

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND
ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**MINUTES OF MEETING
February 16, 2007**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held at the Atwood Building, Suite 602, Anchorage, AK.

Call to Order/Roll Call

Mr. MacSwain, Chairman called the meeting to order at 8:34 a.m.

Those present, constituting a quorum of the Board:

Steven MacSwain, Chairman, General Real Estate Appraiser – Anchorage
Gene Shafer, Vice Chair, Residential Real Estate Appraiser – Fairbanks
William Larick, General Real Estate Appraiser – Anchorage
Butch Olmstead, Mortgage Banking Executive - Ketchikan

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, was:

Jan Mays, Licensing Examiner – Juneau
Rick Younkings, Chief Investigator - Anchorage

Agenda Item 1 – Investigative Report

Margo Mandel Investigator for the Division of Corporations, Business and Professional Licensing was unable to attend the meeting due to a scheduling conflict.

During this reporting period, October 17, 2006 to January 30, 2007, the Investigation Unit opened one case and closed two cases. Currently there are twelve open cases; two of the 12 cases are currently involved in litigation.

Open Cases

Status

3300-98-006 Violating Professional Ethics	Litigation
3300-02-004 Violating Professional Ethics	Litigation
3300-05-004 Negligence	Active
3300-05-005 Fraud/Misrepresentation	Active
3300-05-006 Incompetence	Active
3300-05-007 Violating Professional Ethics	Active
3300-05-008 Violating Professional Ethics	Active
3300-06-004 Violating Professional Ethics	Active
3300-06-005 Violating Professional Ethics	Active

3300-06-008 Continuing Education	Active
3300-06-009 Continuing Education	Active
3300-07-001 Continuing Education	Active

Closed Cases

Findings

3300-06-006 Negligence	No Violation
3301-06-001 Unlicensed Practice	No Violation

The Board was presented with two Memorandums of Agreement, Jimmie Johnson, Residential license number 265, and Charles P. Carlson, Residential license number 136.

Executive session at 8:37 a.m.; back on record at 9:38 a.m.

Upon a motion by Olmstead, seconded by Shafer and approved unanimously, it was:

RESOLVED to adopt the Memorandum of Agreement for Charles P. Carlson, Residential Real Estate Appraiser, License number 136, Case No. 3300-07-001 and to change the year from 2006 to 2007 on page 4, paragraph 2 and 3.

Upon a motion by Olmstead, seconded by Shafer and approved unanimously, it was:

RESOLVED to adopt the Memorandum of Agreement for Jimmie A. Johnson, Residential Real Estate Appraiser, License number 265, Case No. 3300-05-004, 005, and 006.

Executive session at 9:41 a.m.; back on record at 9:42 a.m.

Executive session at 9:43 a.m.; back on record at 9:57 a.m.

Agenda Item 2- Review Agenda

The Board reviewed the agenda. No changes were made.

Agenda Item 3 – Review Meeting Minutes

The Board reviewed the meeting minutes. No changes were made.

Upon a motion by Larick, seconded by Shafer and approved unanimously, it was:

RESOLVED to adopt the following meeting minutes:

- February 10, 2006
- February 24, 2006 Teleconference
- May 24, 2006
- June 30, 2006 Teleconference
- November 3, 2006
- January 22, 2007 Teleconference

Agenda Item 4 – Goals & Objectives FY 07

Executive Session at 10:00 a.m.; back on record at 10:18 a.m.

Upon a motion by Larick, seconded by Shafer and approved unanimously, it was:

RESOLVED to adopt the FY 07 goals and objectives as amended.

The following are the Goals and Objectives of the Board of Certified Real Estate Appraisers for fiscal year 2007.

1. Review recommended changes and modify current statutes and regulations to include changes as needed and encourage their implementation.
2. Seek comments/input from other organizations that are involved in or use of appraisal services in Alaska.
3. Circulate the Board meeting dates to appraisal organizations, interested individuals, and users of appraisal services.
4. Provide public notice of all meetings in the newspaper
5. Continue to make listings of approved and expired initial certification and continuing education courses/seminars available to certified individuals.
6. Look into the set up and notice-giving possibilities of disseminating Appraiser Board activities through email database addresses of certified appraisers.
7. At the time of initial certification, the Board is to review the appraiser's application along with one appraisal report completed by the applicant, in accordance with 12 AAC 70.110 (e).
8. To have at least two face-to-face meetings per year.

Break at 10:21 a.m.; back on record at 10:39 a.m.

Agenda Item 5 – Budget Report

The Board called Rhonda Leatham, Accounting Technician II, Division of Corporations, Business and Professional Licensing.

The Board reviewed the Memorandum of Expenditure and Revenue Report. Gene Shafer asked Ms. Leatham if there have been any significant changes in the budget compared to the last year. Ms. Leatham explained that she does see some changes in the report that was provided for FY07 compared to the prior year. Ms. Leatham stated that the contractual services are a little low right now due to the breakdown of the law bills and telephone bills. They have all been paid but haven't moved to the respective Boards.

Agenda Item 6 – 2008 Regulation Changes

The Board called David Brower, Assistant Attorney General and Jun Maiquis, Regulations Specialist for the Division of Corporations, Business and Professional Licensing. The Board reviewed the Re-Draft Version with edits by AAG Brower dated January 24, 2007.

Mr. Brower explained to the Board that the purpose of amending these regulations is to comply with the new federal law which will take affect January 1, 2008. Mr. Brower stated that he changed a few things around to make it clear when applying a certain before January 1, 2008 date that the old law applies. If applying after January 1, 2008 than the new law applies.

Gene Shafer pointed out a few changes that need correction.

Page 2, subparagraph (2)(A) "300 classroom hours of instruction that meet the requirements" change to read "300 creditable classroom hours of instruction that meet the requirements".

Page 4; subparagraph (2) (A) "200 creditable semester hours of instruction that meet the requirements" change to read "200 creditable classroom hours of instruction that meet the requirements".

Upon a motion by Shafer, seconded by Larick and approved unanimously, it was:

RESOLVED to adopt the January 24, 2007 Re-Draft version with the edits by AAG Brower.

Upon a motion by Shafer, seconded by Larick and approved unanimously, it was:

RESOLVED to amend the changes as noted by Shafer and were provided to David Brower, AAG, and Jun Maiquis, Regulation Specialist, Division of Corporations, Business, and Professional Licensing.

Break at 11:40 a.m.; back on record at 12:23 p.m. for a working lunch.

Agenda Item 7 – Correspondence

The Board called Stephen Turner, former chairman, to discuss the HB 141 Working Draft from Rep. Lynn.

Mr. Turner explained to the Board that the State does not have a "Licensed Appraiser" category established under the law. Mr. Turner believes that this is an attempt to introduce the "License" category to the State and advised the Board to discuss this matter with Vickie Ledbetter, Appraisal Subcommittee.

A licensed appraiser under the federal guidelines can appraise homes up to a million dollars. Mr. Turner believes that this was pushed from various parts of the State to get more appraisers.

Agenda Item 7 – Ethics Report

There were no ethics conflicts to disclose.

Ms. Mays apologized to the Board for forgetting the ethics video. The ethics video will be viewed at the next meeting.

Agenda Item 9 – Public Comment

No visitors attended during the public comment period.

Agenda Item 10 – Application Review

General Real Estate Appraiser

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve Paul B. DeLacy and Jan E. Livingston for certification as General Real Estate Appraisers.

Residential Real Estate Appraiser

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following for certification as Residential Real Estate Appraisers:

- **Mark M. Silverstein**
- **Lance H. Cook**
- **Gary W. Donaldson**
- **Erik Pond**
- **Jeff Hurt**

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve-pending Jessica Nangle's Residential Real Estate Appraisers application. She needs to submit a copy of the work product from any appraisal performed by the applicant in accordance with 12 AAC 70.110(e).

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to table Daniel Rogers Residential Real Estate Appraiser application. He needs to submit evidence of an appraisal report participated by the applicant and provide verification that the university course "Real Estate Essentials" was directly related to real estate appraisal theory or practices in accordance with 12 AAC 70.140.

Registered Trainee

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following as registered trainees:

- **Danny Foster**
- **Mark A. Merchant**
- **Diana Michele Deshazo**

Agenda Item 11 – Course Approval

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve "The Cost Approach" course offered by the McKissock, LP Institute for continuing education:

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following courses offered by the State of Alaska/Department of Transportation for continuing education:

- **Appraisal Review for Federal – Aid Highway Programs**
- **Appraisal for Federal – Aid Highway Programs**

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following courses offered by the Alaska Chapter of the Appraisal Institute for continuing education:

- **Analyzing Operating Expenses**
- **Case Studies in Commercial Highest & Best Use**

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve “Principles of Real Estate Appraiser” course offered by the International Right of Way Association for both initial certification and continuing education.

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following courses offered by the Appraisal Institute:

- **Office Building Valuation: A Contemporary Perspective – Con’t Education**
- **General Appraiser Sales Comparison Approach – Initial & Con’t Education**
- **General Appraiser Income Approach, Part 1 – Initial & Con’t Education**
- **General Appraiser Income Approach, Part 2 – Initial & Con’t Education**
- **General Appraiser Site Valuation & Cost Approach – Initial & Con’t Education**

Upon a motion by Olmstead, seconded by Larick and approved unanimously, it was:

RESOLVED to approve the following courses offered by the American Society of Farm Manager and Rural Appraisers for continuing education:

- **ASFMRA 77th Annual Meeting**
- **Tax Deferred 1031 Exchanges**
- **Timber Property Valuation**
- **Minerals Appraisal**
- **ASFMRA Code of Ethics**

RESOLVED to approve “Basic Appraisal Procedures (A-102)” offered by the American Society of Farm Manager and Rural Appraisers for both initial certification and continuing education.

Agenda Item 12 – Board Business

Schedule next meeting

The Board discussed scheduling the next face-to-face meeting for May 24, 2007. Mr. MacSwain requested that Mrs. Mays check with the Board two weeks following the meeting to verify Board member availability. Once a scheduled date has been set then email the meeting date to Vickie Ledbetter, Appraisal Subcommittee so the meeting can coincide with the annual audit.

There being no further business, the meeting adjourned at 3:15 p.m.

Respectfully Submitted:

Jan Mays
Licensing Examiner

Approved:

Steve MacSwain, Chairman
Board of Certified Real Estate Appraisers

Date: _____