

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**November 21, 2019**

**MEMBERS PRESENT:**

Mr. Robert Butler (Chairman)  
Mr. Billy Cotter (Vice-Chairman)  
Mr. Richard D. Pettey  
Ms. Angie Frost  
Mr. Mark Haller  
Mr. Roger Ball  
Ms. Patrice McClammy

**MEMBERS ABSENT:**

Mr. Chad Anderson  
Mr. Lew Watson

**OTHERS PRESENT:**

Mrs. Lisa Brooks, Executive Director  
Ms. Neva Conway, Legal Counsel  
Mrs. Carolyn Greene, Executive Secretary

**GUESTS PRESENT:**

Mr. Mike Lowery, Certified Residential Appraiser, Greenville  
Ms. Katie Richard, Alabama Realtors Association

- 1.0 With a quorum present, Mr. Robert Butler, Chairman, called the meeting to order at 9:01 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 December 14, 2018 in accordance with the Alabama Open Meetings Act.
- 2.0 The meeting was opened with prayer, led by Mr. Haller, and the Pledge of Allegiance, led by Mr. Ball.
- 3.0 Members present were Mr. Richard D. Pettey, Ms. Angie Frost, Mr. Billy Cotter, Mr. Roger Ball, Mr. Mark Haller, Ms. Patrice McClammy and Mr. Robert Butler. Members absent were Mr. Lew Watson, and Mr. Chad Anderson.

Mr. Butler welcomed the guests to the meeting and asked the Board members to introduce themselves.

4.0 On motion by Ms. Frost and second by Ms. McClammy, the regular minutes for September 19, 2019 were approved as written. Motion carried by unanimous vote.

5.0 Ms. Conway stated that there was nothing new to report on the Federal Trade Commission VS Louisiana Real Estate Appraisers Board.

Ms. Conway reported on the Dental Board VS Smile Direct Club.

6.0 Ms. Conway discussed the Final Adoption of 780-X-4-.02, Application and License Fees.

At 9:05 a.m., Ms. Conway called for a Public Hearing on 780-X-4-.02, Application and License Fees. There were no comments and the public hearing was closed at 9:10 a.m.

On motion by Ms. Frost and second by Ms. McClammy, the Board voted to adopt the rules, and instructed Ms. Conway to file the rules for Final Adoption. Mr. Pettey opposed the motion. Motion carried.

Ms. Conway discussed proposed statute changes to §34-27A-15 - Renewal license and §34-27A-55 - Fees; surety bond; renewal of registration to resolve significant issues cited by the Examiners of Public Accounts. Mrs. Brooks will send the proposed changes to Maria Catledge, Examiners of Public Accounts, to review prior to a Board vote in January.

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

7.1 **Trainee Real Property Appraiser applications approved:** Ferg M. Alleman, IV, Tanya Renae Barrett, Richard Andrew Bolin, Linda C. Dunn, Jason David Griffin, Michael Kevin Jaquess, Wilson Joseph McDonald, Sue E. Moore, Joseph Todd Smith and Larry Daniel Watts. **Applications deferred:** None. **Applications denied:** None.

**Trainee Real Property Appraiser Experience Logs for Review:** **Logs approved:** Jeffrey (Drew) Clark, Emily Ann Free, Seve Gunter, Drew Ann Lambert, David Martin, Lyle' Reed and David Allen Tucker. **Logs deferred:** Mike Abercrombie and Chase Amis. **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 application approved:** Alex Parker Thompson (Recip)(MS). **Applications deferred:** None. **Applications denied:** None.

- 7.4 **Certified Residential Real Property Appraiser applications approved:** Cheryl Clause Barnes (Recip)(FL), Todd W. Cox (Recip)(OK), John Scott Evans (Recip)(TN), Joyce L. Francois (Recip)(NC). **Application deferred:** Michael Kerr Arnold. **Applications denied:** None.

Mr. Ball discussed Michael Kerr Arnold's upgrade application. Ms. Conway will email John Brennan with the Appraisal Foundation for his input. Mr. Arnold can do demonstration appraisals to increase his experience hours.

- 7.5 **Certified General Real Property Appraiser applications approved:** James Frederick Boren (Recip)(GA), Garrett Clark Dismukes (Recip)(MS), Peter Nelson Dittmar (Recip)(WY), David Scott Gray (Recip)(FL), Stephen Andrew Griffith (Recip)(GA), Austin James Haywood (Recip)(IA), Eric C. Hoening (Recip)(FL), Kelly Elizabeth Hyde (Recip)(TX), Derek J. Leyendecker (Recip)(NM), Paxton A. Poppell (Recip)(GA), Walter Douglas Roberts (Recip)(NC) and Joseph Spencer Sloan (Recip)(TX). **Application deferred:** None. **Applications denied:** None.

- 7.6 **Mentor applications approved:** John E. Gibson and Melanie Housh. **Application deferred:** Gregory Morton. **Applications denied:** None.

- 8.0 Ms. Frost presented the Finance report for September 2019 and stated that the Board was 100% into Fiscal Year 2019 and 67% into budget expenditures. She also presented the Finance report for October 2019 – FY 2020 and stated that the Board was 8% into Fiscal Year 2020 and 11% 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 Mr. Pettey, the Board voted to approve the Finance Report. Motion carried by unanimous vote.

- 9.0 On motion by Ms. McClammy and second by Ms. Frost, the following education courses and instructor recommendations were approved, deferred, or denied as indicated. Motion carried by unanimous vote.

### **AMERICAN SOCIETY OF FARM MANAGERS AND RURAL APPRAISERS**

#### **New Applications:**

- (CE) 2020-2021 7-Hour National USPAP Update Course– 7 Hours – Classroom  
(Instructor: Chris Greenwalt)  
**Both Course and Instructor Approved**
- (CE) Thinking Outside the Box: Appraising Unique & Atypical Properties – 8 Hours – Classroom  
(Instructor: Randall Kyles)  
**Both Course and Instructor Approved**

## **APPRAISAL INSTITUTE – ALABAMA**

### **New Applications:**

- (CE) 2020-2021 7-Hour National USPAP Update Course – 7 Hours – Classroom  
(Instructor: Ted Whitmer)  
**Both Course and Instructor Approved**
- (CE) The “Opportunity” in Opportunity Zones – 3 Hours – Classroom  
(Instructor: Alex Flachsbart)  
**Both Course and Instructor Approved**

## **APPRAISAL INSTITUTE – NATIONAL**

### **New Applications:**

- (CE) 2020-2021 7-Hour National USPAP Update Course – 7 Hours – Classroom  
(Instructor: Thomas Kirby)  
**Both Course and Instructor Approved**
- (LIC) 2020-2021 15-Hour National USPAP Course – 15 Hours – Classroom  
(Instructor: Thomas Kirby)  
**Both Course and Instructor Approved**
- (LIC) Advanced Concepts and Case Studies Synchronous – 40 Hours – Online  
(Instructors: Don Emerson, Gary DeWeese and Kerry Jorgensen)  
**Both Course and Instructors Approved**
- (CE) Online Rates and Ratios: Making Sense of GIMS, OARS, DCF – 7 Hours – Online  
(Instructor: Kenneth Lusht)  
**Both Course and Instructor Approved**
- (CE) Reviewing Residential Appraisals and Using Fannie Mae Form 2000 – 7 Hours – Online  
(Instructor: Alan Simmons)  
**Both Course and Instructor Approved**
- (LIC) Quantitative Analysis – 35 Hours – Classroom  
(Instructor: Larry Wright)  
**Both Course and Instructor Approved**
- (CE) Review Theory-General – 30 Hours – Classroom  
(Instructor: Stephanie Coleman)  
**Both Course and Instructor Approved**

- (LIC) Online Residential Sales Comparison and Income Approaches – 30 Hours – Online  
(Instructor: Mark Ratterman)  
**Both Course and Instructor Approved**
- (CE) The Cost Approach: Unnecessary or Vital to a Healthy Practice? – 7 Hours – Classroom  
(Instructor: Craig Steinley)  
**Both Course and Instructor Approved**
- (LIC) Advanced Income Capitalization – 35 Hours – Classroom  
(Instructor: Thomas Kirby)  
**Both Course and Instructor Approved**
- (LIC) Advanced Market Analysis and Highest & Best Use – 35 Hours – Classroom  
(Instructor: Kerry Jorgensen)  
**Both Course and Instructor Approved**
- (LIC) Advanced Residential Applications and Case Studies, Part 1 – 15 Hours – Classroom  
(Instructor: Richard Dubay)  
**Both Course and Instructor Approved**
- (CE) Online Thinking Outside the Form – 4 Hours – Online  
(Instructors: Alan Simmons and Mark Freitag)  
**Both Course and Instructors Approved**

### **CALYPSO CONTINUING EDUCATION**

#### **New Application:**

- (CE) Mold A Growing Concern – 3.5 Hours – Online  
(Instructor: Francis Finigan)  
**Both Course and Instructor Approved**

### **MCKISSOCK, LP**

#### **New Applications:**

- (CE) 2020-2021 7-Hour National USPAP Update Course – 7 Hours – Classroom  
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Phylcia Lloyd, Larry McMillen, Steve Vehmeier, Steve Maher and Dale Shea)  
**Both Course and Instructors Approved**
- (CE) 2020-2021 7-Hour National USPAP Update Course – 7 Hours – Online  
(Instructor: Dan Bradley)  
**Both Course and Instructor Approved**

**MELISSA BOND**

**New Application:**

(CE) ANSI – What’s It All About – 4 Hours – Classroom  
(Instructor: Melissa Bond)

**Both Course and Instructor Approved**

10.0

**Letters of Warning** were issued on the following investigations for the discrepancies indicated. This disciplinary action will be considered in any future discipline proceedings:

**AB-18-20** On July 30, 2019 to a Certified General Appraiser where there is no evidence that adjustments made to the comparable sales are market derived adjustments and there is no evidence of analysis of highest and best use. **Standards Rule 1-1(a) and 1-3(b), USPAP, 2018-19 Ed.**

**AB 18-21** On July 30, 2019 to a Certified Residential Appraiser where there is no evidence that adjustments made to the comparable sales are market derived adjustments and there is no evidence of analysis of highest and best use. **Standards Rule 1-1(a) and 1-3(b), USPAP, 2018-19 Ed.**

**AB-18-22** On July 30, 2019 to a Certified Residential Appraiser where the assignment specified Fannie Mae underwriting guidelines which required the and appraiser did not verify comparable sales with parties to the transaction or explain the efforts made to verify the sales. The appraiser used MLS and public records which is not considered verification. There is no evidence that adjustments to the comparable sales are supported with market derived data.

There is no evidence of analysis of highest and best use. Licensee included a site value in the report and indicated it was based on recent land sales, but the work file did not support the claim in the report. **SCOPE OF WORK, Acceptability, Standards Rule 1-1(a), 1-3(b) and 1-4(b)(i), USPAP, 2018-19 Ed.**

**AB-18-24** On July 30, 2019 to a Certified Residential Appraiser where there was a failure to compare similar properties to the subject and make supported adjustments to the comparable sales for differences. The appraiser stated the subject had access to a clubhouse, tennis courts and a swimming pool when it did not. The appraiser also stated the subject was constructed in 2007, was 11 years old and has an effective age of 5 years with no support for this estimate. **STANDARDS RULES 1-1(a), 1-2(e), and 1-3(a), USPAP 2018-19 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 7 new Appraiser complaints and no new Appraisal Management Company complaint were received since the September 2019 Board meeting, 1 complaint was dismissed, and 9 complaints were settled, leaving a total of 29 open complaints.

- 11.0 There were no Probable Cause Reports to review at this time.
- 12.0 There were no Negotiated Settlements to review at this time.
- 13.0 The following reciprocal license was issued since the September Board meeting: Cheryl Clause Barnes ('R' FL), James Frederick Boren ('G' GA), Todd W. Cox ('R' OK), Garrett Clark Dismukes ('G' MS), Peter Nelson Dittmar ('G' WY), John Scott Evans ('R' TN), Joyce L. Francois ('R' NC), David Scott Gray ('G' FL), Stephen Andrew Griffith ('G' GA), Austin James Haywood ('G' IA), Eric C. Hoening ('G' FL), Kelly Elizabeth Hyde ('G' TX), Derek J. Leyendecker ('G' NM), Paxton A. Poppell ('G' GA), Walter Douglas Roberts ('G' NC) and Joseph Spencer Sloan ('G' TX) and Alex Parker Thompson ('L' MS).
- 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 Ms. Conway discussed the Investigator position with the Board. Mr. Davis should be back full-time in December. Mrs. Brooks will send another solicitation of interest out. On motion by Mr. Cotter and second by Mr. Haller, the Board voted to form a committee comprised of Mr. Pettey, Mr. Ball, Mr. Anderson, Mr. Watson and Ms. McClammy to review applications for the investigator position. Motion carried by unanimous vote.

Ms. Conway discussed the Sunset Committee meeting.

Ms. Conway informed the Board that State Personnel had approved Mrs. Brooks' raise. Ms. Conway and Mrs. Brooks thanked the Board for their assistance.

Ms. Conway and Board member attendees discussed the AARO meeting. The Board congratulated Ms. Conway on the excellent job she did in her round table discussion on evaluations.

Mrs. Brooks included information on the Association of Appraiser Regulatory Officials Regulator Training Course & Case Studies for Investigators being held on April 2, 2020 in San Antonio.

Mrs. Brooks included the renewal report for Board information. Mrs. Brooks included 'Game Over ServiceLink' article for Board information.

Mrs. Brooks discussed the tentative Board meeting schedule for 2020 with the Board. On motion by Ms. Frost and second by Mr. Cotter, the Board voted to meet on the 3<sup>rd</sup> Thursday of every other month beginning in January 2020. Motion carried by unanimous vote.

Mrs. Brooks informed the Board that the Appraisal Subcommittee would be in the office the week of the Board meeting in January for our review.

Ms. Conway discussed the process to contract with an investigator and will put together terms for an Invitation to Bid and present them at the January Board meeting.

17.0 The hybrid appraisal discussion was deferred until the January Board meeting.

Mr. Pettey discussed the statute of limitations with the Board. Ms. Conway will pose this question on the forum and bring information back to the Board.

Mr. Haller discussed pre-sales.

18.0 Mr. Butler discussed the Appraiser Qualifications Board Exposure Draft of a Proposed Change to the Real Property Appraiser Qualification Criteria. Ms. Conway will send a copy to the Board members.

Mr. Mike Lowery discussed bifurcated appraisals with the Board.

19.0 At 11:02 a.m., on motion by Ms. Frost and second by Ms. McClammy, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for 2020 is January 16, 2020; March 19, 2020; May 21, 2020; July 16, 2020; September 17, 2020 and November 19, 2020 in the 3<sup>rd</sup> Floor Conference Room, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene  
Executive Secretary  
/cg

**APPROVED:** \_\_\_\_\_  
Robert Butler, Chairman