

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

**MINUTES OF MEETING
February 10, 2006**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held February 10, 2006 at the Atwood Building, Suite 240, Anchorage, AK.

Call to Order/Roll Call

Mr. MacSwain, Chairman called the meeting to order at 8:10 a.m.

Those present, constituting a quorum of the Board:

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

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

Jan Mays, Licensing Examiner – Juneau
Jun Maiquis, Regulations Specialist – Juneau
Cori Hondolero, Licensing Supervisor – Juneau
Margo Mandel, Investigator - Anchorage

There was one guest present from the public:

Stephen Turner

Agenda Item 1 – Review Agenda

Mrs. Mays advised the Board of the following additions to the agenda and handouts were provided.

Correspondence Review

- David F. McArdle - Courtesy License

Application Review

- James P. Snyder – Residential Real Estate Appraiser
- Roger A. Ramsey – General Real Estate Appraiser
- Jason B. Graves – Registered Trainee

Course Approval

- Appraisal Institute
 - Report Writing and Valuation Analysis
 - Business Practices and Ethics
- American Society of Farm Managers Rural Appraisers (ASFMRA)
 - Intro to Appraisal Review (A-36)
 - Appraisal Review Under USPAP (A-37)

CE Audit

- Randolph Seamen

Agenda Item 2- Review Meeting Minutes

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

RESOLVED to adopt the meeting minutes.

- October 21, 2005 Meeting
- December 21, 2005 teleconference

Mr. MacSwain wanted to thank Stephen Turner for his years of service on the Board. Another person who is no longer with the Board is Judy Kemplen. Mr. MacSwain also wanted to introduce two new members to the Board, William Larick, Residential Real Estate Appraiser, and Butch Olmstead, Mortgage Banking Executive.

Mr. MacSwain wanted to note for the record as the Board Chair that he is allowing Mr. Turner, member of the public, to make comments in the course of the meeting, prior to the regularly scheduled public comment period.

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

RESOLVED to pass resolution, thanking the past two Board members, Stephen Turner and Judy Kemplen for their service. Draft letter for Chairman to sign.

Agenda Item 3 – Investigative Report

Ms. Margo Mandel Investigator for the Division of Corporations, Business and Professional Licensing was present.

Ms. Mandel advised the Board that during this reporting period, October 21, 2005 to January 10, 2006, the Investigative Unit opened eight cases and closed five cases. There are currently fourteen open cases; three of the fourteen cases are currently involved in litigation.

Open Cases

3300-98-006 Violating Professional Ethics
3300-02-004 Violating Professional Ethics
3300-04-001 Violating Professional Ethics

3300-05-004 Negligence
3300-05-005 Fraud/Misrepresentation
3300-05-006 Incompetence
3300-05-007 Violating Professional Ethics
3300-05-008 Violating Professional Ethics
3300-05-009 Fraud/Misrepresentation
3300-05-010 Conversion
3300-05-011 Conversion
3300-05-012 Conversion
3300-05-013 Conversion
3300-06-001 Conversion

Closed Case

3300-04-003 Negligence
3300-04-005 Negligence
3350-04-001 License Application Problem
3350-05-001 License Application Problem
3300-05-001 Falsified Application

Case 3300-04-003

Ms. Mandel explained to the Board that the appraiser in the case 3300-04-003 has a number of errors in the investigative report.

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

RESOLVED to accept the investigative report.

Break at 9:48 a.m.; back on the record at 10:06 a.m.

Agenda Item 4 – Goals and Objectives FY06

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

RESOLVED to adopt the amended Goals and Objectives for FY 2006.

The following are the fiscal year 2006 Goals and Objectives:

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

Agenda Item 5 – Budget Report

The Board reviewed the Memorandum of Expenditure and Revenue Report. The Board requested that on the next face to face meeting to have Cathy Mason, Administrative Manager, be present through teleconference.

Agenda Item 6 – Review Correspondence

Marsha Leath, Fannie Mae NUE

Ms. Leath wanted to know who would be the contact person when Fannie Mae review appraisals which reveals potential violations of the Uniform Standards of Professional Appraisal Practice (USPAP). The Board suggested any complaints be directed to Margo Mandel, Investigator.

Magdalene Vasquez – Appraisal Institute

Ms. Vasquez wanted to know if the State of Alaska accept narrative exams or fill in the blank exams. Also, if the State of Alaska accept “webinars”, which is called webconference as classroom type. The Board stated that exams are multiple choice and that online courses can be credited for 7 Hours of continuing education.

American Society of Farm Managers & Rural Appraisers (ASFMRA)

American Society of Farm Managers & Rural Appraisers (ASFMRA) is updating their database. Sent a questionnaire requesting to update the state appraisal board Information. Ms. Mays asked Mr. MacSwain if this is something that the Board would like to see before sending off. Mr. MacSwain suggested that Ms. Mays fill out the questionnaire and any future surveys. Than fax to Mr. MacSwain for approval.

Stewart Leach

Mr. Leach sent an email wanting to know if other states uses the term “rat fink”.

Agenda Item 7 – Ethics Disclosure

There were no ethics conflicts to disclose.

Lunch at 12:15 p.m.; back on the record 1:23 p.m.

Agenda Item 8 – Application Review

Residential Real Estate Appraiser

The Board reviewed two Residential Real Estate Appraiser applications. The following applications were approved,

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

RESOLVED to approve the following applications for Residential Real Estate Appraiser.

- **Douglas DeLaGrange**
- **James P. Snyder**

Real Estate Appraiser Trainee

The Board reviewed three Real Estate Appraiser Trainee applications. The following applications were approved.

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

RESOLVED to approve the following applications for Real Estate Appraiser Trainee.

- **Vitaly P. Kudryn**
- **Jason B. Graves**
- **Jacob J. Gurney**

General Real Estate Appraiser

The Board reviewed two General Real Estate Appraiser applications. The Board reviewed Thomas C. Anderson's application, which had been reviewed by the Board via mail ballot. One member tabled the application. The Board needs to review this application again.

The following applications were approved.

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

RESOLVED to approve the following applications for General Real Estate Appraisers.

- **Thomas C. Anderson**
- **Roger A. Ramsey**

Agenda Item 9 – Course Review

Appraisal Institute

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

RESOLVED to approve the following courses for continuing education.

- **Scope of Work: Expanding Your Range of Services – 7 CE Hours**
- **7- Hour National USPAP Update Course**
- **Residential. Demonstration Appraisal Report Writing Seminars – 7 CE Hours**
- **Online Valuation of Detrimental Conditions In Real Estate – 7 CE Hours**
- **Online Appraisal of Nursing Facilities – 7 CE Hours**
- **Online Small Hotel/Motel Valuation – 7 CE Hours**
- **Online Analyzing Operating Expenses – 7 CE Hours**

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

RESOLVED to approve the following courses for both initial certification and continuing education.

- **Report Writing and Valuation Analysis – 40 Hours**
- **Business Practices and Ethics – 8 Hours**

WordWide ERC

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

RESOLVED to approve the following course for continuing education: The Relocation Appraisal Training Program – 6 CE hours.

Roger DeSpain School of Real Estate & Appraisal

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

RESOLVED to deny the following courses for both initial certification and continuing education. Courses do not meet the requirements in accordance with 12 AAC 70.140 and 12 AAC 70.200

- **Appraisal Practices – 30 Hours**
- **Appraisal Standards – 15 Hours**

Law Seminars International

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

RESOLVED to approve the following course, Brownfields Redevelopment in Alaska, 8 CE Hours, for continuing education.

American Society of Farm Managers and Rural Appraisers (ASFMRA)

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

RESOLVED to approve the following course for both initial certification and continuing education.

- **Appraisal Review Under USPAP (A-37) – 14 Hours**
- **Introduction to Appraisal Review (A-36) – 16 Hours**

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

RESOLVED to approve the following course, Principles of Rural Appraisal Internet (A-20 I) for continuing education and to deny for initial certification in accordance with 12 AAC 70.145 and 12 AAC 70.200.

Agenda Item 10 – Public Comment

Mr. MacSwain asked if Mr. Turner has any comments to the Board. Mr. Turner stated that he has no comments.

Agenda Item 11 – 2008 Regulation Changes

The Board called Jun Maiquis, Regulation Specialist. Present with Ms. Maiquis was Cori Hondolero, Licensing Supervisor; both are with Division of Corporations, Business and Professional Licensing.

Mr. Maiquis asked the Board if they all have the new draft regulations dated December 14, 2005. Mr. Maiquis explained to Mr. MacSwain, that the draft presented is based on the draft changes that were received from Stephen Turner.

Mr. Turner stated that he also provided new criteria proposals by the Appraisal Foundation. Mr. Turner suggested Mr. Maiquis compare their guidelines to the proposal that was submitted by him. This is to make sure that the regulations proposed are consistent with the new federal guidelines.

Mr. MacSwain explained to Mr. Maiquis that he didn't see any major changes in the revised draft. The Board requested that Mr. Maiquis compare "A Guide for Understanding the 2008 Real Property Appraiser Qualification Criteria" to make sure the Board is in compliance.

Gene Shaffer believes the plan before was to implement what the Board has drafted. Mr. Shaffer feels that the Board is not ready to move to that level until the Board meets with the Appraisal Foundation. Once the Board has met with the Appraisal Foundation, than the Board can move forward on implementing the changes that have been made and make any modifications, if needed.

Mr. Maiquis asked Mr. MacSwain if there is going to be another final version of the "A Guide for Understanding the 2008 Real Property Appraiser Qualification Criteria". Mr. Turner doesn't believe there will be another final version. Mr. Turner recommends Mr. Maiquis review the proposed regulation changes in light of this document. Mr. Turner explained that the Board would meet with a guest speaker from the Appraisal Foundation, who will also be addressing this issue. Mr. Turner suggested to Mr. Maiquis that if he finds any changes, he could make it available for the Board at the next meeting. This way the Board can discuss it with the Appraisal Foundation, than decide to move forward on adopting the regulation changes.

Mr. Maiquis asked the Board when the next schedule meeting would be. Mr. MacSwain stated that the Board hasn't made that final decision, that the Board is looking at tentatively around May or June. Mr. Maiquis suggested that a teleconference could be arranged to go over regulation changes. Ms. Hondolero asked the Board if they want the meeting in conjunction with the guest speaker from the Appraisal foundation. Mr. MacSwain said yes. Mr. Maiquis explained to the Board that he will have a new version of the regulation changes and will email it to all Board members.

Agenda Item 14 – CE Audits

The Board reviewed CE Audits that were presented to them.

Upon motion by Irvine, seconded by Shaffer and approved unanimously, it was:

RESOLVED to approve the following CE Audits.

- Leonard Paul Mayo Jr.
- William Larick
- Lila J. Koplin
- Per E. Bjorn-Roli
- Eris Mae Wheelles
- Chilton E. Hines
- Randolph S. Seamen
- Russell L. Johnson
- Robert G. Ameen
- Walter A. Sheridan
- Ken Malcolm Hinchey
- Paige Renee Hodson
- Jacqueline Lynn Dooley
- James C. Williams

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

RESOLVED to deny the CE Audit from Heather Fair, License No. 382. Appears she has 28 CE Hours, 21 of those hours appear to be online course. In accordance with 12 AAC 70.220 only 7 hours are allowed online.

Task List for Board Members

Jan Mays

- Request a listserv for all certified real estate appraisers
- Send email notifications of upcoming meetings to all certified real estate appraisers
- Email Cathy Mason, Administrative Manager to attend via teleconference at the next face-to-face meeting.
- Email list of licensees to all board members.
- Schedule next meeting, in conjunction with guest speaker from the Appraisal Foundation.

There being no further business, the meeting adjourned at 4:52 p.m.

Respectfully Submitted:

Jan Mays, Licensing Examiner

Approved:

Steve MacSwain, Chairman
Board of Certified Real Estate Appraisers

Date: _____