

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, November 19, 2018
8
9

10 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article
11 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held via
12 teleconference at 333 Willoughby Ave, 9th Floor, Conference Room B, Juneau, Alaska on
13 Monday, November 19, 2018.
14

15 **Agenda Item #1** **Call to Order/Roll Call**

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17 The meeting was called to order at 9:14 a.m. by David Derry, Chair.
18

19 Those present, constituting a quorum of the Board:

20 David Derry, Chair, Certified General Real Estate Appraiser
21 Wendy Lawrence, Certified Residential Real Estate Appraiser
22 Renee Piszczek, Mortgage Lending Member
23

24 Division Staff present at the meeting:

25 Tracy Wiard, Occupational Licensing Examiner
26 Shyla Consalo, Investigator III
27 Melissa Dumas, Administrative Officer II – via teleconference
28 Marylene Wales, Accountant III – via teleconference
29 Charles Ward – Acting Deputy Director
30 Marilyn Zimmerman, Paralegal II – via teleconference
31 Sher Zinn – Regulations Specialist
32

33 **Agenda Item #2** **Ethics Disclosure/Review Ethics**

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35 No ethics issues or concerns were reported to the chair from the board. No ethic items or issues
36 were presented to the board for discussion at this meeting.
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39 **Agenda Item #3** **Review Agenda**

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41 There was a discussion regarding the end of year Division Update and Financial Report. The
42 end of year report includes the indirect costs to the board and upcoming session information will

43 be conducted at the January 17, 2019 teleconference meeting with an hour block of time
44 scheduled. The end of year report was not included on today's agenda.

45
46 David Derry wanted to add an item for the board to discuss in executive session but advised the
47 board he would not address that item until the board was in executive session.

48

49 **Agenda Item #4** **Review/Approve Minutes**

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51 The board reviewed the minutes from the September 24, 2018 board meeting and OLE Wiard
52 noted the dates at the top of the minutes stating it was a May meeting were incorrect and needed
53 to be changed. The board concurred with the date changes and no other changes were addressed
54 in the meeting minutes from the September 24, 2018 board meeting.

55

56 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
57 **unanimously, it was: RESOLVED to APPROVE the September 24 meeting minutes with**
58 **the discussed corrections.**

59

60 **Agenda Item #5** **Board Business**

61

62 Continuing Education Consent Agreement

63

64 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
65 **unanimously, it was: RESOLVED to enter into Executive Session in accordance with AS**
66 **44.62.310(a), and Alaska Constitutional Right to Privacy Provisions, for the purpose of**
67 **discussing active consent agreement cases, "subjects that tend to prejudice the reputation**
68 **and character of any person, provided the person may request a public discussion." Board**
69 **and Paralegal staff were requested to remain in the room for executive session.**

70

71 **The board went off the record at 9:21 am.**

72 **The board was back on the record at 9:45 am.**

73

74 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed with a**
75 **roll call vote, it was: RESOLVED to APPROVE the consent agreement for case: 2017-**
76 **000176.**

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82 **Agenda Item #6** **Investigations**

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84 Case Reviews and Probation Reports

85

86 Shyla Consalo provided the investigations report to the board covering the dates of September
 87 17, 2018 through November 7, 2018. The division has opened 3 matters and closed 1 matter.
 88 There are currently 6 matters under ongoing investigations and none are under litigation now.
 89 The board noted that there seems to be an increase in investigative cases regarding competency
 90 issues. There was also discussion regarding the boards use of competency experts when
 91 reviewing investigative cases. It was stated if the need was required, and the board submitted the
 92 review worksheet indicating the need, a competency expert could be provided to the board.

93

94 **Agenda Item #7** **Division Update & Financial Report**

95

96 Marylene Wales, Melissa Dumas, and Charles Ward were present to provide the board with the
 97 division update and financial report. The end of year report will be provided at the January 17,
 98 2019 board meeting.

99

APR	FY 2018
\$76,010.00	Licensing Revenue
\$98,416.00	Direct Expenditures
\$36,827.00	Indirect Expenditures
\$135,243.00	Total Expenses
(\$57,699.00)	Annual Surplus (Deficit)
\$374,791.00	Beginning Cumulative Surplus (Deficit)
\$317,092.00	Ending Cumulative Surplus (Deficit)

100

101 **Agenda Item #8** **Regulations Draft Review**

102

103 **AQB / AMC / PROPOSED FEES**

104

105 Sher Zinn prompted the board to review the most updated revision of the regulations dated
 106 November 08, 2018. There are several comments in the draft for the board to review.
 107 Specifically, does bracketed language in 12 AAC 70.115(b) need to be deleted? Chair Derry
 108 believed the board discussed this specific regulation and that not including it in the instructions
 109 for the draft regulations was just an oversight. It was believed that the bracketed items should be
 110 deleted from recollection. There was to be a review of the AQB but the board wanted to accept
 111 the regulations draft as presented and update them later if additional changes were required.

112

113 There was discussion regarding the most recent draft regulations including the addition of listing
 114 the number of course hours after the type of courses the AQB requires for CLEP credit for the
 115 Certified Residential Real Estate Appraiser Credential. This listing is in alignment with the
 116 requirements of the AQB and would give applicants definitive answers to the number of credit
 117 hours required for each topic. This was a change from the first draft of the regulations. The
 118 board agreed to keep the updated changes to the draft regulations.

119 The board reviewed the draft regulations for the AMC registry fees and the proposed license fees
 120 for AMC's. It was noted that the SB 155 requires the Division to set the license fees. The board
 121 reviewed the recommended fee schedule and provide feedback to the Division of a biennial
 122 license fee of \$850.00. There was also discussion regarding separation of license renewal from
 123 the AMC registration. The CBPL renewals are biennial per statute and the AMC registration are

124 annual per Federal Regulation. It was stated by Chair Derry that approximately 80-90 AMC's
125 are expected to become licensed in Alaska.

126

127 **On a motion made by Wendy Lawrence, seconded by Renee Piszczek, and passed**
128 **unanimously, it was: RESOLVED to APPROVE a fee of \$850.00 for an AMC biennial**
129 **recertification fee.**

130

131 The board discussed the timelines for license renewals of AMC's coinciding with appraisal
132 license renewals and AMC registrations. It was believed that the AMC professional license
133 renewals should coincide with Appraiser license renewals on June 30 of odd numbered years and
134 the AMC's would register with the federal registry annually at the end of February. In this way
135 all the appraiser and appraiser management professional licenses would renew at the same time
136 and the annual fee for AMC registration would be kept entirely separate.

137

138 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed with a**
139 **roll call vote, it was: RESOLVED to APPROVE the current draft regulations for public**
140 **comment pending any received information.**

141

142 Chair Derry asked about the regulation allowing continuing education credits to appraisers for
143 attendance at board meetings. He recalled the board approving that regulation but has not seen it
144 in any of the regulation subsequent updates. OLE Wiard believed this regulation inclusion had
145 been taken care of by the Regulation Specialist and past OLE.

146

147 OLE Wiard addressed the board regarding ongoing questions from appraisers inquiring if they
148 can take all their continuing education online via a synchronous course that follows criteria for
149 online course approval. The board had previously discussed this and wants at least half of the
150 continuing education to be completed via in person classroom courses. There was comment
151 regarding the difficulties travelling to places that offer continuing education courses due to the
152 isolated geography of Alaska. It was also noted that UAA, UAF, and UAS offer many courses
153 online via blackboard and students attend live lectures and can ask and answer questions in real
154 time. It was also noted that the AQB is creating PAREA for experience and qualifying education
155 for appraisers.

156

157 **TASK: OLE Wiard to contact the AQB directly to obtain their definition of synchronous**
158 **and what best practice information they have regarding synchronous, online, continuing**
159 **education courses.**

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167 Agenda Item #11 Old Business

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169 AARO Report

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171 Due to the loss of the boards quorum at noon, the board discussed agenda item 11. The board
172 reviewed OLE Wiard's AARO report back. Chair Derry noted he had yet to complete his
173 AARO report back and would provide one to the board. Conversation ensued regarding the
174 bifurcated appraisals and their acceptance by Fannie Mae and USPAP.

175

176 Task List

177

178 The board reviewed the task list and OLE Wiard noted 3 items left for completion.

179

180 **TASK: OLE Wiard to add the FAQ to the website regarding the work product being**
181 **submitted prior to the exam, send the e-mail to organizations applying for approval of**
182 **continuing education courses informing them of division policies and procedures, and**
183 **review all applicants since 1/1/2018 and ensure they have taken the exam if needed.**

184

185 **In a motion made by Wendy Lawrence, it was RESOLVED to ADJOURN.**

186

187 Hearing nothing further, Chair Derry adjourned the meeting at 11:44 a.m.

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189

190 Respectfully Submitted,

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192

193



194 Tracy Wiard, Licensing Examiner

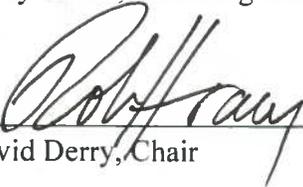
Date

1/22/19

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198 David Derry, Chair

Date

1/17/2019