

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

4 ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS

5
6 MINUTES OF THE BOARD MEETING

7 Thursday, May 16, 2019

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9 *These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and*
10 *Professional Licensing. It has not been reviewed or approved by the Board.*

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12 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
13 scheduled meeting of the Alaska Board of Certified Real Estate Appraisers was held via teleconference
14 originating from the State Office Building at 333 Willoughby Avenue, 9th Floor – Conference Room B, in
15 Juneau, Alaska on Thursday, May 16, 2019. Alaska Standard Time.

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

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19 This meeting was public noticed on April 16, 2019 at Anchorage Daily News and State of Alaska Online
20 Public Notice website.

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22 The meeting was initiated by OLE Allan Alcancia at 9:01 a.m. however due to unstable Zoom
23 audio/video connection of Chairman David Derry, and slow downloading speed of the OnBoard
24 application, the meeting was later called to order by Chairman Derry at approximately 9:12 a.m.

25
26 Following the revised regulation adopted in March 2018 stating that continuing education credits can be
27 obtained by attending appraisal board meeting, Chairman Derry announced in the meeting if there are
28 credentialed appraisers in attendance at the meeting. There was none. Chairman Derry goes on to remind
29 the board and staff to identify future attendees when they check-in, and periodically check the attendance
30 of these attendees during the meeting (where/when it applies).

31
32 Chairman Derry also reminded board member Wendy Lawrence to count previous board meeting as
33 a continuing education credit for recertification. The form to use for this purpose is posted online
34 and is scheduled to be discussed later in the agenda.

35
36 **Board Members present constituting a quorum:**

37 David Derry, Chairman, Certified General Real Estate Appraiser

38 Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser

39 Renee Piszczek, Mortgage Banking Executive

40 Ashlee Stetson, Public Member

42 Board Member/s absent:

43 None

44

45 Board Member/s vacancy:

46 One

47

48 CBPL Division Staff present:

49 Allan Alcancia, Occupational Licensing Examiner

50 Joe Bonnell, Records and Licensing Supervisor

51 Shyla Consalo, Investigator

52 Marylene Wales, Accountant

53

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

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56 There were no ethics issues to disclose.

57

58 **Agenda Item #3 Review/Approve Current Agenda**

59

60 Chairman Derry proposed the following additional items into the tentative agenda:

61 - Election of Board Vice-Chairman as item #4.C

62 - Appraiser Recertification Application as item #14.B

63 - Notice for Appraiser Recertification as item #14.C

64

65 There was no objection to the additional items proposed to the agenda.

66

67 **Agenda Item #4 New Board Member and Staff Status/Introduction**

68

69 Ashlee Stetson, Board Member

70

71 Appointed to the board in January 2019, Ms. Ashlee Stetson of Wasilla is the designated Public Member

72 of the board. She owns and operate a construction company which primarily deals with federal

73 government construction contracts. Ms. Stetson has experience utilizing appraisal service while

74 developing real estate in the Mat-Su Valley area. She looks forward to the opportunity of serving the

75 public through the Board of Certified Real Estate Appraisers.

76

77 Allan Alcancia, Staff/Examiner

78

79 Allan Alcancia joined CBPL Division in February 2019, after serving as legal assistant for the Office of

80 Administrative Hearings in the Department of Administration. Mr. Alcancia previously worked at the

81 Regional Office of NOAA Marine Fisheries as its executive assistant. He moved to Juneau from the San

82 Francisco Bay Area where he served in the Work Travel Program of the U.S. State Department,
83 coordinating international exchange participants. Outside of work, he serves in the board of Juneau World
84 Affairs Council and Juneau Sister Cities Advisory Committee. Allan Alcancia is the designated examiner
85 for the Board of Certified Real Estate Examiner, and concurrently support three other licensing programs.

86

87 Joe Bonnell, Staff/Records and Licensing Supervisor

88

89 Joe Bonnell was supervisor in the reservations department of Alaska Marine Highway System when he
90 joined CBPL in September 2018. Mr. Bonnell oversees eleven licensing programs including the Board of
91 Real Estate Appraisers and Appraisal Management Company.

92

93 Both Joe Bonnell and Allan Alcancia are new to the Board of Real Estate Appraisers, and Appraisal
94 Management Company programs, and therefore require continued guidance and training.

95

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

97

98 The Board reviewed the meeting minutes of January 17, 2019, and Chairman Derry noted
99 incorrect date entries in the report such as Line 7 and Line 17 showing the year '2018'. It should
100 be amended to show 2019. Chairman Derry also noted on Lines 281, 282, and 283 showing the
101 word 'surveying'. It should be revised to show *appraising*. The board concurred with the
102 observations of Chairman Derry, and no other corrections were addressed in the minutes.

103

104 **A motion to approve the January 17, 2019 meeting minutes was duly made by Renee**
105 **Piszczek, seconded by Ashlee Stetson, and approved by unanimous consent.**

106

107 **Agenda Item #6.1** **New Business: Upcoming Federal Audit**

108

109 As the meeting is pacing ahead of schedule, Allan Alcancia suggested through the chair to move
110 up some agenda times. Agenda item #14 was inserted for that purpose.

111

112 In this segment, a copy of the email to Allan Alcancia and Joe Bonnell from Denise Graves,
113 ASC Deputy Executive Director (through Claire Brooks/Policy Manager/ ASC), was illustrated
114 in the board packet. It stated the upcoming schedule for the Compliance Review of Alaska's real
115 estate appraiser regulatory program for July 29, 2019 through August 2, 2019. The letter further
116 states an overview of the schedules, and the materials that maybe required during the review.

117

118 Mr. Bonnell stated that compilation of the requested reports and updating databases are targeted
119 to commence in June, and will start submitting documents to ASC via email in July. Mr. Bonnell
120 further added that while AMC will not be audited this year, Claire Brooks has conveyed that they

121 will take a preliminary look at the regulations that was implemented in March 2019. It was also
122 mentioned that Laura Carrillo, former examiner of the board, will be a resource person as the
123 group prepares for the ASC audit. Chairman Derry responded to say that Director Chambers and
124 Laura Carrillo deserve a credit for the work they did to obtain a good rating for the Alaska
125 appraisal board. Chairman Derry expressed hope that the Investigations Unit will be in better
126 shape this time as it presented some challenges at the last audit. Chairman Derry offered his
127 assistance and the board for the preparation to the audit.
128

129 **Agenda Item #6.2** **New Business: Appraiser Recertification Application**

130
131 Chairman Derry introduced this topic as reminder that June 30, 2019 marks the start of appraiser
132 recertification cycle in Alaska, and wanted to obtain update on the subject. Joe Bonnell
133 confirmed that renewal applications are now posted online (as of May 8, 2019) and fourteen (14)
134 online renewal applications have posted. There was a total of 248 renewal notices that were
135 distributed via post (snail mail). Mr. Bonnell noted the persistent question we are getting was
136 about paying the federal registry fee after appraisers have paid the renewal fee online (federal
137 registry fee is already built in the total renewal fee). It was discovered there was a script mapping
138 issue that was causing an incorrect banner message in the webpage. This has been rectified.
139 Allan Alcancia also added that several undeliverable mails have also been returned to CBPL due
140 to incorrect address. Overall, Joe Bonnell assessed that the renewal launch has been smooth
141 sailing, and Chairman Derry commended the project.
142

143 **Agenda Item #6.3** **New Business: Election of Board Vice-Chairman**

144
145 Chairman Derry added this topic to the agenda for electing a board vice-chairman in the event
146 the chair is declared incapacitated. Chairman Derry opened the floor for motion to nominate a
147 vice-chair. Wendy Lawrence volunteered to be the Board Vice-Chairman.
148

149 **A motion to elect Wendy Lawrence as Board Vice-Chairman was duly made by Ashlee**
150 **Stetson, seconded by Renee Piszczek, and approved by unanimous consent.**
151

152 **Agenda Item #7** **Investigations**

153
154 Investigator Shyla Consalo joined teleconference at 9:44 a.m. for a two-part presentation. She
155 started with *Investigative Reviews and Probation Reports* (compiled between Jan 10, 2019 –
156 May 2, 2019 including matters from last report), stating that it opened one matter and closed
157 three matters, a total of four matters remain ongoing, under active investigation and/or pending

158 litigation. Matters opened by the Paralegal in the Juneau office are not covered in the report. One
159 licensee was released after successful probation completion.

160

161 For the *Investigations Review Training*, Ms. Consalo provided a refresher on the subject,
162 primarily on the paperwork for board member reviews. Ms. Consalo reminded that board
163 member investigative reviews are conducted (by certified appraiser) to determine whether or not
164 violation is present in accordance with the board's statute and regulations, and the board does not
165 determine guilt or innocence. However, the board has to vote to adopt formal disciplinary action.
166 Chairman Derry commented to remind that board member investigation reviews should be
167 USPAP compliant.

168

169 Shyla Consalo added that should an outside expert is recommended for further review of a case,
170 a detailed explanation for this recommendation is required to justify the cost (of outsourcing an
171 expert) to the board.

172

173 **Off the record for the morning break, 10:18 a.m.**

174 **Back on record, 10:31 a.m.**

175

176 **Agenda Item #8 Division Update & Financial Report**

177

178 Roll call present constituting a quorum:

179

180 David Derry, Chairman, Certified General Real Estate Appraiser

181 Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser

182 Renee Piszczek, Mortgage Banking Executive

183 Ashlee Stetson, Public Member

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185 Marylene Wales, CBPL Accountant, presented the 3rd Quarter Fiscal Report (specifically July 1,
186 2018 – March 31, 2019). Ms. Wales reported a total revenue of \$32,884.00, and total expenses of
187 \$114,932.00. The board requested detailed reporting of the personal services expense from Ms.
188 Wales and she was able to provide this report via email through Allan Alcancia following the
189 morning session.

190

191 Ms. Wales acknowledged that the accounting report covers the APR program only. With the
192 launching of the AMC program, the board requested that a separate itemized breakdown is
193 prepared for future reporting of AMC and APR. Joe Bonnell added that it will also start tracking
194 hours worked on APR and AMC programs, and will explore a way to analyze those tasks after

195 consultation with division of finance. Ms. Wales recommends using AMC task codes in order
196 track AMC expenditures. Marylene Wales left the room at 10:54 a.m.
197

198 **Agenda Item #9** **AMC Registration Update**

199
200 A two-page high-level progress report from Joe Bonnell was included in the board packet.
201
202 Chairman Derry, highlighted that it should be the AMC itself who must be the applicant for
203 registration. From the progress report, Chairman Derry noted of the word “either” and that it
204 should be corrected because the qualifications mentioned are “both” requirements . Chairman
205 Derry also thinks there is a typo in the current application for the use of the word “employee”
206 and its definition. Mr. Bonnell agreed to amend the word “employee” to “appraiser”.
207
208 Chairman Derry graciously offered his assistance as the AMC forms undergo further refinement.
209

210 **Agenda Item #10** **Board Member Vacancy**

211
212 Illustrated in this agenda was the email Chairman Derry sent to the Office of Boards and
213 Commission on April 18, 2019, inquiring about the vacancy in the board. Chairman Derry stated
214 that he has not received a response either via email or telephone.
215
216 Director Chambers has previously conveyed through Joe Bonnell, a recommendation that the
217 Board issues a letter to the Office of Boards and Commissions that Director Chambers will
218 deliver. Mr. Bonnell will inquire from Director Chambers who else should be copied in the letter.
219
220 **A motion to authorize Chairman Derry to draft a letter to the Office of Boards and**
221 **Commissions on behalf of the board, was made by Renee Piszczek, seconded by Wendy**
222 **Lawrence, and approved by unanimous consent.**
223
224 **An amendment to the original motion stating that Alaska Appraisal Institute should be**
225 **copied in the letter was made by Wendy Lawrence, and agreed to by Renee Piszczek. There**
226 **was no further discussion.**
227

228 **Agenda Item #11.1** **Board Review Applications: AMC Applications**

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230 **146561 Collateral Management, LLC**
231 - Chairman Derry noted that designated controlling person did not fill in appraiser number.
232 - It was also noted that appraisers list did not fill in AK certification number.

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- Chairman Derry also noted of question #3 in the Professional Fitness Questions. Joe Bonnell responded to say that this question has since been removed after consultation with Director Chambers. No documentation is required for the answer to that question.
- Chairman Derry also highlighted that a federal registry report on the controlling person should be included in the board approval packet.
- The application is incomplete.

Joe Bonnell stated that corrections identified by the board will be applied to the form after its been coordinated with the publication specialist

146574 DartAppraisal.com, Inc

- The application is complete following supplementation of the Federal Registry Report.
- Chairman Derry noted (during the afternoon call) that federal registry report shows its “Licensed”.
- It was discussed that Joe Bonnell will seek internal legal opinion about the definition of licensed vs. certified, for consideration in future regulatory project.

A motion to approve the AMC application of DartAppraisal.com, Inc. was made by Renee Piszczek, seconded by Ashlee Stetson, and approved by unanimous consent.

Agenda Item #11.2 Board Review Applications: Allan Safer Continuing Education

Allan Safer’s documents for obtaining continuing education credits (a total of 7) were illustrated in the board packet. Chairman Derry provided an overview of this request.

A motion to approve 7 hours of continuing of education credits for teaching (12 AAC 70.200.C) by Allan Safer, was made Wendy Lawrence, seconded by Renee Piszczek, and approved by unanimous consent.

**Off the record for lunch break, 11:41 a.m.
Back on record, 1:01 p.m.**

271 Roll call present constituting a quorum:

272

273 David Derry, Chairman, Certified General Real Estate Appraiser

274 Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser

275 Renee Piszczek, Mortgage Banking Executive

276 Ashlee Stetson, Public Member

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278 **Agenda Item #12** **Public Comment**

279

280 There were no members of the public in attendance.

281

282 **Agenda Item #11.3** **Board Review Applications: Cody Halterman Certification**

283

284 Cody Halterman documents for obtaining certification were illustrated in the board packet.

285 Chairman Derry provided an overview of this request stating that it is a revisit to this application
286 which was submitted and considered on the January 2019 meeting.

287

288 **A motion to enter into executive session in accordance with [AS 44.62.310(c)] and Alaska**
289 **Constitutional Right to Privacy Provisions, for the purpose of discussing Cody Halterman**
290 **application for certification, was made by Wendy Lawrence, seconded by Renee Piszczek,**
291 **and approved by unanimous consent.**

292

293 Off the record for Executive Session, 1:20 p.m.

294

295 Off the record executive session started, 1:35 p.m.

296 *Delay in starting executive session was to due incomplete setup*

297

298 Off the record executive session ended, 1:58 p.m.

299

300 Back on record at regular session, 2:23 p.m.

301 *Delay in starting regular session was to due incomplete setup*

302

303 Roll call after executive session, present constituting a quorum:

304

305 David Derry, Chairman, Certified General Real Estate Appraiser

306 Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser

307 Renee Piszczek, Mortgage Banking Executive

308 Ashlee Stetson, Public Member

309 The board convened for regular session after the executive session in the matter of Cody
310 Halterman. The board did not move the application forward at this time.

311
312 **A motion was introduced to request Cody Halterman to revise his work verification logs**
313 **that specifically outline commercial experience vs. residential experience quantified within**
314 **the work log and filled out appropriately, and a work log that shows actual hours worked,**
315 **clarified and distinctively marked not to include travel time to an assignment.**

316
317 **The motion was made by Wendy Lawrence, seconded by Ashlee Stetson, and approved by**
318 **unanimous consent.**

319
320 **Agenda Item #13.1 Administrative Business: Synchronous Distance Education**

321
322 Old Task List: Synchronous Distance Education

323
324 A document received from Chairman Derry was in the board packet illustrating the description.

325
326 **A motion to clarify the definition of synchronous distance education as distance education,**
327 **was made by Wendy Lawrence, seconded by Renee Piszczek, and approved by unanimous**
328 **consent.**

329
330 **Agenda Item #13.2 Administrative Business: CE Credit for Board Meeting**
331 **Attendance**

332
333 Old Task List: CE Credit for Board Meeting Attendance

334
335 The board acknowledged the revisions to be applied to the form specified.

336
337 **Agenda Item #14.1 Administrative Business: Synchronous Distance Education**

338
339 New Task List: Work Verification Log

340
341 A document illustrating the form is included in the board packet. Chairman Derry stated that it
342 only needs a miniscule revision, and requested to convert it into a fillable document.

343
344 The board acknowledged the revisions to be applied to the form specified.

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Agenda Item #14.2 Administrative Business: Tuition Fee Approval

New Task List: Tuition Fee Approval for Investigator Shyla Consalo

A motion to approve the \$50 tuition fee of Investigator Shyla Consalo to attend the seminar “Hot Topics and Myths in Appraiser Liability” in Anchorage, was made by Ashlee Stetson, seconded by Renee Piszczek, and approved by unanimous consent.

New Task List: Tuition Fee Approval for Board Member Ashlee Stetson

A motion to approve the \$270 tuition fee of Board Member Ashlee Stetson to attend the USPAP course in Anchorage/Fairbanks/Online was made by Renee Piszczek, seconded by Wendy Lawrence, and approved by unanimous consent.

Agenda Item #14.3 Administrative Business: Next Board Meeting

New Task List: Next Board Meeting

It will be discussed at the next board meeting in August 2019. Joe Bonnell stated that the board should consider future scheduling of the meetings any day between Monday and Wednesday to accommodate the availability during the legislation sessions.

Joe Bonnell replied to the question of Chairman Derry stating that travel restriction still in effect.

Renee Piszczek stated that ASC personnel was appreciative of the attendance by Alaska delegation to the appraiser national conference she last attended.

Agenda Item #15 To Do List

- Chairman Derry is due to submit the Board Annual Report.
- Chairman Derry will draft the letter to the Office of Boards and Commission. Similarly, Joe Bonnell will follow through with Director Chambers for those who might be copied in the letter. It was suggested that Alaska Appraisal Institute be copied in the letter.
- There are changes to be applied in the Work Verification Log, AMC Registration Form.

- 385 - The definition of Synchronous Education will be posted in the FAQ page online.
- 386 - Joe Bonnell will seek legal opinion on the definition of licensed vs. certified.
- 387 - Board Agenda should be posted and distributed 2 weeks in advance of the meeting.
- 388 - Allan Alcancia will email Cody Halterman regarding the decision of the board.
- 389 (Completed 16May2019)
- 390 - Allan Alcancia will forward to the board the detailed report of Accountant Marilyn
- 391 Wales. (Completed 16May2019)

392
393

394 **Agenda Item #15** **Adjourn**

395
396 Chairman Derry commended the board and staff for attendance and moving through the agenda.

397
398 The board unanimously adjourned the meeting at 3:04 p.m.

399
400 Respectfully submitted,

401
402
403 Tracy L. Wiard
404 Tracy Wiard, Licensing Examiner

11/19/2019
Date

405
406 David M. Derry
407 David Derry, Chairman

11/18/2019
Date