

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**July 20, 2017**

**MEMBERS PRESENT:**

Mr. Dennis Key (Chairman)  
Mr. Lew Watson (Vice-Chairman)  
Ms. Patrice McClammy  
Mr. Billy Cotter  
Mr. Robert Butler  
Mr. Richard D. Pettey  
Ms. Angie Frost  
Mr. Christopher Baker  
Mr. Edmond G. Eslava, III

**MEMBERS ABSENT:**

None

**OTHERS PRESENT:**

Mrs. Lisa Brooks, Executive Director  
Ms. Neva Conway, Legal Counsel  
Mrs. Carolyn Greene, Executive Secretary  
Mr. Joe Dixon, Investigator  
Mr. Sam Davis, Investigator

**GUESTS PRESENT:**

Mr. Jon Brett Blissitte, Certified Residential Appraiser, Hope Hull  
Ms. Sharon Goldman, Certified Residential Appraiser, Ashland  
Mrs. Kellie Ross, Certified Residential Appraiser, Troy  
Mr. Steve Burak, Certified General Appraiser, Tallassee

- 1.0 With a quorum present, Mr. Dennis Key, Chairman, called the meeting to order at 9:03 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held in the 3<sup>rd</sup> Floor Conference Room, 100 North Union Street, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on March 8, 2017 in accordance with the Alabama Open Meetings Act.
- 2.0 The meeting was opened with prayer, led by Mr. Butler, and the Pledge of Allegiance, led by Mr. Key.
- 3.0 Members present were, Mr. Billy Cotter, Mr. Richard D. Pettey, Ms. Patrice McClammy, Mr. Robert Butler, Mr. Dennis Key, Mr. Lew Watson, Ms. Angie Frost, Mr. Christopher Baker and Mr. Edmond G. Eslava, III.

- 4.0 On motion by Ms. Frost and second by Ms. McClammy, the regular minutes for May 18, 2017 were approved as written. Motion carried by unanimous vote.

Mr. Key opened nominations for the Vice-Chairman position. Mr. Cotter nominated Mr. Pettey for Vice-Chairman. Mr. Baker seconded the motion. Hearing no further nominations, Mr. Key closed the nominations and called for a vote for Vice-Chairman. The Board voted to elect Mr. Pettey as Vice-Chairman by unanimous vote.

Mrs. Brooks opened nominations for the Chairman position. Mr. Eslava nominated Mr. Watson for Vice-Chairman. Mr. Pettey seconded the motion. Hearing no further nominations, Mrs. Brooks closed the nominations and called for a vote for Chairman. The Board voted to elect Mr. Watson as Chairman by unanimous vote.

Mr. Watson thanked Mr. Key for his service, and thanked the Board for their confidence and told them he looked forward to serving as Chairman.

- 5.0 Ms. Conway discussed the Petition for Judicial Review and Request for Stay filed by Mr. David Burns (AB-15-33), and explained that she filed a Motion to Dismiss CV 2017-134 with the Circuit Court for Tuscaloosa County on May 31, 2017. She also included, for Board information, the Order handed down by Circuit Judge James H. Roberts, Jr., on June 20, 2017, giving Mr. Burns 60 days from the date of the Order on which to perfect service on the Board. Ms. Conway explained the Judicial Review process to the Board.

Ms. Conway discussed the Q-Integrated litigation with the Board. She informed the Board that Q-Integrated is no longer under contract with HUD, therefore, there is no need to go forward with litigation at this time. Ms. Conway explained that the new company under contract is currently corresponding with the Board and it does not appear at this time that there will be a problem with getting them licensed.

- 6.0 At 9:15 a.m., Ms. Conway called for a Public Hearing on 780-X-13-.01, Adoption of Uniform Standards of Professional Appraisal Practice. There were no comments and the public hearing was closed at 9:17 a.m.

At 9:17 a.m., Ms. Conway called for a Public Hearing on 780-X-4-.08, Miscellaneous Fees. There were no comments and the public hearing was closed at 9:19 a.m. On motion by Mr. Baker and second by Ms. Frost, the Board voted to adopt the change to 780-X-4-.08 as written and to file it with Legislative Reference Services.

- 7.0 On motion by Mr. Key and second by Mr. Cotter, the following applications were voted on as listed. Motion carried by unanimous vote.

7.1 **Trainee Real Property Appraiser application approved:** Christopher Chase Amis, Ashley Paige Griffin, John Alexander Solberger and Samuel Edward Turner. **Applications deferred:** None. **Applications denied:** None.

**Trainee Real Property Appraiser Experience Logs for Review: Log approved:** Rachel Clark and Mia Valenzuela. **Logs deferred:** Andrew Bevel, Brian Bernstein, Travis Cousins, K. Dawn Irvin and Casey Kitchens. **Logs denied:** None.

7.2 **State Registered Real Property Appraiser applications approved:** None. **Applications deferred:** None. **Applications denied:** None.

7.3 **Licensed Real Property Appraiser applications approved:** None. **Applications deferred:** None. **Applications denied:** None.

7.4 **Certified Residential Real Property Appraiser applications approved:** George Scott Carico (Recip)(MS), Randall Shain Clark, Linda S. Cotnoir (Recip)(GA), Millard Foster Donnell (Recip)(TN), and Bruce B. Gonce (Recip)(FL). **Applications deferred:** None. **Applications denied:** None.

7.5 **Certified General Real Property Appraiser applications approved:** Thomas Boydston, Andrew Michael Gibson (Recip)(TN), Baldwin R. Justice (Recip)(LA), Benjamin A. Levin (Recip)(GA), William Tyler Mullins (Recip)(MS), and John Paul Oakvik (Recip)(FL). **Application deferred:** David Clark Stewart. **Applications denied:** None.

7.6 **Mentor applications approved:** Amy Ivey and Donna Huey. **Application deferred:** George Alan Green. **Applications denied:** None.

8.0 Ms. Frost presented the Finance report and stated that the Board was 75% into Fiscal Year 2017 and 58% into budget expenditures. Ms. Frost stated that there were no negative trends that could not be reconciled at this time. On motion by Mr. Cotter and second by Ms. McClammy, the Board voted to approve the Finance Report. Motion carried by unanimous vote.

Mrs. Brooks discussed an article regarding Senator Bill Holtzclaw's desire to stop state agencies from increasing their fees on the public without legislative approval.

After lengthy discussion regarding the Board's finances, on motion by Mr. Pettey and second by Mr. Baker, the Board voted to close discussions. Motion carried by unanimous vote.

On motion by Mr. Pettey and second by Mr. Baker, the Board voted to raise appraiser license fees by \$50 effective August 1, 2018. Mr. Key opposed the motion. Motion carried.

9.0

With Mr. Eslava recusing, on motion by Mr. Cotter and second by Mr. Key, the following education courses and instructor recommendations were approved, deferred, or denied as indicated. Motion carried by unanimous vote.

**APPRAISAL INSTITUTE – CHICAGO CHAPTER**

**New Applications:**

- (CE) Advanced Land Valuation: Sound Solutions to Perplexing Problems – 7 Hours – Classroom  
(Instructor: Sandy Adomatis)  
**Both Course and Instructor Approved**
  
- (LIC) Advanced Residential Applications & Case Studies Pt. 1 - Synchronous – 15 Hours – Online  
(Instructor: Richard DuBay)  
**Both Course and Instructor Approved**
  
- (LIC) Advanced Residential Report Writing Pt. 2 - Synchronous – 30 Hours – Online  
(Instructor: Richard DuBay)  
**Both Course and Instructor Approved**
  
- (CE) Complex Litigation Appraisal Case Studies (Synchronous) – 7 Hours – Online  
(Instructor: Sandy Adomatis)  
**Both Course and Instructor Approved**
  
- (CE) Contract or Effective Rent: Finding the Real Rent (Synchronous) – 4 Hours – Online  
(Instructor: Tom Hamilton)  
**Both Course and Instructor Approved**
  
- (CE) Residential & Commercial Valuation of Solar – 14 Hours – Classroom  
(Instructor: Sandy Adomatis)  
**Both Course and Instructor Approved**
  
- (CE) Review Theory Residential (Synchronous) – 15 Hours – Online  
(Instructor: Craig Harrington)  
**Both Course and Instructor Approved**

## GEORGIA MLS TRAINING INSTITUTE

### New Application:

- (CE) 2016-2017 7-Hour Equivalent USPAP Update Course – 7 Hours – Online  
(Instructor: Wade Gaddy)  
**Both Course and Instructor Approved**

## HOME BUILDERS ASSOCIATION OF ALABAMA

### New Application:

- (CE) Interrelationships: The Key to Establishing Accurate Value for New Homes – 7 Hours – Classroom  
(Instructors: Edmond Eslava and Mandell Tillman)  
**Both Course and Instructors Approved**

## REQUEST FOR CONTINUING EDUCATION CREDIT

Mrs. Brooks discussed a request from Mr. Joseph Lundy for credit for attending the Appraisal Institute's course Online Cool Tools: New Technology for Real Estate Appraisers. On motion by Mr. Cotter and second by Mr. Key, the Board voted to grant 7 hours continuing education credit to Mr. Lundy. Motion carried by unanimous vote.

Mr. Cotter updated the Board on the 'Common Mistakes Found in Appraisals' course offering.

Course evaluations from the last two course offerings were included for Board information.

10.0 There was no disciplinary report to review at this time.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 7 new complaints were received since the May 2017 Board meeting, 4 complaints were dismissed, and no complaints were settled, leaving a total of 28 open complaints.

11.0 The Board reviewed Probable Cause Report **AB-16-26**: With Mr. Watson and Mr. Baker recusing, on motion by Ms. Frost and second by Mr. Key, the Board voted to defer this case and return it to Investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-16-41**: With Mr. Watson, Mr. Eslava and Mr. Butler recusing, on motion by Mr. Key and second by Ms. Frost, the Board voted that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-16-36**: With Mr. Watson and Mr. Butler recusing, on motion by Ms. Frost and second by Mr. Pettey, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-16-42**: With Mr. Butler recusing, on motion by Ms. Frost and second by Ms. McClammy, the Board voted that probable cause does not exist and to issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-16-30**: With Mr. Eslava and Mr. Baker recusing, on motion by Mr. Pettey and second by Mr. Key, the Board voted that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-17-01**: With Mr. Butler recusing, on motion by Ms. Frost and second by Mr. Eslava, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed a Request for Board Initiated Complaint **AB-17-15**: On motion by Ms. Frost and second by Mr. Eslava, the Board voted to open a formal investigation. Motion carried by unanimous vote.

- 12.0 There were no Negotiated Settlements to review at this time.
- 13.0 The following reciprocal licenses were issued since the May Board meeting: George Scott Carico ('R' MS), Linda S. Cotnoir ('R' GA), Millard Foster Donnell ('R' TN), Andrew Michael Gibson ('G' TN), Bruce B. Gonce ('R' FL), Baldwin R. Justice ('G' LA), Benjamin A. Levin ('G' GA), William Tyler Mullins ('G' MS) and John Paul Oakvik ('G' FL).
- 14.0 The Temporary Permit report was provided to the Board for their information.
- 15.0 The Appraisal Management report was provided to the Board for their information.
- 16.0 Mr. Baker deferred his discussion on appraiser concerns until the September, 2017 Board meeting.

Mrs. Brooks discussed a letter from Dr. Steven G. Burak of Sizemore & Sizemore, requesting a waiver of the Board's rule that no more than 40% of the cumulative experience points may be earned from any one category, on behalf of Ms. Susanna Fillingham, State Registered Real Property Appraiser. Dr. Burak also addressed the Board. On motion by Ms. Frost and second by Mr. Pettey, the Board voted to grant a waiver to Ms. Fillingham. Motion carried by unanimous vote.

Mr. Pettey discussed Scope of Work for Certified Residential Real Property Appraisers and included a handout for Board information. The

board asked Ms. Conway to draft a letter to Mr. John Brennan, Director of Appraiser Issues, Appraisal Foundation, for clarification on what a Certified Residential Appraiser is qualified to do.

Mr. Key discussed Alternative Standards (Non-USPAP Evaluations) with the Board. Ms. Frost made a motion to amend the law to state that valuations must be performed by licensed appraisers. Ms. Conway explained that that requirement is already in place. Mr. Key suggested that the Board look at the laws other states have passed. Ms. Frost suggested that the Legislative Committee research the matter and report back to the Board. Mr. Baker also suggested studying the AMC legislation in other states.

Ms. Conway discussed the Federal Trade Commission's actions regarding customary and reasonable fees.

17.0 Ms. Conway discussed the Customary and Reasonable Fee Study and included an update from Dr. David Turnipseed on the progress of the Study.

Mr. Brett Blissitte addressed the Board regarding his concerns about customary and reasonable fees.

18.0 There was no new business to discuss at this time.

19.0 At 11:35 a.m., on motion by Ms. Frost and second by Mr. Key, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for the 2017 is September 21, 2017 and November 16, 2017 in the 3<sup>rd</sup> Floor Conference Room, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene  
Executive Secretary  
/cg

**APPROVED:** \_\_\_\_\_  
Carroll Lew Watson, Chairman