 meeting.

537

538 **TASK:**

539 **OLE Dulebohn will draft the amended language to 12 AAC 70.990(1) for the board to**
540 **review and approve during their August 13, 2018 meeting. She will distribute it to the**
541 **board prior to that meeting via OnBoard.**

542

543 OLE Dulebohn asks the board for guidance as to how much time they will need for both the
544 August 8, 2018 subcommittee and August 13, 2018 teleconference in order to public notice it
545 properly. Chair Derry responds that three hours should be adequate for each meeting.

546

547 **Agenda Item #11 Adjourn**

548

549 At this time the board concluded all scheduled business

550

551 **In a motion made by Donald Faulkenburry, seconded by Wendy Lawrence, and passed**
552 **unanimously, it was RESOLVED to ADJOURN.**

553

554 Hearing nothing further, Chair David Derry adjourned the meeting and the record ended at 2:14
555 p.m.

556

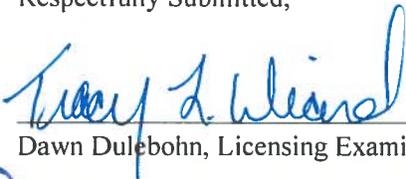
557 Respectfully Submitted,

558

559

560

561


Dawn Dulebohn, Licensing Examiner

10/9/2018
Date

562

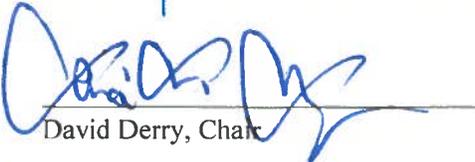
563

564

565

566

567


David Derry, Chair

9/24/2018
Date