

**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
November 3, 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 at the Atwood Building, Suite 602, Anchorage, AK.

Call to Order/Roll Call

Mr. MacSwain, Chairman called the meeting to order at 8:30 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
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:

Cori Hondolero, Licensing Supervisor – Juneau
Margo Mandel, Investigator - Anchorage

Agenda Item 1 – Review Agenda

The Board made no changes to the agenda.

Agenda Item 2- Review Meeting Minutes

The Board reviewed the sets of minutes included in the Board packet. Ms. Hondolero asked Mr. Shafer to clarify the correct spelling of his last name, as the Board minutes reflected an alternate spelling. It was indicated that “Shafer” is the correct spelling. Ms. Hondolero stated that this would be corrected in every set of minutes that were included in the packet before being signed by the Board chair.

Other than the spelling and some formatting issues no additional changes were made by the Board.

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

RESOLVED to adopt the following meeting minutes as amended:

- February 10, 2006
- February 24, 2006 Teleconference

- May 24, 2006
- June 30, 2006 Teleconference

Agenda Item 4 – Goals & Objectives FY 07

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

RESOLVED to adopt the FY 07 goals and objectives as amended.

The following are the Goals and Objectives of the Board of Certified Real Estate Appraisers.

1. Review recommended 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 or 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 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 certified appraisers.
7. 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).
8. To request to have at least two face-to-face meetings per year.

The Board requested that the Alaska Chapter of the Appraisal Institute and the Alaska Chapter #49 of the International Right of Way organization always be notified of Board meeting dates and invited to attend.

The Board requested that a line for e-mail address be added to the June 2007 renewal form.

The Board wanted to be sure that the applications for initial licensure as a Residential and General Appraiser list the requirement to provide a copy of one work product. Ms. Hondolero stated that she would check on this and if it had not been done yet, that she would follow up on the Boards direction to make this a requirement at application.

Agenda Item 5 – Budget Report

The Board reviewed the budget report and requested that a budget staff person be available to meet with the Board at the next Juneau meeting.

Break at 9:19 a.m.; back on record at 9:23 a.m.

The Board stated that they would like to use Appraisal Foundation funds to send members to trainings. It was noted that the State must apply for the funding and that applying does not cost anything.

Break at 9:28 a.m.; back on record at 9:29 a.m.

Agenda Item 3 – Investigative Report

Margo Mandel Investigator for the Division of Corporations, Business and Professional Licensing joined the meeting.

Open Cases

Status

3300-98-006 Violating Professional Ethics	Litigation
3300-02-004 Violating Professional Ethics	Litigation
3300-05-004 Negligence	Active
3300-05-005 Fraud/Misrepresentation	Active
3300-05-006 Incompetence	Active
3300-05-007 Violating Professional Ethics	Active
3300-05-008 Violating Professional Ethics	Active
3300-06-004 Violating Professional Ethics	Active
3300-06-005 Violating Professional Ethics	Active
3600-06-006 Negligence	Active
3301-06-001 Unlicensed Practice	Active
3300-06-008 Continuing Education	Active
3300-06-009 Continuing Education	Active

Closed Case

Findings

3300-05-010 Conversion	License Action
3300-05-011 Conversion	License Action
3300-05-012 Conversion	License Action
3300-05-013 Conversion	License Action
3300-06-001 Conversion	License Action
3300-06-003 Criminal Act – No Conviction	Ref. to OSPA
3300-06-007 Negligence	No Violation

The Board asked about the status of the licensees who have not yet complied with the continuing education requirements. Ms. Mandel and Ms. Hondolero stated that these licensee's cases are handled by the Juneau office paralegal, Steve Winker and that the licensees continue to hold their certification.

Agenda Item 6 – Correspondence

Gretchen Druhot

Ms. Druhot contacted the Board to ask if initial certification hours taken distance by internet or correspondence will count towards her required hours.

The Board stated that in accordance with 12 AAC 70.140(a) hours for initial certification must be "classroom hours" and the Board cannot accept hours earned via distance education.

Steve Turner

The Board reviewed the e-mail that had been sent by Mr. Turner regarding out of State appraisers who do not obtain a courtesy license to work in Alaska.

The Board stated that they would take the e-mail as FYI and would continue to monitor the issue.

Mr. MacSwain stated that he would like to see that an excel sheet be created to assist the Board with courtesy license tracking. He also asked if the property that is to be appraised by the courtesy license holder is listed online.

Angie Cupples

Ms. Cupples had questions about the certification requirements and asked if the Board could waive the requirement of having the experience before the certification is issued.

The Board stated that they cannot waive statutory and/or regulatory requirements and that she must meet the requirements of 70.108(b) and 70.115(b). There is no provision that would allow the Board to issue a certification before the required work and education requirements have been completed.

It was noted that the 75 classroom hours required for trainee registration can be used towards the required classroom hours for residential appraiser certification.

Dan Foster

Mr. Foster contacted the Board to ask if there are "licensed" appraisers in Alaska and if the Board could accept a degree that is earned online.

The Board stated that Alaska does not have licensed appraisers only certified and that as long as the degree is earned from an accredited institution, it does not matter if the degree is earned online.

Agenda Item 7 – Ethics Report

There were no ethics conflicts to disclose.

The Board requested that the ethics video be viewed at the next meeting when more members could be present.

Agenda Item 8 – Application Review

General Real Estate Appraiser/Residential Real Estate Appraiser

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

RESOLVED to approve Joshua Horan and Ian Guinn for certification as Residential Real Estate Appraisers and to approve William Ferguson for certification as a General Real Estate Appraiser.

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

RESOLVED to deny the application of Bernard Lim for residential real estate appraiser by endorsement in accordance with AS 08.87.110(c)(1) and 12 AAC 70.120(a)(3).

The Board noted that Mr. Lim is "licensed" in the State of Georgia not "certified". The requirements for being licensed are not substantially the same as Alaska's requirements for certification.

Certification Reinstatement

The Board reviewed the reinstatement application of Roger Cameron. It was noted that the Board had reviewed this request via mail ballot and that Mr. Cameron did not have enough approved hours earned within the previous licensing period to meet the requirements for reinstatement.

The Board requested that Mr. Cameron be notified that he would need to complete additional approved hours to have his certification reinstated and that hours cannot be double counted. This means that any hours used to reinstate the certification cannot be used on the upcoming June 2007 renewal.

Continuing Education Audit

The Board reviewed a memo from Steve Winker, Juneau paralegal regarding Charles Carlson's outstanding audit from the June 2005 renewal cycle.

A motion was made by Shafer, seconded by Larick, and consisted of two parts. First, whether to accept the course taken on May 16, 2005 titled Appraising High Value Residential Properties, which was not a course already approved by the Board. Second, whether to allow Mr. Carlson another 6 months to obtain the 7 additional required hours.

There was additional discussion about the motion. It was noted that it is the licensee's responsibility to assure that they are taking a course that meets regulatory requirements.

Mr. Shafer also added to the motion that the May 16, 2005 course does not meet the requirements of 12 AAC 70.210(b) and (c) because the course is not offered

by a provider listed in the regulations and the course was not specifically approved by the Board.

Motion was approved by Shafer, Larick and MacSwain.

Break at 11:48 a.m.; back on record at 12:06 p.m.

The Board discussed amending the application to remove any reference to “licensed” because the level needs to be “certified” in order for the applicant to be qualified to meet the endorsement requirements.

Agenda Item 9 – Public Comment

No visitors attended during the public comment period.

Agenda Item 10 – Course Application Review

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

RESOLVED to approve the following course offered by the Appraisal Institute for initial certification:

- **Residential Market Analysis & highest & Best Use – 14 Classroom Hours and 1 Exam Hour**

RESOLVED to approve the following courses offered by Allied Business Schools, Inc. for continuing education:

- **Appraiser’s Guide to Real Estate Law – 14 Hours**
- **Appraiser’s Guide to Property Management – 14 Hours**
- **Appraiser’s Guide to Real Estate Principles – 14 Hours**

RESOLVED to approve the following courses offered by Career Web School for continuing education:

- **A URAR Review – 7 Hours**
- **Residential Report Writing & Case Studies – 14 Hours**
- **Residential Site Valuation & Cost Approach – 14 Hours**
- **Residential Market Analysis & Highest & Best Use – 14 Hours**

RESOLVED to approve the following courses offered by the American Society of Farm Manager & Rural Appraisers (ASFMRA):

- **National USPAP Course (A-113) – 14 Classroom and 1 Exam hour for Initial and Continuing Education**
- **7 Hour National USPAP Update Course (A-114) – 7 Hours Continuing Education**
- **ASFMRA Code of Ethics (A-112) – 7 Hours Continuing Education**

- **Advanced Rural Appraisal (A-30) – 43.5 Classroom and 4 Exam Hours for Initial and Continuing Education**

RESOLVED to approve the following courses offered by McKissock, LP for continuing education:

- **The Art of Residential Appraisal Review – 7 Hours**
- **Appraisal Trends – 7 Hours**
- **Relocation Appraisal is Different – 7 Hours**

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

RESOLVED to approve the following course offered by Career Web Schools, Inc. pending verification that the instructor is AQB qualified in accordance with 12 AAC 70.220(e):

- **2006 7-Hour USPAP Update Course**

Agenda Item 11 – 2008 Regulation Changes

The Board discussed the draft regulations that had been sent out for public comment. Mr. Shafer noted a few changes that would need to be made.

Page 2 – 12 AAC 70.115(a)(1)(A)(ii) should read “for a course taken on or after January 1, 2003, be the 15-hour National USPAP Course taught by a state certified appraiser who is also an Appraiser Qualification Board certified instructor;”

Page 4 – 12 AAC 70.115(b)(1)(A)(ii) should read “for a course taken on or after January 1, 2003, be the 15-hour National USPAP Course taught by a state certified appraiser who is also an Appraiser Qualification Board certified instructor; and”

Page 5 – 12 AAC 70.115(b)(2) should read “beginning January 1, 2008, 200 classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis on appraisal of residential properties, and including the following conditions”

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

RESOLVED to adopt the proposed regulations with the above listed amendments to 12 AAC 70.115(a)(1)(A)(ii), 12 AAC 70.115(b)(1)(A)(ii) and 12 AAC 70.115(b)(2).

Agenda Item 12 – Board Business

Schedule next meeting

There was discussion about member attendance at Board meetings. It was noted that it is hard on staff and other members to change a date that has been set far in advance. It was requested that once the Board sets a date that all members make their best effort to attend unless there is a personal/medical issue that would prevent the member from giving adequate notice that they will be unable to attend.

This meeting was in jeopardy of not having a quorum to conduct business. This could have resulted in a large expense to the Board for bringing members and staff to a meeting, where no action could be taken.

The Board set a tentative date of February 16, 2007. The Board requested that this date be e-mailed to the whole Board to assure that the date worked for all members.

There being no further business, the meeting adjourned at 1:06 p.m.

Respectfully Submitted:

Cori Hondolero
Records & Licensing Supervisor

Approved:

Steve MacSwain, Chairman
Board of Certified Real Estate Appraisers

Date: _____