

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 Friday, October 25, 2019

8  
9 *These minutes are prepared by the staff of the Division of Corporations, Business, and Professional*  
10 *Licensing.*

11  
12 *These minutes have been reviewed and 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 Friday, October 25, 2019.

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

20  
21 The meeting was called to order at 10:01 a.m. by David Derry, Chair.

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

24 David Derry, Certified General Real Estate Appraiser  
25 Wendy Lawrence, Certified Residential Real Estate Appraiser  
26 Renee Piszczek, Mortgage Lending Member  
27 William Barnes, Certified Residential or General Real Estate Appraiser  
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 Chris Kennedy Administrative Law Judge  
34 Jerry Juday Senior Assistant Attorney

35  
36 **Agenda Item #2** **Review Agenda**

37  
38 Chair David Derry prompted the Board to review the meeting agenda. There were no changes  
39 made to the agenda.

41 **On a motion made by Ashlee Stetson, seconded by William Barnes, and passed**  
42 **unanimously, it was:**

43 **RESOLVED to APPROVE the agenda as written.**

44

45 **Agenda Item #3                      Discuss Mediated Stipulation to Remand**

46

47 Board Chair Derry and Administrative Law Judge Kennedy gave the board a brief overview of  
48 the events leading to the remand. The board decided this was to be discussed in Executive  
49 Session.

50

51 **On a motion made by Ashlee Stetson, seconded by William Barnes, and passed**  
52 **unanimously, it was: RESOLVED to enter into Executive Session in accordance with AS**  
53 **44.62.310(a), and Alaska Constitutional Right to Privacy Provisions, for the purpose of**  
54 **discussing active consent agreement cases, “subjects that tend to prejudice the reputation**  
55 **and character of any person, provided the person may request a public discussion.” Board**  
56 **staff were excused from executive session and Senior Assistant Jerry Juday and**  
57 **Administrative Law Judge Chris Kennedy to remain in the room for executive session.**

58

59 **Off the Record at 10:16 am.**

60 **On the Record at 11:48 am.**

61

62 Those present, constituting a quorum of the Board:

- 63 David Derry, Certified General Real Estate Appraiser
- 64 Wendy Lawrence, Certified Residential Real Estate Appraiser
- 65 Renee Piszczek, Mortgage Lending Member
- 66 William Barnes, Certified Residential or General Real Estate Appraiser
- 67 Ashlee Stetson, Public Member

68

69 Division Staff present in the meeting:

- 70 Tracy Wiard, Occupational Licensing Examiner
- 71 Joe Bonnell, Records and Licensing Supervisor
- 72 Chris Kennedy Administrative Law Judge
- 73 Jerry Juday Senior Assistant Attorney

74

75 There was a suggestion from Chair Derry that the board entertain a motion to request additional  
76 work products and do a review of those work products that would include a complete appraisal  
77 report.

78

79 **On a motion made by Ashlee Stetson, seconded by Wendy Lawrence, it was: RESOLVED**  
80 **to APPROVE the request of additional information and perform an additional review of**  
81 **Mr. Halterman’s application.**

82  
83 Bill Barnes wanted clarification on the motion asking if the motion would specifically ask for 3  
84 additional reports or 5 additional reports? Bill Barnes also requested to amend the motion to add  
85 another statement? It was suggested by Chair Derry that they could amend the motion after there  
86 was a 2<sup>nd</sup> and a vote to approve the motion.

87  
88 Bill Barnes then asked the board if they could remember how many of the appraisal reports  
89 submitted by Mr. Halterman were restricted reports? Chair Derry could not recall all of them off  
90 hand. Chair Derry then stated his approval of the motion stating if he wanted the motion to  
91 specify the number of work products for review the board typically asks for 2-3. Bill Barnes  
92 stated he would like the board to request the work files for the original submitted restricted  
93 reports. Chair Derry asked if that was what he wanted or just obtain 3 new reports. Bill Barnes  
94 wants the previously submitted work products in their unrestricted form to make sure they are  
95 USPAP compliant.

96  
97 Chair Derry then asked for a 2<sup>nd</sup> to the motion before a discussion took place. Chair Derry asked  
98 OLE Wiard if there was a 2<sup>nd</sup> to the motion. OLE Wiard suggested the board return to Executive  
99 Session and return knowing the motion the board would like. It was also suggested that the  
100 board specifically list the number work products being requested so staff would know what work  
101 log information to obtain.

102  
103 Chair Derry noted that Wendy Lawrence seconded the motion. It was then suggested the board  
104 discuss the motion. Bill Barnes then asked board if they wanted to place a number on the  
105 requested work products. Chair Derry stated the board could just make an amendment to the  
106 motion as it was on the floor for discussion. Chair Derry also stated that if the previously  
107 submitted work files were to be submitted in unrestricted form that could be added to the motion  
108 as well.

109  
110 Ashlee Stetson stated she would like to amend the motion to request 3 additional work items  
111 from the work log as well as board reconsideration of Mr. Halterman’s application. Chair Derry  
112 asked that she specify that selection of the work product be chosen by a board member. Chair  
113 Derry asked if there was a 2<sup>nd</sup> to the change. He asked if Wendy approved. Wendy did approve  
114 of the revised motion. Bill Barnes seconded the motion. Chair Derry stated to include the  
115 appraisers work file. Bill Barnes asked if he amended the motion on the table. Chair Derry  
116 stated they had and Bill Barnes expressed confusion.

117 Chair Derry stated Ashlee amended her motion to include 3 new examples of work and that was  
118 seconded by Wendy. Chair Derry asked for clarification if Wendy wanted the work files as well  
119 as the work product itself? Wendy Lawrence replied yes to obtain the work product and the  
120 work files. Chair Derry reiterated to the board for clarification that 3 new work products and the  
121 original work files were being requested.

122

123 Bill Barnes suggested the board vote on Ashlee's original motion and then make a second  
124 motion. Bill Barnes suggested that Wendy's amendment include the request for any restricted  
125 reports to include the complete original work file in unrestricted form for past submitted reports  
126 and any newly submitted work product for consideration. Wendy Lawrence agreed with the  
127 suggested amendment. Chair Derry suggested that the board not select any restricted reports for  
128 consideration. Bill Barnes noted that there were several restricted reports on the work log and  
129 they may not be USPAP compliant. Chair Derry wanted to know if there were not a total of 3  
130 unrestricted reports available on the work log. Bill Barnes stated he noticed the work log was  
131 sent back for readjustment of hours with the travel hours removed. Then the reports were  
132 submitted to the board with the travel hours subtracted. Bill Barnes stated that in his opinion  
133 restricted reports do not meet USPAP compliance without the accompanying work file.

134

135 Chair Derry stated there was a motion of the floor to ask for three new work products. Chair  
136 Derry was curious as to whether Bill wanted to see the previously submitted reports with the  
137 work file or request 3 new work products? Bill Barnes stated the burden of proof is on the  
138 applicant and without the work file to prove USPAP compliance or not then how many of the  
139 hours submitted meet the burden of proof for USPAP compliance. It was suggested by a board  
140 member to return to executive session. Chair Derry suggested the board vote on the motion and  
141 asked OLE Wiard to restate the motion. OLE Wiard stated the motion was not clear but  
142 suggested the motion should be clear and concise and would be heard on the recording. It was  
143 suggested there only needs to be one motion stating everything the board wanted and then a vote.  
144 Chair Derry thought going back into executive session would be beneficial.

145

146 **On a motion made by Ashlee Stetson, seconded by William Barnes, and passed**  
147 **unanimously, it was: RESOLVED to enter into Executive Session in accordance with AS**  
148 **44.62.310(a), and Alaska Constitutional Right to Privacy Provisions, for the purpose of**  
149 **discussing active consent agreement cases, "subjects that tend to prejudice the reputation**  
150 **and character of any person, provided the person may request a public discussion." Board**  
151 **staff were excused from executive session and Senior Assistant Jerry Juday and**  
152 **Administrative Law Judge Chris Kennedy to remain in the room for executive session.**

153

154

155

156 **Roll Call Vote:**

157

158 Board Member	Approve	Deny	Recuse	Absent
159				
160 David Derry	X			
161 Wendy Lawrence	X			
162 William Barnes	X			
163 Renee Piszczek	X			
164 Ashlee Stetson	X			

165

166 **Off the Record at 12:07 pm.**

167 **On the Record at 12:26 pm.**

- 168
- 169 Those present, constituting a quorum of the Board:
- 170 David Derry, Certified General Real Estate Appraiser
  - 171 Wendy Lawrence, Certified Residential Real Estate Appraiser
  - 172 Renee Piszczek, Mortgage Lending Member
  - 173 William Barnes, Certified Residential or General Real Estate Appraiser
  - 174 Ashlee Stetson, Public Member

- 175
- 176 Division Staff present in the meeting:
- 177 Tracy Wiard, Occupational Licensing Examiner
  - 178 Joe Bonnell, Records and Licensing Supervisor
  - 179 Chris Kennedy Administrative Law Judge
  - 180 Jerry Juday Senior Assistant Attorney

181

182 Chair Derry asked the board if there were any new motions the board would like to present

183 regarding the application of Cody Halterman.

184

185 **On a motion made by Ashlee Stetson, seconded by Wendy Lawrence, it was: RESOLVED**

186 **to APPROVE by roll call vote, that the board to reconsider Mr. Halterman’s application**

187 **after a board member selects 3 new work sample appraisal reports from the work**

188 **verification log, the work files for the appraisal reports originally submitted and the**

189 **revision of the work verification log to clarify commercial or residential work in the**

190 **appropriate column. Chair Derry stated for clarification there was no column for**

191 **residential or non-residential appraisals but he could clarify residential and non-residential**

192 **to item Roman Numeral XI.**

193

194 Chair Derry asked for any discussion? He stated for the record that he is going to vote against

195 the motion at this point as he does not think it is necessary to request the work files for the

