



## **STATE OF ALASKA**

Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing

State Office Building  
333 Willoughby Avenue, 9th Floor  
Juneau, Alaska 99801

P. O. Box 110806 | Juneau, Alaska 99811-0806  
907-465-2550 (p) | 907-465-2974 (f)  
realestateappraisers@alaska.gov

## **BOARD MEETING BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

2 August 2019, Friday, 9:00 a.m. AST  
Video/TeleConference & In-person

### **GUESTS**

Claire Brooks, Lead Policy Manager  
*Appraisal Subcommittee*

Neal Fenochietti, Policy Manager  
*Appraisal Subcommittee*

### **BOARD MEMBERS**

David Derry, Chair  
Wendy Lawrence, Vice-Chair  
Renee Piszczek  
Ashley Stetson

**STATE OF ALASKA  
BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**BOARD MEETING CONTACT SHEET**  
Video-TeleConference & In-person

\*

Robert Atwood Bldg (Host, In-person)  
550 West 7th Avenue, Suite 1550, Anchorage  
Conference Room (907-269-8439)

**Zoom Video-TeleConference Meeting**

General Session  
<https://zoom.us/j/729170848>  
1-408-638-0968  
Meeting ID: 729-170-848

Executive Session *(if applicable)*  
<https://zoom.us/j/654711303>  
1-408-638-0968  
Meeting ID: 654-711-303

\*

**LICENSING EXAMINER**

Allan Alcancia  
907-465-2695

**RECORDS & LICENSING SUPERVISOR**

Renee Hoffard  
907-465-2525  
*(Training observer for this meeting)*

**RECORDS & LICENSING SUPERVISOR**

Joseph Bonnell  
907-465-2691  
*(In attendance via teleconference)*



# Call to Order / Roll Call

Office of Governor  
MICHAEL J. DUNLEAVY

You are here: [Home](#) / [Services](#) / [Boards and Commissions](#) / [Roster](#)

## Roster

### Board of Certified Real Estate Appraisers

NAME	APPOINTED	REAPPOINTED	EXPIRES
<b>Derry, David</b> (Kenai) Certified General Real Estate Appraiser — Chair	03/01/2014	03/01/2018	03/01/2022
<b>Lawrence, Wendy</b> (Sitka) Certified Residential or General Real Estate Appraiser	03/01/2018		03/01/2022
<b>Piszczek, Renee</b> (Fairbanks) Mortgage Banking Executive	09/02/2014	03/01/2017	03/01/2021
<b>Stetson, Ashley</b> (Wasilla) Public	01/11/2019	03/01/2019	03/01/2023
<b>Vacant</b> () Certified Residential Real Estate Appraiser			03/01/2020

#### Board Fact Sheet

# Identify Credentialed Appraisers in Attendance



THE STATE  
of **ALASKA**

Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing

**APR**

FOR DIVISION USE ONLY

**Real Estate Appraisers Program**

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550

Email: [RealEstateAppraisers@Alaska.Gov](mailto:RealEstateAppraisers@Alaska.Gov)

Website: [ProfessionalLicense.Alaska.Gov/RealEstateAppraisers](http://ProfessionalLicense.Alaska.Gov/RealEstateAppraisers)

## Continuing Education Credit for Participation

This form certifies attendance at a meeting of the Alaska Board of Certified Real Estate Appraisers for continuing education credit. 12 AAC 70.210(g)(1-5)

<b>Full Legal Name:</b>	First	Middle	Last
<b>Alaska Certification #:</b>			

<b>Board Meeting Date:</b>	mm/dd/yyyy	<input type="checkbox"/> In Person	<input type="checkbox"/> Teleconference
<b>Attendance Hours:</b>		<b>Hours Claimed:</b> (7 Hours Max)	

***I certify the information reported above is true and correct and that I maintained attendance for the duration of the hours claimed.***

<b>Signature:</b>		<b>Date:</b>	mm/dd/yyyy
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### BELOW IS FOR DEPARTMENTAL AND BOARD USE ONLY

**Verified Hours of Attendance**

(From Board Meeting Minutes)

\_\_\_\_\_

**Via Electronic or Mail Ballot:** ☐ Approved ☐ Denied

**OR**

**Via in Person Board Meeting:** ☐ Approved ☐ Denied

<b>Board Member Signature:</b>		<b>Date:</b>	mm/dd/yyyy
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**If denied, reason for denial:**

# Ethics Disclosure & Ethics Review

State of Alaska  
DEPARTMENT OF LAW

# ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

## Who Is My Designated Ethics Supervisor (DES)?

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Every board or commission subject to the Ethics Act<sup>1</sup> has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.<sup>2</sup>

## What Do I Have To Disclose?

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The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *Ethics Information for Public Employees."* Both guides and disclosure forms may be found on the [Department of Law's ethics website](#).

## How Do I Avoid Violations of the Ethics Act?

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- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!<sup>3</sup>
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

## What Are The Disclosure Procedures for Board and Commission Members?

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The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

### Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

*Disclosure on the public record.* Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.<sup>4</sup>
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

*Disclosure in writing at a public meeting.* In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

*Confidential disclosure in advance of public meeting.* Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.<sup>5</sup>
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.<sup>6</sup>

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.<sup>7</sup>

*If the chair identifies a potential conflict,* the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first



made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

## Procedures for Other Member Disclosures

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A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

## What Are The Disclosure Procedures for Executive Directors and Staff?

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Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

*Notices of Potential Violations.* Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

*Other Disclosures.* The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

## How Are Third Party Reports of Potential Violations or Complaints Handled?

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Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.<sup>8</sup>
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

## What Are The Procedures for Quarterly Reports?

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Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at [ethicsreporting@alaska.gov](mailto:ethicsreporting@alaska.gov) and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

## How Does A DES or Board or Commission Get Ethics Advice?

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A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

<sup>1</sup> The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

<sup>2</sup> The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

<sup>3</sup> You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

<sup>4</sup> In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

<sup>5</sup> The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

<sup>6</sup> In this manner, a member's detailed personal and financial information may be protected from public disclosure.

<sup>7</sup> When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

<sup>8</sup> The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

**Alaska Department of Law**

1031 West 4th Avenue, Suite 200

Anchorage, AK 99501

[attorney.general@alaska.gov](mailto:attorney.general@alaska.gov)

Phone: (907) 269-5100 | Fax: (907) 276-3697

TTY: 907-258-9161

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## Ethics Disclosure Form

**CONFIDENTIAL**  
**REQUEST FOR ETHICS DETERMINATION**

TO: \_\_\_\_\_, Designated Ethics Supervisor

\_\_\_\_\_  
*(Identify Your Department, Agency, Public Corporation, Board, Commission)*

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

☐ I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- ☐ AS 39.52.120, Misuse of Official Position
- ☐ AS 39.52.130, Improper Gifts
- ☐ AS 39.52.140, Improper Use or Disclosure of Information
- ☐ AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- ☐ AS 39.52.160, Improper Representation
- ☐ AS 39.52.170, Outside Employment Restricted
- ☐ AS 39.52.180, Restrictions on Employment after Leaving State Service
- ☐ AS 39.52.190, Aiding a Violation Prohibited

**I understand that I should refrain from taking any official action relating to this matter until I receive your advice.** If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
*(Division, Board, Commission)*

\_\_\_\_\_  
*(Position Title)*

\_\_\_\_\_  
*(Location)*

*Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

## Ethics Disclosure Form

### Receipt of Gift

TO: \_\_\_\_\_, Designated Ethics Supervisor, \_\_\_\_\_  
(Agency, Public Corporation, Board,  
Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

☐ Yes ☐ No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

☐ Yes ☐ No

*(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)*

The gift is \_\_\_\_\_

Identify gift giver by full name, title, and organization or relationship, if any:

\_\_\_\_\_

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

\_\_\_\_\_

My estimate of its value is \$ \_\_\_\_\_ The date of receipt was \_\_\_\_\_

☐ The gift was received by a member of my family. Who? \_\_\_\_\_

*If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):*

\_\_\_\_\_

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Division)

\_\_\_\_\_  
(Position Title)

\_\_\_\_\_  
(Location)

Ethics Supervisor Determination: ☐ Approve ☐ Disapproved

\_\_\_\_\_  
Designated Ethics Supervisor\*

\_\_\_\_\_  
(Date)

*\*Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

# Review & Approve Current Agenda

## **TENTATIVE AGENDA**

<u><b>Item</b></u>	<u><b>Time</b></u>	<u><b>Subject</b></u>	<u><b>Lead</b></u>
1.	9:00 a.m.	<b>Call to Order/Roll Call</b>  <i>Identify Credentialed Appraisers in Attendance</i>	Chair
2.	9:05 a.m.	<b>Ethics Disclosure/Ethics Review</b>	Chair
3.	9:10 a.m.	<b>Review/Approve Current Agenda</b>	Chair
4.	9:15 a.m.	<b>Review/Approve Past Meeting Minutes</b>  <i>May 16, 2019 General Board Meeting</i> <i>June 18, 2019 Special Board Meeting</i>	Chair
5.	9:30 a.m.	<b>Introduction of Guest Auditors &amp; Overview of Compliance Review</b>  <i>Claire Brooks, Lead Policy Manager</i> <i>Appraisal Subcommittee</i>  <i>Neal Fenochietti, Policy Manager</i> <i>Appraisal Subcommittee</i>	Chair
6.	10:00 a.m.	<i>Morning Break</i>	
7.	10:15 a.m.	<b>Investigations</b>  <i>Investigative Reviews and Probation Reports</i>	Shyla Consalo <i>Investigator</i>  Amber Whaley <i>Senior Investigator</i>  Greg Francois <i>Chief Investigator</i>
8.	10:45 a.m.	<b>Public Comment</b>	Chair



- |     |            |   |   |
|-----|------------|---|---|
| 9.  | 11:00 a.m. | <b>Division Update</b>  | Sara Chambers<br>CBPL Director                |
| 10. | 12:00 n.n. | <i>Lunch Break</i>  |   |
| 11. | 1:00 p.m.  | <b>Call to Order/Roll Call</b>  | Chair   |
|     |            | <i>Identify Credentialed Appraisers in Attendance</i>                                     |   |
| 12. | 1:05 p.m.  | <b>Board Member Vacancy Update</b>  | Boards & Commission Office                    |
| 13. | 1:15 p.m.  | <b>Licensing Updates</b>  |   |
|     |            | A) <i>Courtesy License</i>  | Joe Bonnell<br>Records & Licensing Supervisor |
|     |            | B) <i>AMC Registration</i>  | Allan Alcancia<br>Licensing Examiner          |
|     |            | C) <i>Biennial Renewal &amp; Random Audit</i>   |   |
|     |            | D) <i>Continuing Education Course Approval Overview</i>                                   |   |
|     |            | E) <i>Review of Appraiser, AMC Application and Continuing Education Forms</i>             | Board   |
| 14. | 2:15 p.m.  | <b>Prospective Regulation Project</b>   | Chair   |
|     |            | <i>Extension of certification renewal due to extenuating circumstance/s</i>               |   |
| 15. | 2:45 p.m.  | <b>Processing AMC Applications</b>  | Board   |
| 16. | 3:15 p.m.  | <i>Afternoon Break</i>  |   |
| 17. | 3:30 p.m.  | <b>Administrative Business</b>  | Chair   |
|     |            | <b>Old Tasks</b>  |   |
|     |            | A) <i>Chairman Derry will draft letter for Office of Boards and Commission</i>            |   |
|     |            | B) <i>Amend Work Verification Log into pdf fillable form</i>                              |   |
|     |            | C) <i>Update FAQ page regarding the definition of Synchronuous Education</i>              |   |
|     |            | D) <i>Joe Bonnell will seek legal opinion on the definition of licensed vs. certified</i> |   |

### **New Tasks**

*A) 2019-2021 Board Meeting Scheduling*

*B) 2020-2021 Board Goals Planning*

18. 5:00 p.m.

*Adjourn*

Chair

Agenda Item # \_\_\_\_\_ Topic: \_\_\_\_\_

# Board of Certified Real Estate Appraisers

# Roll Call Sheet

Meeting Date: \_\_\_\_\_

[illegible]

# Review & Approve Past Meeting Minutes

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

ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS

MINUTES OF THE BOARD MEETING

Thursday, May 16, 2019

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

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 Alaska Board of Certified Real Estate Appraisers was held via teleconference originating from the State Office Building at 333 Willoughby Avenue, 9<sup>th</sup> Floor – Conference Room B, in Juneau, Alaska on Thursday, May 16, 2019. Alaska Standard Time.

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

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

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

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

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

**Board Members present constituting a quorum:**

David Derry, Chairman, Certified General Real Estate Appraiser  
Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser  
Renee Piszczek, Mortgage Banking Executive  
Ashlee Stetson, Public Member

Board Member/s absent:

None

Board Member/s vacancy:

One

CBPL Division Staff present:

Allan Alcancia, Occupational Licensing Examiner

Joe Bonnell, Records and Licensing Supervisor

Shyla Consalo, Investigator

Marylene Wales, Accountant

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

There were no ethics issues to disclose.

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

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

- Election of Board Vice-Chairman as item #4.C
- Appraiser Recertification Application as item #14.B
- Notice for Appraiser Recertification as item #14.C

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

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

Ashlee Stetson, Board Member

Appointed to the board in January 2019, Ms. Ashlee Stetson of Wasilla is the designated Public Member of the board. She owns and operate a construction company which primarily deals with federal government construction contracts. Ms. Stetson has experience utilizing appraisal service while developing real estate in the Mat-Su Valley area. She looks forward to the opportunity of serving the public through the Board of Certified Real Estate Appraisers.

Allan Alcancia, Staff/Examiner

Allan Alcancia joined CBPL Division in February 2019, after serving as legal assistant for the Office of Administrative Hearings in the Department of Administration. Mr. Alcancia previously worked at the Regional Office of NOAA Marine Fisheries as its executive assistant. He moved to Juneau from the San

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

Joe Bonnell, Staff/Records and Licensing Supervisor

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

**Roll call present constituting a quorum:**

David Derry, Chairman, Certified General Real Estate Appraiser  
Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser  
Renee Piszczek, Mortgage Banking Executive  
Ashlee Stetson, Public Member

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

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

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

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

A two-page high-level progress report from Joe Bonnell was included in the board packet.

Chairman Derry, highlighted that it should be the AMC itself who must be the applicant for registration. From the progress report, Chairman Derry noted of the word “either” and that it should be corrected because the qualifications mentioned are “both” requirements . Chairman Derry also thinks there is a typo in the current application for the use of the word “employee” and its definition. Mr. Bonnell agreed to amend the word “employee” to “appraiser”.

Chairman Derry graciously offered his assistance as the AMC forms undergo further refinement.

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

Illustrated in this agenda was the email Chairman Derry sent to the Office of Boards and Commission on April 18, 2019, inquiring about the vacancy in the board. Chairman Derry stated that he has not received a response either via email or telephone.

Director Chambers has previously conveyed through Joe Bonnell, a recommendation that the Board issues a letter to the Office of Boards and Commissions that Director Chambers will deliver. Mr. Bonnell will inquire from Director Chambers who else should be copied in the letter.

**A motion to authorize Chairman Derry to draft a letter to the Office of Boards and Commissions on behalf of the board, was made by Renee Piszczek, seconded by Wendy Lawrence, and approved by unanimous consent.**

**An amendment to the original motion stating that Alaska Appraisal Institute should be copied in the letter was made by Wendy Lawrence, and agreed to by Renee Piszczek. There was no further discussion.**

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

##### **146561 Collateral Management, LLC**

- Chairman Derry noted that designated controlling person did not fill in appraiser number.
- It was also noted that appraisers list did not fill in AK certification number.

- 233
- 234 - Chairman Derry also noted of question #3 in the Professional Fitness Questions. Joe
- 235 Bonnell responded to say that this question has since been removed after consultation
- 236 with Director Chambers. No documentation is required for the answer to that question.
- 237
- 238 - Chairman Derry also highlighted that a federal registry report on the controlling person
- 239 should be included in the board approval packet.
- 240
- 241 - The application is incomplete.
- 242

243 Joe Bonnell stated that corrections identified by the board will be applied to the form

244 after its been coordinated with the publication specialist

245

246 **146574 DartAppraisal.com, Inc**

- 247 - The application is complete following supplementation of the Federal Registry Report.
- 248
- 249 - Chairman Derry noted (during the afternoon call) that federal registry report shows its
- 250 “Licensed”.
- 251
- 252 - It was discussed that Joe Bonnell will seek internal legal opinion about the definition of
- 253 licensed vs. certified, for consideration in future regulatory project.
- 254

255 **A motion to approve the AMC application of DartAppraisal.com, Inc. was made by Renee**

256 **Piszczek, seconded by Ashlee Stetson, and approved by unanimous consent.**

257

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

259

260 Allan Safer’s documents for obtaining continuing education credits (a total of 7) were illustrated

261 in the board packet. Chairman Derry provided an overview of this request.

262

263 **A motion to approve 7 hours of continuing of education credits for teaching (12 AAC**

264 **70.200.C) by Allan Safer, was made Wendy Lawrence, seconded by Renee Piszczek, and**

265 **approved by unanimous consent.**

266

267 **Off the record for lunch break, 11:41 a.m.**

268 **Back on record, 1:01 p.m.**

269

270

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

277

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

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

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

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

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

Old Task List: Synchronous Distance Education

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

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

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

Old Task List: CE Credit for Board Meeting Attendance

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

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

New Task List: Work Verification Log

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

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

**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.

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

**Agenda Item #15                      Adjourn**

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

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

Respectfully submitted,

\_\_\_\_\_  
Allan Alcancia, Licensing Examiner

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Derry, Chairman

\_\_\_\_\_  
Date

Agenda Item # \_\_\_\_\_ Topic: \_\_\_\_\_

# Board of Certified Real Estate Appraisers

# Roll Call Sheet

Meeting Date: \_\_\_\_\_

[illegible]



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

ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS

MINUTES OF THE SPECIAL BOARD MEETING

Tuesday, June 18, 2019

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

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 Alaska Board of Certified Real Estate Appraisers was held via teleconference originating from the State Office Building at 333 Willoughby Avenue, 9<sup>th</sup> Floor – Conference Room B, in Juneau, Alaska on Thursday, May 16, 2019. Alaska Standard Time.

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

The teleconference meeting was called to order by Chairman Derry at 9:10 a.m.

**Board Members present constituting a quorum:**

David Derry, Chair, Certified General Real Estate Appraiser  
Wendy Lawrence, Vice-Chair, Certified Residential Real Estate Appraiser  
Renee Piszczek, Mortgage Banking Executive  
Ashlee Stetson, Public Member

**CBPL Division Staff present:**

Allan Alcancia, Occupational Licensing Examiner

**Members of the Public present:**

Cody Halterman  
Geoffrey Oliver

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

There was no ethics issue to disclose.

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

Chairman Derry announced the purpose of calling the special board meeting was to address the application for certification as general real estate appraiser of Cody Halterman, and to continue discussion on some issues of certification for him, which was previously raised at the last board meeting in May. This meeting served as follow-up pertaining to his work experience criteria and the revised experience log Mr. Halterman has submitted.

There was no objection to the agenda.

**Agenda Item #4                      Board Review of Cody Halterman Certification**

A motion to move into executive session to discuss the application of Cody Halterman in accordance with [AS 44.62.310(c)] and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion, was made by Renee Piszczek, and seconded by Ashlee Stetson, and approved unanimously by a roll call vote.

Allan Alcancia offered to contact Mr. Halterman when the board returns to general session. Mr. Halterman provided his contact number.

**Off the record for Executive Session, 9:16 a.m.**

**Back on record to Regular Session, 9:45 a.m.**

**Board Members present constituting a quorum:**

David Derry, Chairman, Certified General Real Estate Appraiser  
Wendy Lawrence, Vice-Chairman, Certified Residential Real Estate Appraiser  
Renee Piszczek, Mortgage Banking Executive  
Ashlee Stetson, Public Member

**CBPL Division Staff present:**

Allan Alcancia, Occupational Licensing Examiner

**Members of the Public present:**

Cody Halterman  
Geoffrey Oliver

Mr. Halterman was called at his contact number. He re-joined the regular session via teleconference with Mr. Oliver, his supervisor.

On behalf of the board, Chairman Derry started with an apology to Mr. Halterman for the amount of time it has taken to process his application more promptly due to several reasons. Chairman Derry stated the board finally had a chance to address his application at the board meeting last May, and corresponded with him with a request to revise his work verification logs via examiner Allan Alcancia. Mr. Halterman revised the logs as requested and submitted it to the board through the examiner.

Chairman Derry stated that he reviewed the experience on each work verification logs where Mr. Halterman wrote 'no commercial work' on the pages. Chairman Derry further stated that in general appraiser certification application he would normally expect to see, as part of work criteria, non-residential experience which would include work that utilizes income approach analysis, or if it was a vacant land the highest and best use would be for commercial use (whether multi-family residential, industrial, commercial) would involve income approach analysis, and cost and sales comparison approaches. Chairman Derry explained further that in reviewing a general appraiser certification application, major consideration is given to highest and best use of a property, and income approach analysis work experience criteria.

**Following Chairman Derry's introduction, a motion was introduced to grant certification to Cody Halterman as certified general real estate appraiser. The motion was made by Renee Piszczek, and seconded by Wendy Lawrence.**

**The motion failed unanimously by a roll call vote.**

In the discussion which followed the vote, Chairman Derry explained that both general and residential appraiser certification have different criteria and track for qualifying education and exam. Addressing this dilemma, Chairman Derry recognizes that while Mr. Halterman has followed the qualifying education for general certification, the regulation (12 AAC 70.115 (d)) would prevent the board to grant him the residential certification because of it. However, Chairman Derry added there is flexibility in the regulation where it could permit the board to grant certified residential appraiser certification by endorsement (12 AAC 70.120 & 08.87.110 (H)) in recognition of Mr. Halterman's completion of qualifying education for general certification and his work experience to date.

Mr. Halterman cited a letter he received from the division indicating that he was approved to sit for the general certification. Referencing the FAQs in the board website, this letter provided an impression to Mr. Halterman that the work experience logs he submitted have been reviewed and approved by the board. In response, Chairman Derry explained that when the board considered

Mr. Halterman's application in January, that consideration was regarding his qualifying education, and that his work experience and work experience log are still subject to review and approval. Chairman Derry further explained that the process involves having a member of the board select work products from the work experience logs, and reviewing it in terms of qualifications, work experience, and hours (12 AAC 70.110; 12 AAC 70.108 (a)).

Chairman Derry reiterated that prior to certification, work experience logs are subject to review in accordance to State/Federal, Appraisal Foundation (Real Property Appraiser Qualification Criteria) regulations and guidance. He explained further that communications Mr. Halterman may have received before, indicating "approval" from an examiner should simply mean that it's an acknowledgement that his work logs were received by the board.

Mr. Oliver, supervisor of Mr. Halterman, stated their organization performs appraisal work (via federal contract) on large rural Anchorage tracts including flying into villages. Mr. Oliver explained they don't have properties which are not income producing and not also residential properties. Chairman Derry also stated that a vacant land (which could be turned into a cabin or fishing site) can be appraised by residential appraiser and it poses no conflict in the regulation. (08.87.100 (2) & RPAQC pg.19). Chairman Derry reiterated to Mr. Oliver, supervisor of Mr. Halterman, that 1500 hours of non-residential work experience which utilized some income approach analysis is expected to meet the criteria for general certification.

Chairman Derry recapped that the work experience shown in the logs submitted by Mr. Halterman, does not constitute the experience the board expects for general certification. The board, through Chairman Derry suggested that Mr. Halterman submits an application for certified residential appraiser instead. Chairman Derry added that this decision by the board should not prevent Mr. Halterman from pursuing broader experience to become certified general appraiser in the future.

**A motion to waive the fee of \$580.00 for the residential real estate appraiser application of Cody Halterman was made by Wendy Lawrence, seconded by Renee Piszczek. This motion is intended for the application fee previously applied to the general appraiser application of Mr. Halterman.**

**The motion was approved unanimously by a roll call vote.**

**Agenda Item #5                      Adjourn**

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

153

154 The board unanimously RESOLVED to ADJOURN at 10:27 a.m.

155

156 Respectfully submitted,

157

158

159

160 \_\_\_\_\_  
Allan Alcancia, Licensing Examiner

\_\_\_\_\_  
Date

161

162

163

164 \_\_\_\_\_  
David Derry, Chairman

\_\_\_\_\_  
Date

Agenda Item # \_\_\_\_\_ Topic: \_\_\_\_\_

# Board of Certified Real Estate Appraisers

# Roll Call Sheet

Meeting Date: \_\_\_\_\_

[illegible]

# Introduction of Guest Auditors & Overview of Compliance Review

**Claire Brooks**, *Lead Policy Manager*  
Appraisal Subcommittee

**Neal Fenochietti**, *Policy Manager*  
Appraisal Subcommittee

# Morning Break



# Investigations

# Investigative Reviews & Probation Reports



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,  
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS, AND  
PROFESSIONAL LICENSING  
Anchorage Office

550 West Seventh Avenue, Suite 1500  
Anchorage, AK 99501-3567  
Main: 907.269.8160  
Toll free fax: 907.269.8156

DATE: July 23, 2019  
TO: Alaska Board of Certified Real Estate Appraisers  
THRU: Amber Whaley, Senior Investigator *[Signature]*  
FROM: Shyla Consalo, Investigator *[Signature]*  
SUBJECT: Certified Real Estate Appraisers Investigative Report for August 2, 2019 Board Meeting

The following information was compiled as an investigative report to the Board for the period from May 3, 2019 through July 23, 2019. Including cases, complaints, and intake matters, since the last report, the Division opened **three (3)** matters and closed **one (1)** matters, a total of **six (6)** matters remain on-going and under active investigation or are pending litigation (*as indicated by italics*).

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

<u>CASE#</u>	<u>OPENED</u>	<u>ALLEGED VIOLATION</u>	<u>PROFESSION</u>
2018-000048	01/11/2018	Incompetence	Real Estate Appraiser
2018-001318	11/19/2018	Violation of Licensing Regulation	Real Estate Appraiser
2018-001336	11/19/2018	Incompetence	Real Estate Appraiser
2019-000294	03/14/2019	Violation of Licensing Regulation	Real Estate Appraiser
2019-000433	05/02/2019	Fraud or Misrepresentation	Real Estate Appraiser
2019-000443	05/07/2019	Violation of Licensing Regulation	Real Estate Appraiser
2019-000655	07/09/2019	<i>License Application Problem</i>	<i>Applicant</i>

**OPEN CASES: TOTAL = 6**

**\*\* Indicates a matter with license action before the Board for consideration at this meeting.**

**INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING:**

<u>CASE#</u>	<u>CLOSED</u>	<u>VIOLATION</u>	<u>CLOSURE TYPE</u>
2019-000433	06/10/2019	Fraud or Misrepresentation	Incomplete Complaint

**CLOSED CASES: TOTAL = 1**

## EXECUTIVE SESSION MOTION

### **Sec. 44.62.310. Government meetings public.**

(c) The following subject may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
- (3) matters which by law, municipal charter, or ordinance are required to be confidential;
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

### **MOTION WORDING:**

**“In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):**

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; *OR***
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; *OR***
- (3) matters which by law, municipal charter, or ordinance are required to be confidential; *OR***
- (4) matters involving consideration of government records that by law are not subject to public disclosure.**

**Board staff is requested to remain during the session *OR***

**Board only to remain during session.”**

**Staff will then state “The board is off the record at \_\_\_\_\_(time).”**

## **EXECUTIVE SESSION MOTION**

I, \_\_\_\_\_, move that the Alaska State Board of Real Estate Appraisers enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing \_\_\_\_\_

---

Board staff to remain during the session.

Off record: \_\_\_\_\_

On record: \_\_\_\_\_

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- **matters involving consideration of government records that by law are not subject to public disclosure.**

# Public Comment

# Division Update



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING  
Juneau Office

P.O. Box 110806  
Juneau, AK 99811-0806  
Main: 907.465.2550  
Toll free fax: 907.465.2974

## MEMORANDUM

**TO:** Professional Licensing Board Members

**DATE:** July 26, 2019

**FROM:** Sara Chambers, Division Director

**SUBJECT:** Professional Licensing Reform

Happy New Year! We are nearly a month into Fiscal Year 2020, and with it comes a new division budget, as well as new opportunities to evaluate how we are doing, where we are going, and how we plan to get there. Often, the beginning of a new year inspires us to set resolutions, and we are doing just that in FY20.

Governor Dunleavy set the stage for us to dig into this task when he issued his State of the State Address in January. As our new chief executive, he promised to accomplish the following during his tenure in office:

- We're going to declare war on criminals.
- We're going to get our spending in line with our revenue.
- We're going to protect Alaskans' Permanent Fund dividends.
- We're going to grow our economy and put Alaskans to work.
- And we must restore public trust in government and elected officials.

Several of these goals relate to our work as professional licensing leaders: We must spend less than our allocated budget, ensure public safety, and inspire the trust of the public through responsibility and transparency. **Most of all, we must strike the delicate balance between growing our economy and putting Alaskans to work while protecting the public interest.** We accomplish these goals as partners in active, accountable governance and defensible, reasonable administration.

Further, Commissioner Anderson has tasked our division and our partner boards with the following immediate focus:

- Consider whether our occupational licensing requirements are reasonable responses to actual potential harm rather than hypothetical harm.
- Review statutes and regulations to ensure any licensing requirement is necessary and tailored to fulfill legitimate public health, safety, or welfare objectives.
- Review the license application process with a goal of substantially reducing the time required to review applications and issue licenses.

In celebration of the new year—and to keep us on track with our mandate—I've developed a few New Year's Resolutions for our boards and staff. (And, yes...true to tradition, these resolutions do involve losing weight!)



1. **At all times, our governance should demonstrate that we have *internalized the purpose of professional licensing*: safeguarding the public interest.**
  - a. Records of decisions should reflect that *the board considered the risk of harm* to consumers, the *impact on those seeking or holding a license*, the *effect on the market*, and any *unintended consequences* to any party.
  - b. All board deliberations should be *thorough, balanced, and grounded* in law and logic.
  - c. Board business should reflect *accountability and responsiveness* in addressing concerns.
2. ***Make decisions that reflect proficiency* in the statutes, regulations, division policies, and state/national issues that affect our licensing programs.**
  - a. Read all centralized statutes ([AS 08.01-03](#)) and regulations ([12 AAC 02.010-400](#); [12 AAC 02.900-990](#)) and *know how to utilize them*, as appropriate.
  - b. Read [your program's](#) statutes under AS 08 and regulations under 12 AAC 02 and *take responsibility for being the state's experts* in what they say and how they impact the public, applicants, licensees, and other stakeholders.
  - c. Refer regularly to your [board member training resources](#) located on the division's web site, especially the Guide to Excellence in Regulation, which will help you navigate the intricacies of service on a quasi-judiciary government board.
3. **Add value to the bottom line by delivering *excellent service* to all internal and external customers.**
  - a. Communicate *transparently, proactively, and clearly*.
  - b. Respond to inquiries *promptly and professionally*.
  - c. *Resolve any roadblocks* that are delaying review or issuance of licenses to qualified individuals.
  - d. *Maximize efficiencies* where possible and practical.
  - e. Identify when *additional resources* are needed, and make solution-oriented suggestions to the director.
4. **Prioritize changes to statutes and regulations that *streamline, modernize, and reduce barriers* to employment of qualified individuals.**
  - a. *Develop a strategic plan for your board*. The division can provide resources to assist you.
  - b. *Look for low-hanging fruit*: What has created a regulatory roadblock in the last five years? What is outdated or outmoded, given current tools, trends, and technology?
  - c. *Think big*: Now is the time to consider those ambitious changes you've dreamed about making. Join a licensure compact? Adopt reciprocity with other states? Put it on the table.
  - d. *Challenge biases and "the way we have always done it"*: Does the data support the decision? What does the requirement accomplish? Is it based on fact, fear, familiarity, or faction?
  - e. *Build into each agenda ample time to review* a portion of your program statutes and regulations to ensure they are serving the public interest.
  - f. *Set deadlines to assertively draft changes to statutes and regulations*. Consider assigning committees to work on them at publicly noticed gatherings between board meetings. Use the division's administrative resources to maximize outputs and opportunities.

I have directed staff to provide you with various tools to begin addressing New Year's Resolution #4 at your next board meeting. Either your board executive (if you have one), the deputy division director, or I plan to attend during the standard Division Update agenda item to walk through these tools and the task ahead.

**Board progress on this review and your suggested regulatory changes will be reported up to the governor's office, and we stand at the ready to support your work.** As always, our division regulations specialists are here to assist in drafting regulations. If you plan to navigate legislation that meets these objectives, please contact me directly or through your staff so we can leverage all our resources toward our common goal.

We are scheduling a survey to licensees and industry stakeholders to gather their input, which will be shared with each relevant board. You may also wish to encourage public comment on this topic in advance of a future board meeting. As resources allow, we may hold “town hall”-style meetings to solicit thoughts from the public. If you have additional ideas for outreach, please let me know. Please be sure to check the division's [board member training resources web site](#) for additional links to helpful resources.

The year ahead may move us out of our comfort zones, but it will fine tune our agency into a high-functioning, laser-focused, mission-oriented team. I look forward to actively working with you to accomplish these goals. Please reach out to me any time with questions, concerns, and ideas. I'm happy to think through both the small tweaks and the big ideas along with you. My direct line is 907-465-2144 and email is [sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov).

# IS IT GOVERNMENT'S RESPONSIBILITY?

RETHINKING REGULATION, RISK, AND RESPONSIBILITY  
IN STATE GOVERNMENT

*The best government is that which governs least.*

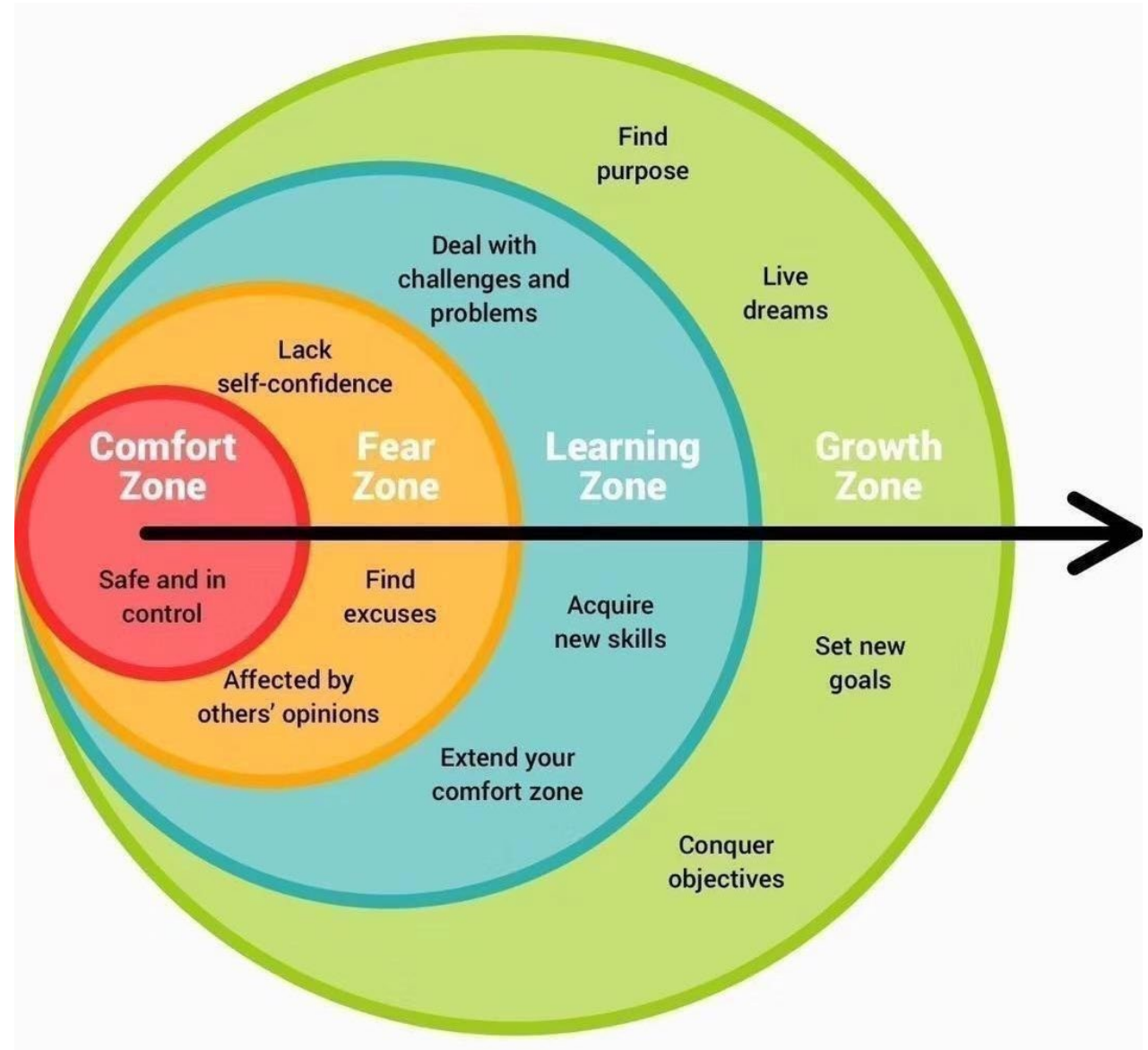
*John L. O'Sullivan, The United States Magazine and Democratic Review, Vol. I (1837)*

# LEARNING OBJECTIVES

- Rethink options to manage risk
- Break out of comfort zone
- Hear different perspectives
- Enable you to:
  - Evaluate current and proposed management strategies
  - Propose statute, regulation, or administrative changes to the existing regulatory landscape

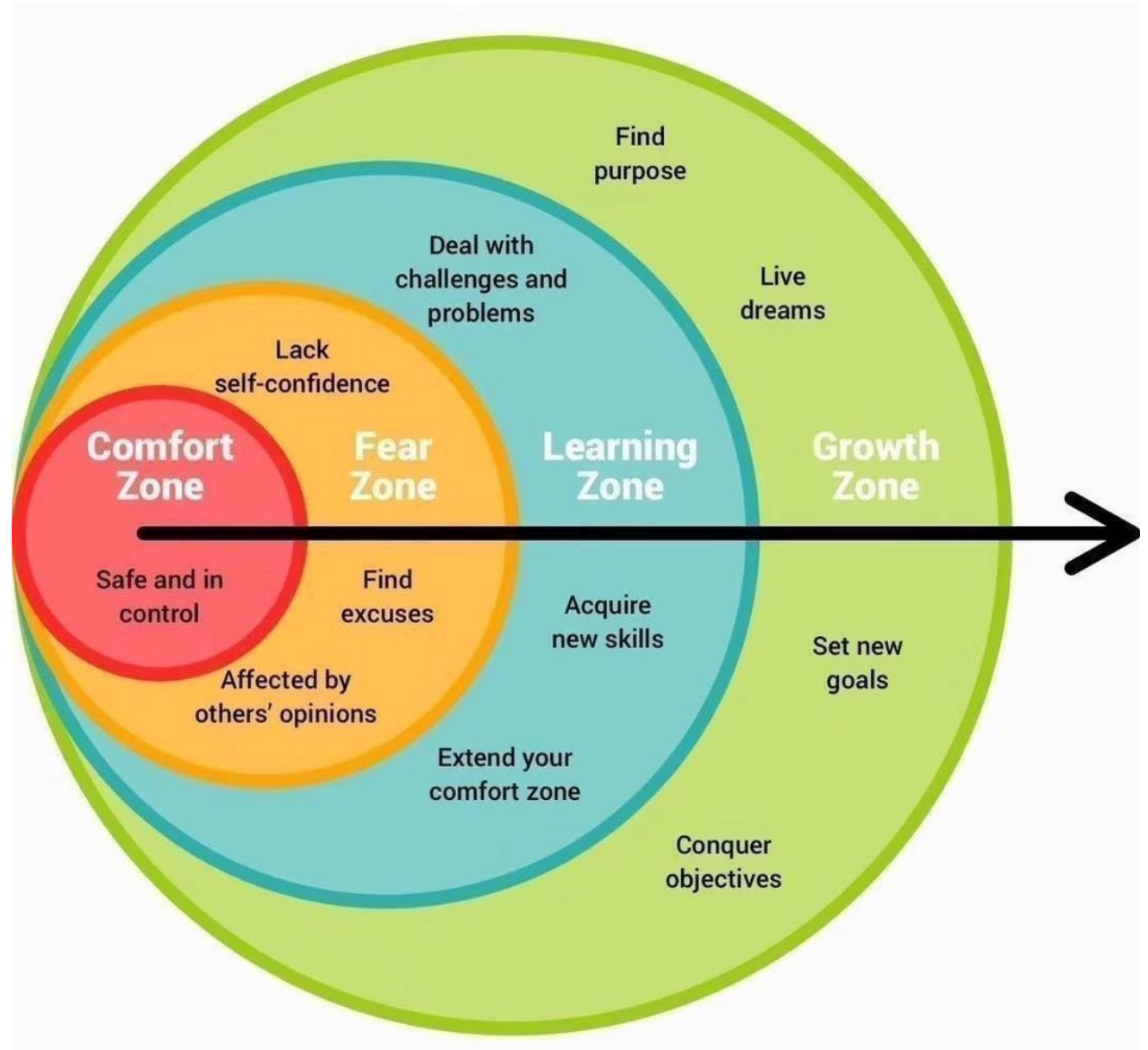
# THIS EXERCISE WILL:

- prompt you to consider new ideas to solve problems
- expose you to fresh perspectives
- encourage deep dives into alternatives to regulation
- provide a framework for further discussion
- provide justification and reinforcement of management decisions



# THIS EXERCISE WILL NOT:

- tell you how to solve the problem
- make you feel comfortable
- force you to change



# WHAT IS THE ROLE OF GOVERNMENT?

- Form a more perfect union
  - Establish justice
  - Insure domestic tranquility
  - Provide for the common defense
  - Promote the general welfare
  - Secure the blessings of liberty
- Secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the union of states

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**Preamble to the Constitution  
of the United States of  
America**

**Preamble to the Alaska  
Constitution**



# SO, WHY DO WE DO WHAT WE DO?

- Limit risk before it happens
- Provide remedy & redress of wrongs
- Gather, disseminate, and analyze data
- Ensure public process
- Create a revenue stream to pay for services
- Ensure transparency
- Provide public services
- Create stability and maintain order
- Set forth common boundaries, rights, and systems for governance
- Other reasons?

# IS IT *REALLY* GOVERNMENT'S RESPONSIBILITY?

Is it a **proper activity** of government?

Does it **duplicate work** performed in the private sector?

Does it **require a monopoly**, or can multiple entities do it?

Is it **mandated by the federal government**?

For the purpose of this exercise, include any activity performed by your agency.

# IS IT *REALLY* GOVERNMENT'S RESPONSIBILITY?

Or, do we ask government to perform our activity because:

**We have always done it that way?**

**We can't think of another way to do it?**

**We feel ownership over the activity?**

**We don't have the resources to do explore options?**

**We don't have the resources to do manage the change?**

**Statutory change is too volatile and cumbersome?**

**Stakeholders want us to do it / no alternatives?**

**The public is complacent?**

Other legitimate reasons, weak excuses, unexposed biases?

# ARE WE DOING IT WELL?

Is the way we perform our activity:

The most { **effective**  
**cost-efficient**  
**time-efficient**  
**customer-friendly**  
**inclusive** } way to do it?

# **RIGHT-TOUCH REGULATION**

**A RISK-MANAGEMENT APPROACH TO EVALUATING  
REGULATORY ACTIVITY**

*Time to use your workbook!*

# SECTION A: IDENTIFY THE PROBLEMS

The following bad things could happen when this activity is performed:

- 1.
- 2.
- 3.
- 4.
- 5.

# SECTION B: CREATE A *HAZARD PROFILE*

What are the inherent (intrinsic) hazards present when the problem occurs?

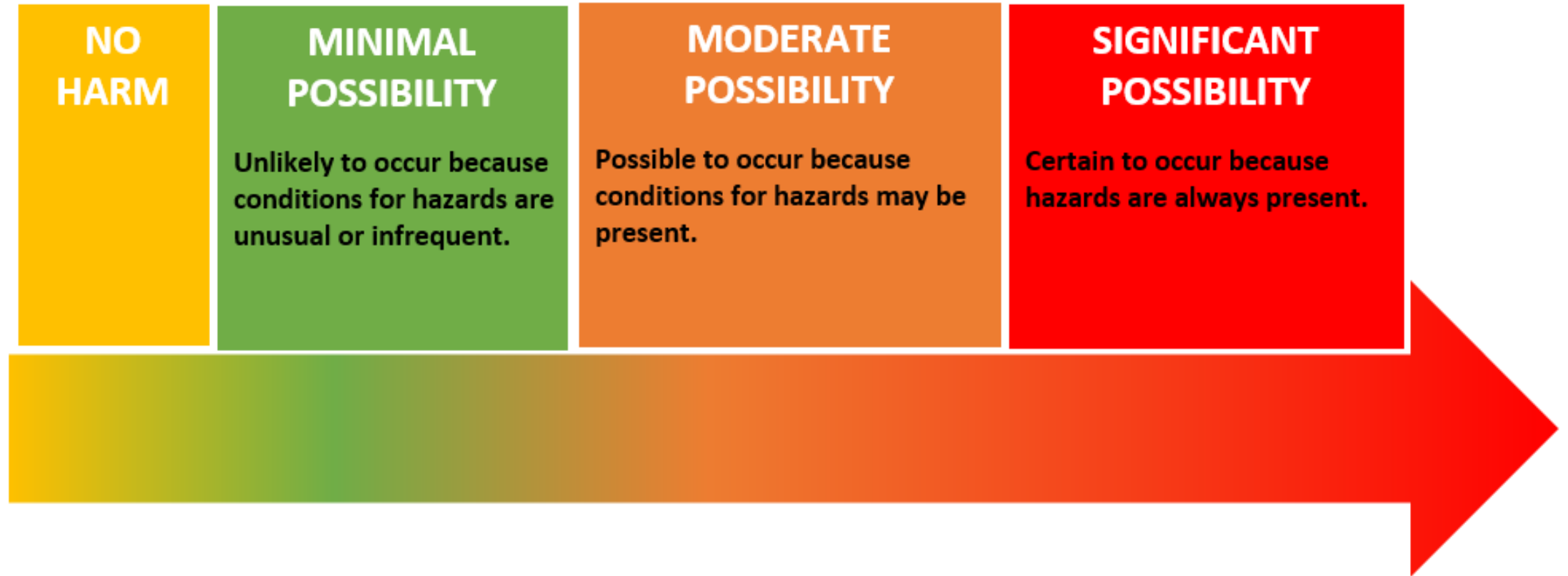
- Complexity
- Context
- Agency

What are the external (extrinsic) hazards present when the problem occurs?

- Scale
- Perception
- Impact of regulation
- Unintended consequences

# SECTION C: HARM POSSIBILITY

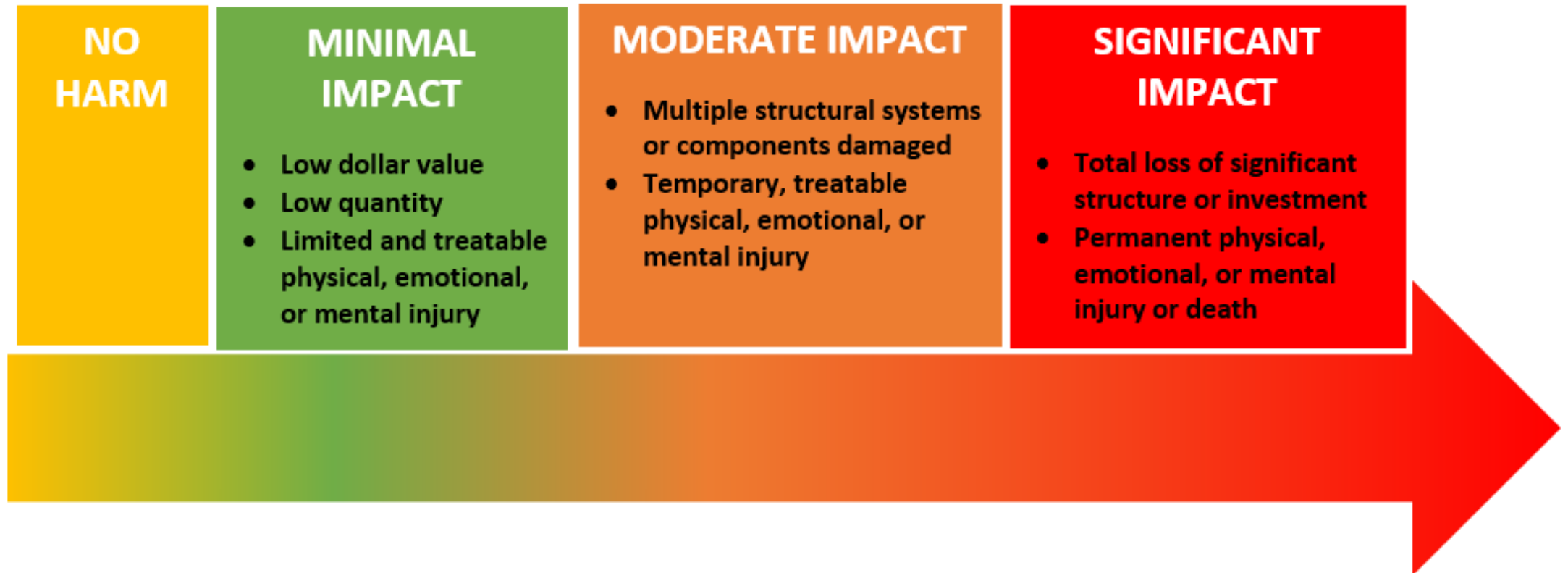
What is the *possibility* for the hazard to lead to creation of a harm?





# SECTION D: HARM SIGNIFICANCE

If a harm occurs, what is its significance?



# SECTION D: HARM RATINGS

**Harm Possibility + Harm Significance = Total Harm Rating**

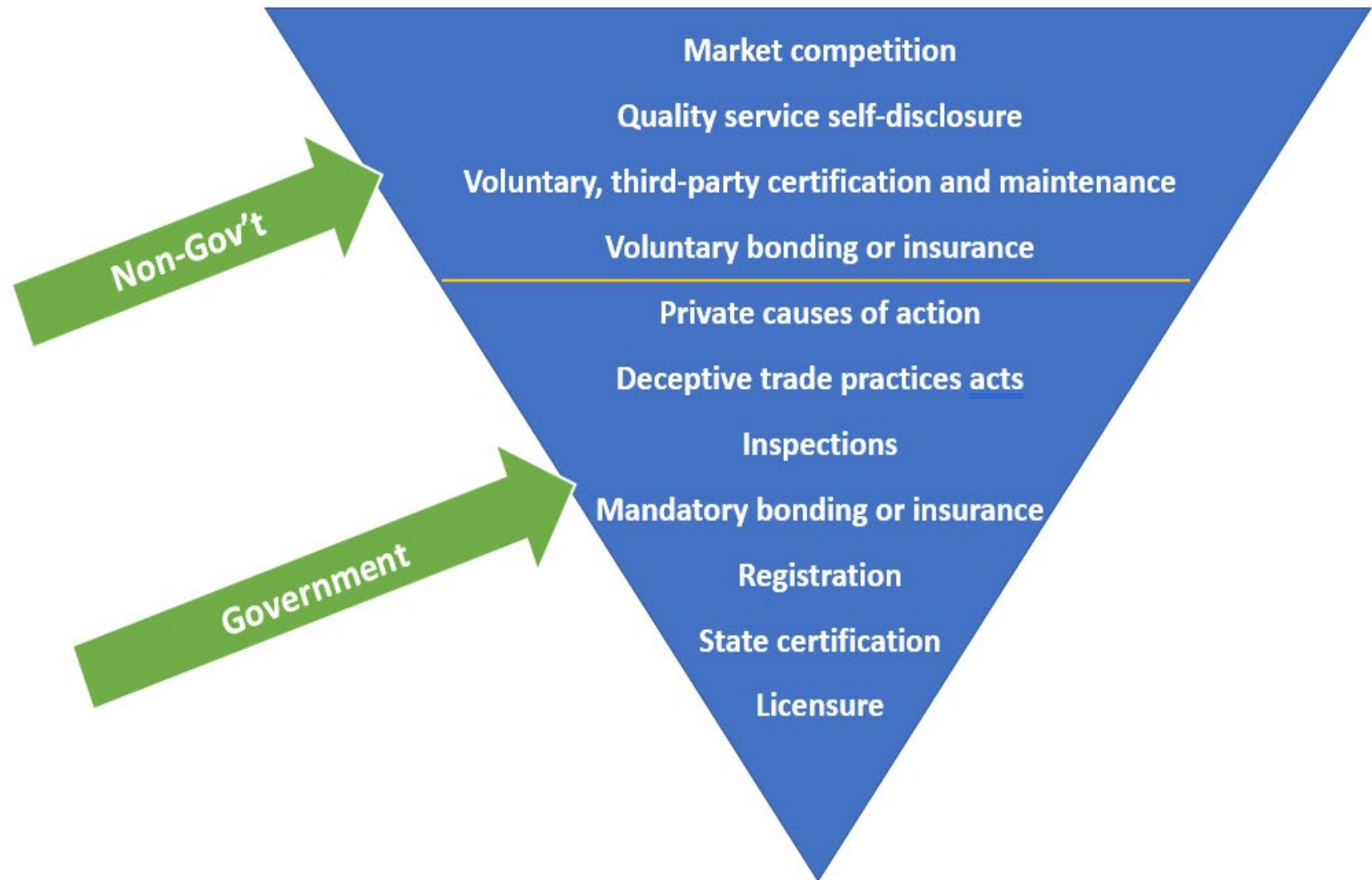
There is no scientific “high” or “low” harm rating for any particular regulated program or activity.

Compare your score with others:

- Did you have similar ratings?
- If not, what data is missing?
- What opinions or biases exist?
- Note any observations and make appropriate changes.

# SECTIONS E & F: HAZARD MANAGEMENT

Examples from the world of professional licensure



# SECTIONS E & F: HAZARD MANAGEMENT

The good, the bad, and the ugly: What is an acceptable level of risk? Oversight? Expense? Flexibility?

## MARKET

- Yelp, Angie's List, Facebook
- Written warranty or money-back guarantee
- Better Business Bureau, Good Housekeeping Seal, national accreditation
- Employer/facility oversight
- Voluntary proof of insurance or bond

## PALLIATIVE REGULATION

- Law requires proof of insurance or bonding
- Legal grounds for court action, may enjoin the state
- May be disciplined for violations

## PREVENTATIVE REGULATION

- Must appear on an approved state list
- Periodic safety or compliance reviews by state agency
- Must meet state criteria



# SECTIONS G & H: HAZARD MANAGEMENT

The good, the bad, and the ugly: What is an acceptable level of risk? Oversight? Expense? Flexibility?

Non-governmental regulation	Governmental regulation
Many options available	Fewer options available
Assumes an element of risk	Presumed safe
Less predictable, more agile	Predictable, slow to change
Less transparent, public process is optional	More transparent, public process is mandatory
Based on policy and practice	Based on statute and regulation
Accountable to the market/consumer	Accountable to state processes and agencies
Recourse through litigation, social media campaigns	Recourse through Administrative Procedures Act
May be unclear who is controlling quality, safety	Identity of the regulator is usually obvious
Cost depends on situation, funding can be fluid	Cost is set in state budget, statute, or regulation

# SECTION I: MANAGEMENT RATINGS

**Type of Management + Restrictiveness + Flexibility**  
**= Total Management Rating**

There is no scientific “high” or “low” management rating for any particular regulated program or activity.

Compare your score with others:

- Below your ratings, write down your observations and opinions.
- Are you surprised that a particular hazard has a higher number—and therefore a more regulatory management response—than others?
- Reconsider any changes.

# SECTION J: NEXT STEPS

**What are the next steps to adjust the climate of regulation of the profession you are reviewing?**

Compare your score with others:

- Review the documentation you have created in the previous exercises.
- What changes are needed to implement new management strategies?
- What are current inhibitors to improvement in management of relevant hazards?
- Reconsider any changes.
- Create a written, time-bound plan to accomplish next steps

# THANK YOU!

***THE REGULATORY REVIEW TEAM***  
***GOVERNOR MICHAEL J. DUNLEAVY***

*Amy Demboski, Assistant Commissioner, DCCED (Project Manager)*

*Julie Anderson, Commissioner, DCCED*

*Adam Crum, Commissioner, DHSS*

*John MacKinnon, Commissioner, DOTPF*

*Sara Chambers, Division Director, DCCED*

*Glenn Hoskinson, Special Assistant, DCCED*



# Is it government's responsibility?

## EVALUATING OCCUPATIONAL LICENSING REGULATION

Department: \_\_\_\_\_ Division: \_\_\_\_\_

Rater: \_\_\_\_\_ Role: \_\_\_\_\_ Date: \_\_\_\_\_

Sector/activity/program under review: \_\_\_\_\_

This evaluation tool is based on the principles of **right-touch regulation**, which does not prescribe an outcome but leads the thoughtful regulator to explore what characteristics of oversight will properly limit or address any problems with the activity in question.

The principles state that regulation should aim to be:

<b>Proportionate</b>	Regulators should <b>only intervene when necessary</b> . Remedies should be appropriate to the risk posed, and costs identified and minimized
<b>Consistent</b>	Rules and standards must be <b>aligned and implemented fairly</b>
<b>Targeted</b>	Regulation should be <b>focused on the problem, and minimize side effects</b>
<b>Transparent</b>	Regulators should be <b>open, and keep regulations simple and user friendly</b>
<b>Accountable</b>	Regulators must be able to <b>justify decisions, and be subject to public scrutiny</b>
<b>Agile</b>	Regulation must <b>look forward</b> and be able to <b>adapt to anticipate change</b>

These principles provide the foundation for thinking on policy in all sectors of society. The concept of right-touch regulation emerges naturally from these six principles: bringing together commonly agreed-upon principles of good regulation with understanding of a sector and a quantified and qualified assessment of risk of harm. It is intended for those making decisions about the design of a regulatory framework.

### What this exercise **WILL** do:

- prompt you to consider new ideas to solve problems
- encourage deep dives into alternatives to regulation
- provide justification and reinforcement of management decisions
- expose you to fresh perspectives
- provide a framework for further discussion

### What this exercise **WILL NOT** do:

- tell you how to solve the problem
- make you feel comfortable
- force you to change

This workbook is intended to accompany an explanatory presentation with the same title. If you have received the workbook without access to the presentation or materials, please contact Sara Chambers at [sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov).

## Identify the Problems

We need to identify the problem before we can determine whether any policy is the right one. Often in policy development the need for regulatory change, as a solution, is identified before the problem is properly described and understood. This can lead to inefficiencies as resources are spent developing a regulatory solution when the problem may be better dealt with in other ways.



### *Examples from various professions:*

- An improperly built structure could collapse.
- A person could overdose on prescribed medication.
- Wildlife could be wantonly wasted.

**A. Describe the problems with this profession.** List each problem on a separate line.


## Quantify and Qualify the Risks

Once the problem has been identified, we need to understand it fully and quantify and qualify the risks associated with it. Quantifying risks means gauging the likelihood of harm occurring and its severity. Qualifying risks means looking closely at the nature of the harm, and understanding how and why it occurs. Without this two-fold evaluation, which must be based on evidence, it is impossible to judge whether regulatory action is necessary, what type of regulatory response might be needed, or whether it would be better to use other means of managing the issues. Regulation should only be chosen when it clearly provides the best solution. Simply identifying a real or potential risk is not sufficient.

## B. Create a *hazard profile* for each problem

Intrinsic Hazards		Extrinsic Hazards	
<b>Complexity</b>	Potential for harm caused by essential features of practice; for example: prescribing, surgical and psychological interventions	<b>Scale</b>	This criterion helps to ascertain the dimensions of harm. If the number of practitioners or service users is small, then this may suggest an alternative method of assurance would be appropriate. Conversely, support workers might pose a small risk volume in terms of complexity but are high in numbers.
The complexity and inherent hazards of the activity		<ul style="list-style-type: none"> <li>Size of service user group</li> <li>Size of practitioner or licensee group</li> </ul>	
<b>Context</b>	Environments with varying levels of oversight (hospitals, private practice, homes) may indicate greater or lesser opportunity for hazards—or the ability to proactively or reactively manage hazards.	<b>Perception</b>	This criterion enables consideration of probable effects on public confidence in the occupation or needs of employers or other agencies using the services of the occupational group.
The environments in which the intervention takes place		Need for: <ul style="list-style-type: none"> <li>Public confidence in the occupation</li> <li>Assurance for employers or other stakeholders</li> </ul>	Take care not to allow false perceptions influence your answers.
<b>Agency</b>	Contact with service users who may have less ability to exercise control over their care and circumstances may indicate a greater opportunity for hazards.	<b>Impact of regulation</b>	This criterion considers the impact of assurance mechanisms on the cost and supply of the occupation.
Service user vulnerability or autonomy		<ul style="list-style-type: none"> <li>Market</li> <li>Workforce</li> <li>Quality</li> <li>Cost</li> <li>Innovation</li> </ul>	Market impact might include market size, prices, trading conditions, labor supply, employer needs, cost to licensee.
		<b>Unintended Consequences</b>	Any identifiable unintended consequences of the proposed forms of assurance are considered so that any implications can be addressed.
<b>Problem</b>	<b>Intrinsic Hazards</b>	<b>Extrinsic Hazards</b>	

	<div>1.</div> <div>2.</div> <div>3.</div>	<div>1.</div> <div>2.</div> <div>3.</div>
	<div>1.</div> <div>2.</div> <div>3.</div>	<div>1.</div> <div>2.</div> <div>3.</div>
	<div>1.</div> <div>2.</div> <div>3.</div>	<div>1.</div> <div>2.</div> <div>3.</div>
	<div>1.</div> <div>2.</div> <div>3.</div>	<div>1.</div> <div>2.</div> <div>3.</div>
	<div>1.</div> <div>2.</div> <div>3.</div>	<div>1.</div> <div>2.</div> <div>3.</div>

C. What is the possibility for the hazard(s) to lead to creation of a harm?

<b>1-2</b>	<b>No harm to person or property</b> is associated with this profession.
<b>3-4</b>	<b>Minimal possibility of harm:</b> Unlikely to occur because conditions for hazards are unusual or infrequent.
<b>5-6</b>	<b>Moderate possibility of harm:</b> Possible to occur because conditions for hazards may be present.
<b>7-8</b>	<b>Significant possibility of harm:</b> Likely to occur because hazards are frequently present.
<b>9-10</b>	<b>Significant possibility of harm:</b> Certain to occur because hazards are always present.

<b>Hazard</b>	<b>Possibility Rating</b>	<b>Explanation of the possibility of harm:</b> What is the likelihood for something to go wrong? What conditions must be triggered?
1.		
2.		
3.		
4.		

5.		
6.		
7.		
8.		
9.		
10.		

## D. What is the significance of the harm?

<b>1-2</b>	<b>No harm to person or property</b> is associated with this profession.		
<b>3-4</b>	<b>Minimal harm to property:</b> Items of low dollar value or low quantity could be damaged or destroyed.		
<b>5-6</b>	<b>Moderate harm to property</b> Multiple structural systems or components or a single system/component of moderate value or investment could be damaged or destroyed.	<b>OR</b>	<b>Minimal harm to life, health, or safety</b> <ul style="list-style-type: none"> <li>Physical/emotional/mental harm to a person could be limited and minor, no treatment required</li> <li>Small number of people possibly affected</li> </ul>
<b>7-8</b>	<b>Significant harm to property</b> Total loss of significant structure or investment	<b>OR</b>	<b>Moderate harm to life, health, or safety</b> to a person <ul style="list-style-type: none"> <li>Temporary, treatable physical/emotional/mental injury could occur</li> <li>Larger number of people possibly affected</li> </ul>
<b>9-10</b>	<b>Significant harm to life, health, or safety:</b> Permanent physical/emotional/mental injury or death could occur. Wide audience of potential victims.		

Hazard	Significance Rating	Explanation of the significance of the harm
1.		
2.		
3.		
4.		
5.		
6.		
7.		

8.		
9.		
10.		

Total your ratings regarding *harm*:

Hazard	Harm Possibility Rating	Harm Significance Rating	TOTAL
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9			
10.			

Write down any observations regarding your rating totals:



### Get as Close to the Problem as Possible

Once we have identified the problem and fully understood the risks, we must look for a solution that is as close to the problem as possible. Regulation is distant and removed from the point of care and problems are best solved near to where they occur. Targeted regulation needs to understand both the range of hazards and the factors that increase or decrease the risk of them resulting in harm. This means understanding the context in which the problem arises and the different tools that may be available to tackle the issues. We may need to work with organizations and individuals that are closer to the problem to bring about change. Some problems may be best tackled by regulatory measures applying to a whole profession, while others may require more targeted regulation or a non-regulatory approach.

### Focus on the Outcome

Adopting a “right-touch” approach means staying focused on the outcome that we are looking to achieve, rather than being concerned about process, or prioritizing interests other than public safety. The outcome should be both tangible and measurable, and it must be directed towards the reduction of harm. Staying focused on the outcome helps identify the most appropriate solution. Having a clearly defined and measurable outcome also makes it easier to measure effectiveness.

### Use Regulation Only When Necessary

Once the problem has been considered, we may begin to examine whether a regulatory change is the right proposal, evaluating this against the options of doing nothing and the risks and benefits of intervening. Making changes to regulation, especially statutory regulation, can be a slow process, so regulation should only be used as a solution when other actions are unable to deliver the desired results. A right-touch regulatory solution must keep to the six principles of good regulation and should build on existing approaches where possible. This will often involve looking for solutions other than regulation and may require regulators to work with other organizations and people to bring about change.

**E. How can the hazards be managed without state regulation?** Total harm ratings under 14 *may best be managed through non-governmental strategies*. If they can't, explain why.

<b>0</b>	<b>Market competition</b>	Yelp, Angie's List, Facebook, word of mouth
<b>0</b>	<b>Quality service self-disclosure</b>	Written specific warranty or money-back guarantee
<b>0</b>	<b>Voluntary third-party certification</b>	Better Business Bureau, national accreditation
<b>1</b>	<b>Partnership with stakeholders</b>	Employer/facility oversight, such as training, qualifications, codes of conduct, supervision, and evaluation
<b>1</b>	<b>Voluntary bonding/insurance</b>	Proof of insurance or bond is available
<b>2</b>	<b>Local/municipal ordinance</b>	Regulated or managed at the local level
Assign numbers	<b>Other ideas:</b>	

Hazard	Non-State Management Rating	Explanation of your suggested management <i>solution</i> in section E
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

For regulation to work, it must be clear to those who are regulated, clear to the public, clear to employers, and clear to the regulator. If each cannot explain to the other what the purpose of a regulation is and why it will work, it is not simple. This is as true in health and social care, with such a wide variety of agencies and individuals involved, as it is in other sectors. Avoiding complexity will lead to a greater impact. A regulatory response should be as simple as it can be while achieving the desired outcome.

### Check for Unintended Consequences

Assessing the probable impact of a particular solution is an essential step to help us avoid unintended consequences. In a system as interconnected and complex as health and social care, for example, it is inevitable that proposing a change in policy and practice will have consequences for other parts of the system. If regulations are not workable, people will work around them and in doing so create new risks. Regulating to remove one risk without a proper analysis of the consequences may create new risks or merely move the risk to a different place.

**F. How can the risk of hazards be managed through government regulation?** List the potential unintended consequences or new risks created by government intervention.

**Do these consequences outweigh the benefits of regulation? Why is state intervention the only solution?** Validate your answer; you may find that you change your mind.

<b>2</b>	<b>Legal recourse/consumer protection acts</b>	Legal grounds for court action, may enjoin the state
<b>3</b>	<b>Mandatory bonding/insurance</b>	Law requires proof of insurance or bonding
<b>5</b>	<b>State Inspection</b>	Periodic safety or compliance reviews by state agency
<b>6</b>	<b>State Registration</b>	Must be on an approved state list; minimal entry criteria required
<b>8</b>	<b>State Certification</b>	Must meet state criteria, no discipline is applicable
<b>10</b>	<b>State Licensure</b>	Must meet state criteria, may be disciplined for violations
<b>Hazard</b>	<b>State Management Rating</b>	<b>Explanation of your suggested management <i>solution</i> in section F</b>
1.		
2.		

3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

**G. Rate the level of restriction on market participants or restriction of access to services created by the management of each hazard.**

<b>1-2</b>	<b>Not restrictive:</b> No solution is necessary.
<b>3-4</b>	<b>Minimally restrictive:</b> A voluntary market solution like self-certification or bonding was selected. Most people can easily meet these criteria, and the service is widely available.

<b>5-6</b>	<b>Moderately restrictive:</b> A low-impact regulatory solution like registration, bonding, or insurance was selected. Most people seeking to enter the profession can meet these criteria, and the service is available in most markets.
<b>7-8</b>	<b>Very restrictive:</b> National certification/examination or another universal industry standard was selected. Many people seeking to enter the profession can meet these criteria, and the service is usually available in medium-to-large markets.
<b>9-10</b>	<b>Extremely restrictive:</b> Full licensure with criteria like restricted education, supervision, and examination was selected. Some people seeking to enter the profession can meet these criteria, and the service is usually only available in large markets.

Hazard	Restrictiveness Rating	Explanation of the restrictions created by your suggested <i>management</i> solutions in sections E and F.
1.		
2.		
3.		
4.		

5.		
6.		
7.		
8.		
9.		
10.		

### Review and Respond to Change

We should build flexibility into regulatory strategy to enable regulation to respond to change. All sectors evolve over time, as a result of a range of different influences. Regulators must not be left managing the crises of the past, while ignoring or being unable to react to new evidence that calls for change. This is what we mean by agility. A program of regular reviews, evaluation, and sunset audits can all help here.

**H. Rate the level of flexibility of the management strategy as determined above.**

<b>1</b>	<b>Extremely flexible:</b> No solution is necessary.	
<b>3</b>	<b>Moderately flexible:</b> Solution is managed by the participant or employer.	
<b>7</b>	<b>Minimally flexible:</b> Management of the problem requires state regulation change.	
<b>10</b>	<b>Not flexible:</b> Management of the problem requires state statute change.	
Hazard	Flexibility Rating	Provide method and frequency of evaluation to determine whether the solution is relevant and effective and—if not—how changes can be made
1.		
2.		
3.		
4.		
5.		
6.		

7.		
8.		
9.		
10.		

### I. Total all your *management* ratings:

Below your ratings, write down your observations. Are you surprised that a particular hazard has a higher number—and therefore a more regulatory management response—than others? Reconsider any changes. If you are doing this exercise in a small group, discuss your ratings and answers with colleagues.

Hazard	Non-State Management Rating	State Management Rating	Restrictiveness Rating	Flexibility Rating	TOTAL
1.					



--	--	--	--	--	--

2.					
----	--	--	--	--	--

--	--	--	--	--	--

3.					
----	--	--	--	--	--

--	--	--	--	--	--

4.					
----	--	--	--	--	--

--	--	--	--	--	--

5.					
----	--	--	--	--	--

--	--	--	--	--	--

6.					
----	--	--	--	--	--

--	--	--	--	--	--

7.					
----	--	--	--	--	--

8.					
9.					
10.					

**J. Determining next steps**

What must happen to adjust the climate of regulation of the profession you are reviewing? Review the documentation you have created in the previous exercises.

Hazard	Changes needed to implement new management strategies	Current inhibitors to improvement in management of relevant hazards
--------	---	---

1.		
2.		
3.		
4.		
5.		
6.		

7.		
8.		
9.		
10.		

**Deadlines and due-outs to accomplish next steps:**

Next Step	Person Responsible	Target Date of Draft	Target Date Final


This workbook was developed by the Alaska Department of Commerce, Community, and Economic Development; Division of Corporations, Business and Professional Licensing ([www.commerce.alaska.gov/web/cbpl](http://www.commerce.alaska.gov/web/cbpl)) in 2019.

Primary credit for the narrative and concepts used in this tool are to the Professional Standards Authority ([www.professionalstandards.org.uk](http://www.professionalstandards.org.uk)). The concept of right-touch regulation emerges from the application of the principles of good regulation identified by the [Better Regulation Executive](#) in 2000, to which the [Professional Standards Authority](#) added agility as a sixth principle. All rights are reserved by the PSA.

Questions about this workbook can be directed to Sara Chambers, Director, Alaska Division of Corporations, Business and Professional Licensing, at [sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov).

# Lunch Break

# Call to Order / Roll Call

Office of Governor  
MICHAEL J. DUNLEAVY

You are here: [Home](#) / [Services](#) / [Boards and Commissions](#) / [Roster](#)

## Roster

### Board of Certified Real Estate Appraisers

NAME	APPOINTED	REAPPOINTED	EXPIRES
<b>Derry, David</b> (Kenai) Certified General Real Estate Appraiser — Chair	03/01/2014	03/01/2018	03/01/2022
<b>Lawrence, Wendy</b> (Sitka) Certified Residential or General Real Estate Appraiser	03/01/2018		03/01/2022
<b>Piszczek, Renee</b> (Fairbanks) Mortgage Banking Executive	09/02/2014	03/01/2017	03/01/2021
<b>Stetson, Ashley</b> (Wasilla) Public	01/11/2019	03/01/2019	03/01/2023
<b>Vacant</b> () Certified Residential Real Estate Appraiser			03/01/2020

#### Board Fact Sheet

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# Identify Credentialed Appraisers in Attendance



THE STATE  
of **ALASKA**

Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing

**APR**

FOR DIVISION USE ONLY

**Real Estate Appraisers Program**

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550

Email: [RealEstateAppraisers@Alaska.Gov](mailto:RealEstateAppraisers@Alaska.Gov)

Website: [ProfessionalLicense.Alaska.Gov/RealEstateAppraisers](http://ProfessionalLicense.Alaska.Gov/RealEstateAppraisers)

## Continuing Education Credit for Participation

This form certifies attendance at a meeting of the Alaska Board of Certified Real Estate Appraisers for continuing education credit. 12 AAC 70.210(g)(1-5)

<b>Full Legal Name:</b>	First	Middle	Last
<b>Alaska Certification #:</b>			

<b>Board Meeting Date:</b>	mm/dd/yyyy	<input type="checkbox"/> In Person	<input type="checkbox"/> Teleconference
<b>Attendance Hours:</b>		<b>Hours Claimed:</b> (7 Hours Max)	

***I certify the information reported above is true and correct and that I maintained attendance for the duration of the hours claimed.***

<b>Signature:</b>		<b>Date:</b>	mm/dd/yyyy
-------------------	--	--------------	------------

### BELOW IS FOR DEPARTMENTAL AND BOARD USE ONLY

**Verified Hours of Attendance**

(From Board Meeting Minutes)

\_\_\_\_\_

**Via Electronic or Mail Ballot:** ☐ Approved ☐ Denied

**OR**

**Via in Person Board Meeting:** ☐ Approved ☐ Denied

<b>Board Member Signature:</b>		<b>Date:</b>	mm/dd/yyyy
--------------------------------	--	--------------	------------

**If denied, reason for denial:**

# Board Member Vacancy Update

# Licensing Update

# **Licensing Update:**

## **Courtesy License**

# **Licensing Update:**

## **AMC Registration**

## **AMC Registration**

**Launched March 28, 2019**

**9 Active Licensees**

### **AMC APPLICATIONS**

**36 In-Process**

- 26 Active Ballots Awaiting Board Review
- 7 Awaiting Board Review

**23 Under Review**

# **Licensing Update:** Biennial Renewal & Random Audit



## **Biennial Renewal Period**

**July 1, 2019 - June 30, 2021**

**248 Renewal Letters** mailed out May 8, 2019

- 6 returned for incorrect mailing address

### **213 Renewed Licensees**

- 93 Certified General
  - o 72 web renewal
- 115 Certified Residential
  - o 105 web renewal
- 5 Registered Trainee
  - o 4 web renewal

## **Biennial Renewal Period**

**July 1, 2019 - June 30, 2021**

**26 Licensees** selected for Random Audit

- Audit Notices to be mailed out first week of August

# **Licensing Update:**

## Continuing Education

### Course Approval Overview

## **Approval Period**

July 1, 2016 - June 30, 2019

## **244 Board Approved Courses**

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/ContinuingEducation.aspx>

## **Current Course Sponsors**

- A Noble Education
- AK Chapter – Appraisal Institute
- AK Housing Finance Corp
- Alterra Group
- American Society of Farm Managers & Rural Appraisers
- Appraisal Institute
- Hondros College of Business
- International Right of Way Association
- LIA Administrators & Insurance Services
- McKissock LP
- OnCourse Learning Corp
- Seattle Chapter - Appraisal Institute
- William King and Associates

## **COURSE APPROVAL PROCESS**

- Course Approval applications are received, date-stamped, scanned, and filed in the electronic mailbox (Kofax) by assigned staff.
- Applications are reviewed by the Licensing Examiner.
- Completed applications are sent to the board for review (voting) typically on the 15th of every month. The voting period is 5 - 10 business days.
- Incomplete applications are followed up on with the course sponsors who receives a status update on its deficiencies.
- Once the board has approved a course, course sponsors will receive an e-mail (or mail if preferred) with the approval letter.
- Approved courses are good for 3 years.

**Licensing Update:**  
Review of Appraiser, AMC  
Application and Continuing  
Education Forms



THE STATE

of

**ALASKA** *Department of Commerce, Community, and Economic Development  
Division of Corporations, Business and Professional Licensing*

**Real Estate Appraisers Program**

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 • Fax: (907) 465-2974

Email: [license@alaska.gov](mailto:license@alaska.gov)

Website: [ProfessionalLicense.Alaska.Gov/RealEstateAppraisers](http://ProfessionalLicense.Alaska.Gov/RealEstateAppraisers)

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## Determination of Competency

(For trainees transitioning to certified residential real estate appraiser)

To be completed by the supervisory appraiser within 10 days of the competency determination date.

12 AAC 70.935(c)(3)

<b>Trainee Appraiser Name</b>		<b>Certificate #</b>	
-------------------------------	--	----------------------	--

<b>Supervisor Name</b>		<b>Certificate #</b>	
<b>Supervision State Date</b>		<b>Determination Date</b>	

During the above-stated period I have determined that the above real estate appraiser trainee has demonstrated his/her ability under the Competency Rule which states in the Uniform Standards of Professional Appraisal Practice that an appraiser must:

1. be competent to perform the assignment;
2. acquire necessary competency to perform the assignment, or;
3. decline or withdraw from the assignment.

I observed that this trainee real estate appraiser has demonstrated:

- ☐ The ability to properly identify the problem to be addressed, and;
- ☐ The knowledge and experience to complete the assignment competently and;
- ☐ Recognition of, and compliance with, laws and regulations that apply to the appraiser or to the assignment.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# Prospective Regulation Project



## Medical Board regulations for CE's at renewal-

### 12 AAC 40.200. GENERAL REQUIREMENTS.

(b) If a licensee fails to meet continuing medical education requirements due to illness or other extenuating circumstances, the licensee may request an extension of time in order to comply with those requirements. The request for an extension must be made on the licensee's application for license renewal. The board, or its designee, will only consider a request for extension if the licensee also agrees to enter into a memorandum of agreement with the board that specifies the date within the licensing period by which the licensee will meet the continuing education requirements and the licensee's agreement to voluntarily surrender the license to the board if the licensee fails to comply with the memorandum of agreement. The board, or its designee, will evaluate the request and proposed memorandum of agreement on an individual basis. If approved, the board, or its designee, will grant the extension of time and issue the renewed license for the next licensing period, effective from the date of the approval of the agreement.

**12 AAC 40.240. EXEMPTION FROM CONTINUING MEDICAL EDUCATION REQUIREMENTS.** For the purposes of exempting a licensee from meeting the continuing medical education requirements in a licensing period, extenuating circumstances are those circumstances, beyond the licensee's control, that prevent the licensee from meeting the continuing medical education requirements. Extenuating circumstances include the licensee's debilitating or long-term personal illness or injury and the debilitating or long-term illness or injury of a member of the licensee's immediate family.

## Psychology CE regulations-

**12 AAC 60.340. REINSTATEMENT.** (a) The license of any licensee which is not renewed by reason of failure to comply with the continuing education requirements of 12 AAC 60.250—12 AAC 60.350, may be reinstated after submission to the board of proof of the completion of all continuing education credit hours required.

(b) A licensee unable to obtain the required continuing education hours for license renewal, due to reasonable cause or excusable neglect, must request exemption status in writing to the board with a statement explaining the reasonable cause or excusable neglect. The board will, in its discretion, prescribe an alternative method of compliance with the continuing education requirements as the board considers appropriate to the individual situation.

## Veterinary CE regulations -

**12 AAC 68.047. RENEWAL AND REINSTATEMENT OF LICENSE.** (a) An applicant for renewal of a veterinary license, or to reinstate a veterinary license that has been lapsed for 60 days or less, must submit

- (1) an application for renewal or reinstatement on a form provided by the department;
- (2) the license renewal fee established in 12 AAC 02.350; and
- (3) documentation that the applicable continuing education requirements of 12 AAC 68.220 – 12 AAC 68.240 have been met.

(b) An applicant for reinstatement of a veterinary license that has been lapsed for more than 60 days but less than two years must submit, in addition to the items required in (a) of this section, the delayed renewal penalty fee established in 12 AAC 03.350.

(c) An applicant for reinstatement of a veterinary license that has been lapsed for two years or more, but less than five years must submit

- (1) an application for reinstatement on a form provided by the department;
- (2) the applicable license renewal and delayed renewal penalty fees established in 12 AAC 02.350; and
- (3) documentation of completion of all continuing education requirements in 12 AAC 68.220 – 12 AAC 68.240 that the applicant would have been required to meet to maintain a current license for the entire period that the license has been lapsed.

(d) A veterinary license that has been lapsed for five years or more may not be reinstated. The former licensee may apply for a new license under AS 08.98 and this chapter.

(e) A licensee or former licensee who was unable to obtain the required continuing education hours for renewal or reinstatement of a veterinary license due to reasonable cause or excusable neglect, may request an exemption from those requirements. The applicant must submit to the board a written request for an exemption that explains the reasonable cause or excusable neglect. If the board decides to grant the exemption, the board may require an alternative method of compliance with the continuing education requirements to ensure the applicant's continued competency. (this section is where you would add entering into a consent agreement)

(f) In this section, "reasonable cause or excusable neglect" includes

- (1) chronic illness;
- (2) retirement;

- (3) personal or family hardship; or
- (4) other similar circumstances as determined by the board.

**Marital and Family Therapy CE regulations-**

**12 AAC 19.340. FAILURE TO MEET CONTINUING EDUCATION REQUIREMENTS AND LICENSE REINSTATEMENT.** (a) The board will reinstate a license that was not renewed because of the licensee's failure to meet the continuing education requirements in 12 AAC 19.300 - 12 AAC 19.330 if the licensee submits to the board proof of completion of all required continuing education credit hours and meets all other requirements for license renewal.

(b) A licensee who is unable to obtain the continuing education hours required for license renewal due to reasonable cause or excusable neglect may submit a written request to the board for an exemption. The request for an exemption must include an explanation of the reasonable cause or excusable neglect that resulted in the licensee's failure to meet the continuing education requirements. If the board grants the exemption, the board will, in its discretion, prescribe an alternative method of compliance with the continuing education requirements as the board considers appropriate to the individual situation.

(c) In this section, "reasonable cause or excusable neglect" includes

- (1) chronic illness;
- (2) retirement;
- (3) military service;
- (4) leave of absence from active practice during the concluding licensing period; and
- (5) hardships recognized by the board.

# Processing AMC Application

# Afternoon Break

# Administrative Business

# **Administrative Business:**

## Old Task

Office of Governor  
MICHAEL J. DUNLEAVY

You are here: [Home](#) / Contacting Governor Dunleavy

## Contacting Governor Dunleavy

*Scheduling inquiries from the media concerning Governor Dunleavy should be directed to the Governor's Press Office at [gov.pressoffice@alaska.gov](mailto:gov.pressoffice@alaska.gov)*

### Send mail to Governor Dunleavy

Please address all packages and correspondence to:

Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

### Regional Offices

#### ANCHORAGE OFFICE

550 West 7th Avenue,  
Suite 1700  
Anchorage, AK 99501

Phone (907) 269-7450  
Fax (907) 269-7463

State Info (907) 269-5111  
TTY/TDD (Relay Alaska): 711 or 800-770-8973

#### FAIRBANKS OFFICE

675 7th Avenue,  
Suite H5  
Fairbanks, AK 99701-4596

Phone (907) 451-2920  
Fax (907) 451-2858

#### JUNEAU OFFICE

Alaska State Capitol  
Building Third Floor

#### MAT-SU OFFICE

515 East Dahlia  
Suite 140  
Palmer, AK 99645

**JUNEAU OFFICE**

Phone (907) 465-3500

Fax (907) 465-3532

State Info (907) 465-2111

TTY/TDD (Relay Alaska): 711 or 800-770-8973

**MAT-SU OFFICE**

Phone (907) 761-5690

Fax (907) 761-5908

**WASHINGTON D.C. OFFICE**

444 North Capitol NW,

Suite 336

Washington, DC 20001-1512

Phone (202) 624-5858

Fax (202) 624-5857



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**From:**

Board of Real Estate Appraisers (CED sponsored)

Gina Ritacco  
Director of Boards & Commissions  
Governor Michael J. Dunleavy  
[Gina.Ritacco@Alaska.gov](mailto:Gina.Ritacco@Alaska.gov)  
Office: 907-269-0035

The Atwood Building  
550 W 7th Ave, Suite 1700  
Anchorage, AK 99501

Alaska State Capitol  
120 4th St., Third Floor  
Juneau, AK 99801

## WORK VERIFICATION LOG

### PART TWO:

Assignments for Month of: \_\_\_\_\_

(Complete a Work Verification Log for each month)

**Trainee Appraiser:** For each criterion I through X, indicate to which portions of the assignment you contributed by writing "T" in the line designated for Trainee Appraisers.

**Supervisory Appraiser:** For criterion I through X, indicate to which portions of the assignment you contributed by writing "P" (Had Primary Responsibility), "C" (Co-appraised), or "R" (Reviewed and Approved) in the line designated for Supervisory Appraisers.

Name: \_\_\_\_\_ Certificate #: \_\_\_\_\_

Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

Hours Requested on This Page \_\_\_\_\_ Total Hours: \_\_\_\_\_

### PART ONE:

**Report Type:** Restricted Report = RR      Appraisal Report = AR

**Property Classification:** Commercial Building = CB      Commercial & Office Land = CL      Farm/Forest Land = FL  
FL with Residential/Farm-Use Equipment = FR      Industrial & Business Campus Land = IL  
Industrial Warehouse & Manufacturing Building = IB      Multi-Family Small 2-4 Units = MFS  
Multi-Family Large 5+ Units = MFL      Multi-Family Land = ML      Office Buildings = OB  
Residential Single-Family Land including Subdivision Potential and Multiple Lot Sales = RL  
Single-Family Residential = SFR      Other = OT – specify \_\_\_\_\_

Report Date	Subject Property Address	Report Type	Property Classification	Client Named in Report	Work Hours	T – Trainee	S – Supervisor	I. Inspected Property	II. Developed Building Description and Analysis	III. Neighborhood Description & Market Analysis	IV. Developed the Highest & Best Use	V. Collected, Verified and Analyzed Data	VI. Developed Income Approach	VII. Developed Cost Approach	VIII. Developed Sales Comparison	IX. Developed Final Reconciliation	X. Other (please attach explanation)	XI. Experience Category (1-10) on code page
						T												
						S												
						T												
						S												
						T												
						S												
						T												
						S												
						T												
						S												
						T												
						S												
						T												
						S												

Supervisory Appraiser Name: \_\_\_\_\_ Certificate Number: \_\_\_\_\_

Supervisory Appraiser Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Memorandum

- To: Alaska Board of Certified Real Estate Appraisers
- From: Dave Derry, Chair
- Thru: Tracy Wiard, Examiner
- November 30, 2018
- RE: Synchronous – online – classroom education delivery

### Course delivery definitions, AQB Course Approval Program (CAP)

The following definitions are from the AQB Policies & Procedures manual for CAP approval. Note that when a course is approved as "Synchronous" it is also listed/described as "distance education".

For Continuing Education, Alaska regs, 12 AAC 70.220 (d) specifically says up to one-half obtained by "**distance**" education. Accordingly, my opinion is that even if a course is "synchronous" it is still classified as "distance". Note that there is no restriction for Qualifying Education regarding the delivery method, so an applicant could take all of their education by "distance" methods.

The Board previously went on record, and passed (at least two times) confirmation of the one half classroom delivery requirement for CE. This was also supported by a vote of the Alaska Chapter, Appraisal Institute Board of Directors.

#### **Definitions:**

**Delivery Method** – Courses may be delivered to students in one of three formats: Classroom (in-person), Synchronous Distance Education or Asynchronous Distance Education.

**Asynchronous Distance Education** -- Any distance education course that does not require a student to take the course at a specific time (i.e. tied to a live, active, verbal presentation by an instructor). Examples of asynchronous courses include: internet or web-based courses or CD ROM based training.

**Classroom Education** – Any course delivered in a setting where there is no geographical separation between the instructor(s) and student(s). Also sometimes referred to as "live" or "traditional" education.

**Synchronous Distance Education** – Any distance education course that requires a student to be engaged at a specific time (i.e., simultaneously tied to a live, active, verbal presentation by an instructor). The presentation may be delivered via any number of different technologies including the internet, satellite, or other telecommunications device.

**Distance Education** – Appraisal education that is creditable toward either QE or CE and where there is geographical separation of student and instructor.

## **Occupational Licensing Centralized Regulations**

12 AAC 02.990. DEFINITIONS. As used in this chapter

- (1) “department” means the Department of Commerce, Community, and Economic Development;
- (2) “division” means the division assigned occupational licensing functions in the Department of Commerce, Community, and Economic Development;
- (3) “license” means a license, certificate, permit, registration, or similar evidence of authority issued by the division or by one of the boards listed in AS 08.01.010;
- (4) “licensee” means a person who holds a license issued by the division or by one of the boards listed in AS 08.01.010.

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100

## **Centralized Licensing Statutes**

Sec. 08.01.110. Definitions. In this chapter

- (1) “board” includes the boards and commissions listed in AS 08.01.010;
- (2) “commissioner” means the commissioner of commerce, community, and economic development;
- (3) “department” means the Department of Commerce, Community, and Economic Development;
- (4) “license” means a business license or a license, certificate, permit, or registration or similar evidence of authority issued for an occupation by the department or by one of the boards listed in AS 08.01.010;
- (5) “licensee” means a person who holds a license;
- (6) “occupation” means a trade or profession listed in AS 08.01.010.

# **Administrative Business:**

## New Task

Board of Certified Real Estate Appraisers  
Schedule of Revenues and Expenditures

	FY 12	FY 13	FY 14	FY 15	FY16	FY17	FY18	FY19 1st - 3rd Qtr
Licensing Revenue	\$ 42,190	\$ 269,948	\$ 56,250	\$ 279,525	\$ 49,440	\$ 272,590	\$ 76,010	\$ 29,630
Allowable Third Party Reimbursement	-	-	1,499	-	-	5,827	\$ 1,534	\$ 3,254
Total Revenue	42,190	269,948	57,749	279,525	49,440	278,417	77,544	32,884
Direct Expenditures								
Personal Services	78,181	46,148	34,915	53,294	44,158	33,252	70,136	66,393
Travel	8,534	3,759	2,920	2,217	12,596	13,106	16,384	12,389
Contractual	56,720	44,699	14,955	33,616	3,008	5,288	11,180	8,369
Supplies	233	61	24	42	22	13	716	161
Equipment	-	-	-	-	-	-	-	-
Total Direct Expenditures	143,668	94,667	52,814	89,169	59,784	51,659	98,416	87,312
Indirect Expenditures*	15,739	18,583	20,937	33,105	21,626	18,550	36,827	27,620
								-
Total Expenses	159,407	113,250	73,751	122,274	81,410	70,209	135,243	114,932
Annual Surplus (Deficit)	(117,217)	156,698	(16,002)	157,251	(31,970)	208,208	(57,699)	(82,048)
Beginning Cumulative Surplus (Deficit)	17,823	(99,394)	57,304	41,302	198,553	166,583	374,791	317,092
Ending Cumulative Surplus (Deficit)	\$ (99,394)	\$ 57,304	\$ 41,302	\$ 198,553	\$ 166,583	\$ 374,791	\$ 317,092	\$ 235,044

\*\* For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount on a percent of year completed basis.

The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Biennium between July 1, 2017 — June 30, 2019

Appropriation	(All)
AL Sub Unit	(All)
PL Task Code	APR1

Sum of Expenditures		Object Type Code				
Object Code	Object Name	1000	2000	3000	4000	Grand Total
1011	Regular Compensation	35,954.42				35,954.42
1014	Overtime	68.29				68.29
1023	Leave Taken	4,592.68				4,592.68
1028	Alaska Supplemental Benefit	2,494.74				2,494.74
1029	Public Employee's Retirement System Defined Benefits	2,448.54				2,448.54
1030	Public Employee's Retirement System Defined Contribution	1,550.99				1,550.99
1034	Public Employee's Retirement System Defined Cont Health Reim	1,143.32				1,143.32
1035	Public Employee's Retirement Sys Defined Cont Retiree Medical	277.08				277.08
1037	Public Employee's Retirement Sys Defined Benefit Unfnd Liab	3,515.01				3,515.01
1039	Unemployment Insurance	102.30				102.30
1040	Group Health Insurance	11,302.50				11,302.50
1041	Basic Life and Travel	16.77				16.77
1042	Worker's Compensation Insurance	384.45				384.45
1047	Leave Cash In Employer Charge	936.63				936.63
1048	Terminal Leave Employer Charge	524.66				524.66
1053	Medicare Tax	569.32				569.32
1069	SU Business Leave Bank Contributions	22.84				22.84
1077	ASEA Legal Trust	54.58				54.58
1079	ASEA Injury Leave Usage	6.81				6.81
1080	SU Legal Trst	24.98				24.98
1970	Personal Services Transfer	401.68				401.68
2000	In-State Employee Airfare			148.46		148.46
2001	In-State Employee Surface Transportation			37.50		37.50
2002	In-State Employee Lodging			258.00		258.00
2003	In-State Employee Meals and Incidentals			185.00		185.00
2005	In-State Non-Employee Airfare			275.80		275.80
2007	In-State Non-Employee Lodging			328.00		328.00
2008	In-State Non-Employee Meals and Incidentals			330.00		330.00
2009	In-State Non-Employee Taxable Per Diem			62.00		62.00
2010	In-State Non-Employee Non-Taxable Reimbursement			217.67		217.67
2012	Out-State Employee Airfare			3,861.63		3,861.63
2013	Out-State Employee Surface Transportation			125.16		125.16
2015	Out-State Employee Meals and Incidentals			906.00		906.00
2020	Out-State Non-Employee Meals and Incidentals			326.00		326.00
2022	Out-State Non-Employee Non-Taxable Reimbursement			1,139.98		1,139.98
2036	Cash Advance Fee			10.08		10.08
2970	Travel Cost Transfer			1,519.23		1,519.23
3000	Training/Conferences				2,045.00	2,045.00
3002	Memberships				250.00	250.00
3045	Postage				42.86	42.86
3046	Advertising				2,501.66	2,501.66
3057	Structure, Infrastructure and Land - Rentals/Leases				66.53	66.53
3069	Commission Sales				66.08	66.08
3088	Inter-Agency Legal				3,397.06	3,397.06
4002	Business Supplies					160.75
2014	Out-State Employee Lodging			1,477.10		1,477.10
2019	Out-State Non-Employee Lodging			1,181.68		1,181.68
<b>Grand Total</b>		<b>66,392.59</b>	<b>12,389.29</b>	<b>8,369.19</b>	<b>160.75</b>	<b>87,311.82</b>

# STATE OF ALASKA 2019

## State Holidays

Date	Holiday
01/01	New Year's Day
01/21	MLK Jr.'s Birthday
02/18	Presidents' Day
03/25	Seward's Day
05/27	Memorial Day
07/04	Independence Day
09/02	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/28	Thanksgiving Day
12/25	Christmas Day

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



State calendar maintained by the  
Division of Finance,  
Department of Administration  
<http://doa.alaska.gov/calendars.html>  
Revised 08/28/2018

# HOLIDAY CALENDAR

## JANUARY

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## FEBRUARY

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

## MARCH

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## APRIL

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

## MAY

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## JUNE

S	M	T	W	R	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23			26	27	28	29
30	421					

## JULY

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## AUGUST

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## SEPTEMBER

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## OCTOBER

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## NOVEMBER

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## DECEMBER

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



# STATE OF ALASKA

# 2020

## State Holidays

Date	Holiday
01/01	New Year's Day
01/20	MLK Jr.'s Birthday
02/17	Presidents' Day
03/30	Seward's Day
05/25	Memorial Day
07/04	Independence Day (observed 7/3)
09/07	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/26	Thanksgiving Day
12/25	Christmas Day

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



State calendar maintained by the  
Division of Finance,  
Department of Administration  
<http://doa.alaska.gov/calendars.html>  
Revised 04/16/2018

# HOLIDAY CALENDAR

## JANUARY

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## JULY

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## FEBRUARY

S	M	T	W	R	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

## AUGUST

S	M	T	W	R	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## MARCH

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## SEPTEMBER

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## APRIL

S	M	T	W	R	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## OCTOBER

S	M	T	W	R	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## MAY

S	M	T	W	R	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## NOVEMBER

S	M	T	W	R	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## JUNE

S	M	T	W	R	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

## DECEMBER

S	M	T	W	R	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

# Adjourn