

**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  
April 22, 2010**

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 April 22, 2010, at the State Office Building, 9<sup>th</sup> Floor, Conference Room C, Juneau, AK.

**Call to Order/Roll Call**

The meeting was called to order at 10:05 a.m. by Gene Shafer, Chairman.

Those present, constituting a quorum of the Board:

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

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

Jan Mays, Licensing Examiner  
Margo Mandel, Investigator  
Karen Wilke, Paralegal

**Agenda Item 1 – Consent Agreements**

Margo Mandel, Investigator was present via teleconference to discuss two Consent Agreements.

**Case #3300-09-007: James W. Canary, Residential Real Estate Appraiser**

This case involved the preparation of an appraisal review in which the complaint alleged that it does not meet the requirement of Uniform Standards Of Professional Appraisal Practice (USPAP). The appraiser is a former assessor for the City and Borough of Juneau who was hired for an assignment by his former employer. The case file was reviewed by contracted expert Fred Ferrara, who made findings of USPAP violations.

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

**RESOLVED that the Board of Certified Real Estate Appraisers for the State of Alaska, having examined the Consent Agreement and Proposed Decision and**

**Order in Case No. 3300-09-007, James W. Canary, license #212, hereby adopts the Consent Agreement and Decision and Order in this matter.**

Roll Call: Gene Shafer  
April Moore  
Butch Olmstead  
Donna Rulien  
Clint Lentfer

**Case #3300-09-011: Bernard Sung Han Lim, General Real Estate Appraiser**

This case involved allegations that a residential appraisal report prepared by Mr. Lim contained factual and subjective errors in the use of comparable sales and property's features description. The case file was reviewed by contracted Fred Ferrara, who found Mr. Lim's report contain USPAP violations.

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

**RESOLVED that the Board of Certified Real Estate Appraisers for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case No. 3300-09-011, Bernard Sung Han Lim, license #758, hereby adopts the Consent Agreement and Decision and Order in this matter.**

Roll Call: Gene Shafer  
April Moore  
Butch Olmstead  
Donna Rulien  
Clint Lentfer

**Agenda Item 2 – Field Review Audit Files**

Karen Wilke, Paralegal, was present to discuss two cases that was referred to her by the Board, April Anthony and Joshua Horan. Both cases were reviewed by the Appraisal Subcommittee on May 22, 2007 for noncompliance.

Ms. Wilke stated that April Anthony's motion from the February 19, 2010 meeting was sited incorrect regulation. The Board must amend the original motion with the correct regulation.

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

**RESOLVED to amend the February 19, 2010 motion on April Anthony to read, "Resolved to refer April Anthony's residential license file to the investigator for noncompliance and for not responding to the October 15, 2005 letter. Ms. Anthony's work log does not comply with the minimum requirements in accordance with 12 AAC 70.108(b) (1). Work log only verified 126.5 work experience hours in appraisal work versus the 2500 work experience hours".**

Roll Call: Gene Shafer  
Butch Olmstead  
April Moore  
Donna Rulien  
Clint Lentfer

Ms. Wilke stated Josh Horan has been contacted and has now produced a supplemental work log, and explanation for the original oversight as well as failure to respond to the October 15, 2008 letter. The Division requests the Board's determination on acceptability of the work log hours submitted by Mr. Horan and if it wishes further sanctions be pursued for failure to respond to the October 15, 2008 letter.

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

**RESOLVED to accept Josh Horan's revised work log and to not pursue further sanctions.**

Roll Call: Gene Shafer  
April Moore  
Donna Rulien  
Clint Lentfer  
Butch Olmstead

The Board requested that a copy of the letter to Josh Horan be submitted for the Board to review.

The meeting adjourned at 11:03 a.m.

Respectfully Submitted:

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Jan Mays  
Licensing Examiner

Approved:

\_\_\_\_\_  
Gene Shafer, Chair

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