

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

**MINUTES OF MEETING
January 11, 2012**

The Staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes.

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 11, 2012, at the Atwood Building, 550 W. 7th Avenue, Suite 1860, Anchorage, Alaska.

Call to Order/Roll Call

The meeting was called to order at 8:54 a.m. by Butch Olmstead, Vice-Chair.

Those present, constituting a quorum of the Board:

Butch Olmstead, Vice-Chair, Mortgage Banking Executive
April Moore, Public Member
Clint Lentfer, General Real Estate Appraiser
Donna Rulien, Residential Real Estate Appraiser

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

Cori Hondolero, Records & Licensing Supervisor
Margo Mandel, Investigator

Guest Present was:

Ruth Danner, representing herself

Agenda Item 1 – Review Agenda

The Board reviewed the agenda and added elections.

Upon a motion by Rulien, seconded by Lentfer, and approved unanimously, it was:

RESOLVED to elect Butch Olmstead as Chair of the Board.

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

RESOLVED to elect Donna Rulien as Vice-Chair of the Board.

Agenda Item 2 – Ethics Report

There were no ethic issues to disclose.

Agenda Item 4 – Review Minutes

The Board reviewed the October 25-26, 2011 meeting minutes and made the following changes:

- Pg. 6, middle of the page, change “provides” to “provide.”
- Pg. 6, Above first bulleted item, change “has” to “have.”
- Pg. 6, second bulleted item, change “implementing” to “implement.”

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

RESOLVED to adopt the October 2011 meeting minutes as amended.

The Board asked that staff double check to make sure that new work logs have been updated for the General and Residential applications and that staff is checking the national registry when screening applications.

The Board also asked that staff check with the Regulations specialist to verify that prior regulation project requests were not dropped. It was noted that many of the requested changes are listed in the October minutes.

For future meetings the Board requests that all tasks be added to “Old Business,” so that staff is able to give an update on the list at each meeting.

Agenda Item 7 – Goals & Objectives FY12

The Board reviewed the previously adopted FY12 Goals & Objectives and noted that goal #10 had not been added. Staff was directed to make this addition, as noted on page 3 of the October 2011 minutes.

Agenda Item 3 – Investigative Report

Margo Mandel, Investigator was in attendance to present the investigative report.

During this reporting period, September 28, 2011 to December 8, 2011, the Investigation Unit opened one (1) case and closed two (2) cases. Currently there are five (5) open cases.

FY 2012 Statistics to date:

Cases Opened: 5
Cases Closed: 2

Open Cases:

3300-09-001 Fraud/Misrepresentation

AG Review

3300-09-003 Negligence AG Review

2011-000761 Fraud/Misrepresentation Active

2011-000863 Violating Professional Ethics Active

2011-001129 Negligence Active

Ms. Mandel asked that staff make sure to send her a copy of the 2012-2013 USPAP book.

Ms. Mandel advised the Board know that Ruth Danner requested to call in during public comment. Ms. Danner had a complaint about the courtesy license process and wanted to discuss the statutes/regulations with the Board.

Agenda Item 7 – Course Approval Application

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

RESOLVED to approve the following course from McKissock, LP.

- 7 Hour National USPAP Update Course (online)

Agenda Item 9- Continuing Education Audit

The Board reviewed the CE Audits that were presented to them.

Upon motion by Moore, seconded by Rulien and approved unanimously, it was:

RESOLVED to accept the following Audits:

- Kevin Temple – (R) 346
- Colleen Patterson – (R) 411
- Paul Delacy –(G) 637
- Brad Higginbotham – (R) 663

Agenda Item 6 – Application Review

The Board reviewed two general by endorsement applications.

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

RESOLVED to approve Connie Williford and Marjorie Bellringer for licensure as certified general real estate appraisers by endorsement.

Agenda Item 10 – Correspondence

Mr. Olmstead read an e-mail that he had received from Mr. Shafer advising the Board that due to recent issues he would be unable to attend the meeting.

The Board requested that a letter of appreciation for his service on the Board be sent to Mr. Shafer on State letterhead and signed by Director Habeger.

Agenda Item 11 – Budget Report

The Board reviewed the expenditure report. Board members stated that they are looking for more detail including:

- General ledger
- Would like to see what is included in the line items
- Is there a projected budget? Would like to see this figure, so that the Board can see how they are doing throughout the fiscal year
- Staff time? Dept. of Law time? Would like to see detailed breakdown

The Board requested the Ms. Frawley be available to speak with them and answer questions during the next meeting.

There was discussion about a scenario where licensees would pay set fees and above that the State would pay. This was based on a discussion with Pauly Swanson who works in Representative Mike Hawker's office. It was recommended that the Board continue its discussion with Representative Mia Costello and that information previously sent to Representative Coghill be forwarded to Representative Hawker and Representative Costello. Mr. Olmstead mentioned that he would contact the Alaska Bankers Association to enlist their help and support.

Agenda Item 12 – Board Business

Task Lists

Staff

- Make sure update work logs have been added to the applications
- Make sure that staff is checking the national registry when screening applications
- Check on the status of pending regulation projects
- Request more detailed budget report and request that Ms. Frawley be available to talk speak with the Board during the next meeting.

Schedule Next Meeting

May 1, 2012 – Anchorage **it was noted that the meeting could go into 5/2 if necessary

Recess for lunch at 11:10 a.m.; back on record 1:00 p.m.

Agenda Item 8 – Public Comment

Ruth Danner from Juneau called in to speak with the Board.

Ms. Danner stated that she is a senior accountant with the Permanent Fund and involved with alternative investments, so she is used to seeing appraisals. Ms. Danner noted that she is also a Juneau assembly member.

Ms. Danner stated that she had been in contact with Denise Graves and Ms. Graves had informed her that Alaska is not a mandatory State, so people can come in to Alaska and not be required to be in compliance with our requirements.

AS 08.87.340 – Ms. Danner would like to see this section go away. Seems to allow people to appraise without a license and not be required to meet USPAP standards.

The Board members stated that Alaska has to allow for courtesy licensing, as this is a federal requirement. It was clarified that Denise Graves works for the Appraisal Subcommittee (ACS).

Ms. Danner provided the Board with the history leading up to her contact with Ms. Graves and Ms. Mandel. There was a property value appraisal done by a Washington appraiser to show that there would be no change in value for a piece of property in Juneau in regard to the placement of cellular tower. This appraisal was then followed up with a review of that appraisal by a person licensed in Alaska and that Alaska licensee was subsequently sanctioned.

The Board clarified that the Alaska licensee was sanctioned for other reasons; not for his review of the WA appraisal.

Ms. Danner stated that she had also been in contact with Ralph Birkedahl, who is a program coordinator for the Real Estate Appraiser Board in Washington and Mr. Birkedahl stated that there was nothing Washington could do because the work performed was in Alaska.

Mr. Lenter mentioned that maybe there is some confusion over licensed/certified vs. non-licensed.

Ms. Mandel rejoined the meeting and stated that the Alaska licensee had found no USPAP violations while conducting his review of the appraisal.

The Board asked Ms. Danner under what capacity she had seen the appraisal. Ms. Danner stated that she viewed the appraisal as a member of the public because it was backup documentation for a conditional use permit.

Mr. Olmstead stated that the Board would look at the original appraisal and have it reviewed. If there were to be any findings, they would be forwarded to the Washington Board.

Before closing the meeting, the Board asked that contact information for Jun Maiquis, Regulations Specialist be forwarded to Board members.

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

RESOLVED to adjourn the meeting.

There being no further business, the meeting adjourned at 2:11 p.m.

Respectfully Submitted:

Cori Hondolero
Records & Licensing Supervisor

Approved:

Butch Olmstead, Chair

Date