

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

**MINUTES OF MEETING  
January 9, 2009**

**The Staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes. They have not been reviewed or approved by the Board.**

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held January 9, 2009, at the Atwood Building, 550 W. 7<sup>th</sup> Avenue Suite 1860, Anchorage, AK.

**Call to Order/Roll Call**

The meeting was called to order at 8:35 a.m. by Steve MacSwain, Chairman.

Those present, constituting a quorum of the Board:

Steve MacSwain, Chairman, General Real Estate Appraiser  
Gene Shafer, Vice Chair, Residential Real Estate Appraiser  
William Larick, General Real Estate Appraiser  
April Moore, Public Member

Excused: Butch Olmstead, Mortgage Banking Executive

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

Jan Mays, Licensing Examiner  
Rick Younkings, Chief Investigator

Guests Present were:

William Westover  
Wendy Lawrence

**Agenda Item 1 – Review Agenda**

Steve MacSwain, Chair stated that he had a luncheon to attend from 11:00 a.m. to 1:00 p.m. The Board can either take a two hour lunch or go ahead and proceed, with Gene Shafer as Vice Chairman.

The following items have been added to the Agenda.

**Item 4**

- Continuing Education

Item 5

- December 2, 2008 Teleconference Minutes

Item 7

- William Westover

Item 8

- Appraisal Institute
  - Using Spreadsheets Programs in Real Estate Appraisals
  - Litigation Skills for the Appraisers An Overview
- Mykut School
  - Basic Appraisal Principles
  - Basic Appraisal Procedures
  - USPAP Course

Item 9

- Denise Graves – HUD Letter

**Agenda Item 2 – Investigative Report**

Rick Younkings, Chief Investigator presented the investigative report to the Board. Mr. Younkings stated that Margo Mandel was out of the office attending training.

During this reporting period, September 19, 2008 to December 22, 2008, the Investigation Unit opened four (4) cases and closed one (1) case. Currently there are six (6) open cases.

Open Cases:

3300-06-009	Continuing Education	Active
3300-08-004	Continuing Education	Active
3300-08-001	Continuing Education	Active
3300-08-003	Violating Professional Ethics	Active
3300-08-004	Violating Professional Ethics	Active

Closed Cases:

3300-07-006	Violating Professional Ethics	License Action
3350-08-002	Violating Professional Ethics	License Action

**Agenda Item 3 – Ethics Report**

No ethics issues to disclose.

#### **Agenda Item 4 – Continuing Education**

Mr. Shafer addressed continuing education credits for Board members who attend a face-to-face meeting. Mr. Shafer proposes that each Board member be allowed up to 7 hours of continuing education; this will only be for specific meetings.

The Board discussed this issue and is certain this does not need to be implemented in regulation.

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

**RESOLVED to allow Board Members up to 7 hours of continuing education per licensing period with the attendance of a face-to-face meeting.**

The Board discussed the 7 hour required continuing education USPAP course. The question was brought up whether the 15 hour USPAP course is equivalent to the 7 hour USPAP. The Board stated this was a discussion that had come up with the former chairman, Stephen Turner. The Board requested that Mrs. Mays research the past meeting minutes regarding the interpretation of the 7 hour USPAP course.

#### **Agenda Item 5 – Review Minutes**

The Board reviewed the following meeting minutes:

- October 14, 2008
- December 2, 2008 Teleconference

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

**RESOLVED to approve the October 14, 2008 and December 2, 2008 Teleconference minutes.**

#### **Agenda Item 6 – Goals & Objectives**

The Board reviewed, discussed, and made changes to the Goals & Objectives for FY09.

The primary goals for this coming year are to investigate revisions to statutes and regulations to enhance consistency with the policy of the Appraisal Subcommittee. The Board's goal and objectives for FY2009 are as follows:

1. Review recommendations changes and modify current statutes and regulations to include changes as needed and encourage their implementation.
2. Seek comments/input from other organizations that are involved in our use of appraisal services in Alaska.
3. Circulate the Board meeting dates to appraisal organizations, interested individuals, and users of appraisal services.
4. Provide public notice of all meetings in the newspaper.
5. Continue to make listings of approved, denied, and expired initial certification and continuing education courses/seminars available to certified individuals.

6. Look into the set up and notice-giving possibilities of disseminating Appraiser Board activities through email database addresses of licensed appraisers.
7. At the time of initial certification, the Board is to review the appraiser's application along with a minimum of one appraisal report completed by the applicant, in accordance with 12 AAC 70.110(e).
8. To have at least two face-to-face meetings per year.
9. To encourage and develop dialog promotional education in the State of Alaska for the state certified appraisers.

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

**RESOLVED to approve the Goals & Objectives for FY09 as amended.**

**Agenda Item 7 – Budget Report**

The Board reviewed the Expenditure and Revenue Report.

Break at 9:55 a.m.; back on record at 10:09 a.m.

**Agenda Item 8 – Application Review**

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

**RESOLVED to table William Westover's General Real Estate Appraiser application. To allow Board members adequate time to review Mr. Westover's appraisal report on Gallo's, Old Seward Highway. Mr. Westover's application will be discussed at the January 20, 2009 scheduled teleconference.**

**Agenda Item 9 – Course Approval**

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

**RESOLVED to approve the following course by the following sponsor.**

William King & Associates, Inc

- USPAP – 16 Hours initial certification & 15 Hours continuing education

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

**RESOLVED to approve the following course by the following sponsor:**

ASFMRA

- All Topo Maps – General Software Training – 8 Hours continuing education

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

**RESOLVED to approve the following courses by the following sponsor:**

Appraisal Institute

- Online General Appraiser Site Valuation & Cost Approach – 28 Hours continuing education

- Online Valuation of Detrimental Conditions in Real Estate – 7 Hours continuing education
- Online Appraisal of Nursing Facilities – 9 Hours continuing education
- Online Analyzing Operating Expenses – 7 Hours continuing education
- Online Subdivision Valuation – 7 Hours continuing education
- Appraising Distressed Commercial Real Estate – 7 Hours continuing education
- Using Spreadsheets Programs in Real Estate Appraisals – 7 Hours continuing education
- Litigation Skills for the Appraisers An Overview – 7 Hours continuing education

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

**RESOLVED to approve the following course by the following sponsor:**

Mykut School

- USPAP Course – 15 Hours initial certification

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

**RESOLVED to deny the following courses by the following sponsor. The following course does not comply with current standards for acceptable education in accordance with 12 AAC 70.140(c).**

Mykut School

- Basic Appraisal Procedure – 30 Hours initial certification
- Basic Appraisal Principles – 30 Hours initial certification

Lunch at 11:51 a.m.; back on record at 1:18 p.m.

### **Agenda Item 10 – Correspondence**

Andrew Romerdahl

The Board reviewed the email from Mr. Romerdahl regarding online courses for initial certification. In accordance with AS 08.87.110 (a)(2)(b)(2), the Board does not have statutory authority to allow online courses for initial certification. The Board recommends that Mr. Romerdahl find a friendly legislature if he wishes to proceed with allowing online courses for initial certification. Mrs. Mays will forward the Board her response to Mr. Romerdahl.

Annette Kreitzer

The Board reviewed the letter on Broker's Opinion of Value (BOVs). This is in response to Mr. MacSwain's letter dated November 8, 2008.

Denise Graves

The Board reviewed the Housing Urban Development (HUD) letter from Denise Graves, Appraisal Subcommittee, regarding licensed level appraisers.

**Agenda Item 11– Public Comment**

There were no individuals in attendance for public comment.

**Agenda Item 12 – Regulation 12 AAC 70.108**

The Board reviewed comments and letters from a few individuals regarding proposed regulation 12 AAC 70.108(e), 12 AAC 70.990(1) and 12 AAC 70.990 (12).

Break at 2:40 p.m.; back on record at 3:00 p.m.

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

**RESOLVED to withdraw the proposed regulation changes to 12 AAC 70.108(e), 12 AAC 70.990(1), and 12 AAC 70.990(12).**

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

**RESOLVED to amend 12 AAC 70.990(1) by removing “teaching of appraisal courses” and adding “Standard 1 and 2” after “USPAP”.**

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

**RESOLVED to amend 12 AAC 70.108(a)(2) and 70.108 (b)(2) to add “Standard 1 and 2”after “USPAP”.**

The Board requested that the draft proposed regulations be sent via email prior to the May 29, 2009 meeting. The Board also requested that Mrs. Mays email Denise Graves with Appraisal Subcommittee to see if she’s willing to look over the regulations to see if they are consistent with the new AQB Criteria.

**Agenda Item 13 – Proposed Regulation Changes**

Mrs. Mays stated that the Board needs to initiate regulation changes based on the new AQB criteria from “The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria”. This booklet was handed out to all Board members at the October 14, 2008 meeting. Mrs. Mays will express mail a copy to Mrs. Moore, since she was not able to attend the October 14, 2008 meeting.

Mrs. Mays suggested that the Board work on any language changes prior to the May 29, 2009 meeting. Since the ASC Field Review audit coincides with the next Board meeting, this would be a suitable time for the Board to discuss any changes with the Appraisal Subcommittee.

**Agenda Item 14 – Board Business**

Sign Wall Certificates

No Wall Certificates to sign.

Schedule Next Meeting

The following are meeting dates for 2009.

May 29, 2009 in Anchorage (coincide with the ASC Field Review Audit)

Sign Meeting Minutes

The Board chair signed the following meeting minutes:

- October 14, 2008
- December 2, 2008 Teleconference

Sign TA's and Collect Receipts

Travel Authorization forms were given to each Board member to sign.

Task List

Jan Mays

- Research past meeting minutes for discussion regarding the 7 Hour USPAP course.
- Email Board draft proposed regulation changes prior to the May 29, 2009 meeting.
- Email Denise Graves, ASC regarding looking over Board's regulation to see if it's consistent with the new AQB Criteria.

There being no further business, the meeting adjourned at 3:25 p.m.

Respectfully Submitted:

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Jan Mays  
Licensing Examiner

Approved:

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Steve MacSwain, Chair

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