

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
July 18, 2019

MEMBERS PRESENT:

Mr. Richard D. Pettey (Chairman)
Mr. Robert Butler (Vice-Chairman)
Mr. Billy Cotter
Mr. Lew Watson
Ms. Angie Frost
Mr. Mark Haller
Mr. Roger Ball
Mr. Chad Anderson

MEMBERS ABSENT:

Ms. Patrice McClammy

OTHERS PRESENT:

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

GUESTS PRESENT:

Mr. Joe Barnett, Trainee Appraiser, Fitzpatrick
Mr. Nathan Stephen, Certified Residential Appraiser, Montgomery
Mr. Bill Finlay, Certified General Appraiser, Montgomery
Mrs. Nene Tisher, Certified Residential Appraiser, Mobile

- 1.0 With a quorum present, Mr. Rick Pettey, Chairman, called the meeting to order at 9:04 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held in the 3rd 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. Watson, and the Pledge of Allegiance, led by Mr. Pettey.
- 3.0 Members present were Mr. Lew Watson, Mr. Richard D. Pettey, Ms. Angie Frost, Mr. Billy Cotter, Mr. Roger Ball, Mr. Mark Haller, Mr. Chad Anderson and Mr. Robert Butler. Member absent was Ms. Patrice McClammy.

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

Ms. Conway administered the oath of office to new Board members Mr. Chad Anderson, replacing Mr. Edmond G. Eslava, III, Mr. Roger Ball, replacing Mr. Chris Baker and Mr. Mark Haller, replacing Mr. Dennis Key. Mrs. Brooks welcomed the new Board members and told them that she looked forward to working with them.

- 4.0 On motion by Mr. Watson and second by Ms. Frost, the regular minutes for May 16, 2019 were approved as written. Motion carried by unanimous vote.

Ms. Conway opened nominations for the Chairman position at 9:10 a.m. Mr. Cotter nominated Mr. Butler for Chairman. Mr. Watson seconded the motion. Hearing no further nominations, Ms. Conway closed the nominations at 9:11 a.m. and called for a vote for Chairman. The Board voted to elect Mr. Butler as Chairman by unanimous vote.

Ms. Conway opened nominations for the Vice-Chairman position at 9:12 a.m. Mr. Pettey nominated Mr. Cotter for Vice-Chairman. Mr. Watson seconded the motion. Hearing no further nominations, Ms. Conway closed the nominations at 9:13 a.m. and called for a vote for Vice-Chairman. The Board voted to elect Mr. Cotter as Vice-Chairman by unanimous vote.

Mr. Butler discussed Committee assignments with Board members.

- 5.0 Ms. Conway reported on the Federal Trade Commission VS Louisiana Real Estate Appraisers Board and stated that a trial has been set for October or November of this year.

Ms. Conway explained the litigation process to the new Board members.

- 6.0 Ms. Conway discussed the proposed rule changes to 780-X-2, Definitions; 780-X-6-.03, Qualifying Experience – Licensed Real Property Appraiser; 780-X-6-.04, Qualifying Experience – Certified Residential Real Property Appraiser; 780-X-6-.05, Qualifying Experience – Certified General Real Property Appraiser; 780-X-12-.02, Continuing Education Requirements; 780-X-17-.03 – Registration; and 780-X-17-.04 – Registration Renewal. On motion by Ms. Frost and second by Mr. Pettey, the Board voted to adopt the changes as written, file them with Legislative Reference Services and to submit for final certification if no comments are received during the comment period. Motion carried by unanimous vote.

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

- 7.1 **Trainee Real Property Appraiser applications approved:** Joseph Meade Barnett, Jeremy Dale Clark, Gabriel W. Ozio, and Steven Wade Walling. **Applications deferred:** None. **Applications denied:** None.

Trainee Real Property Appraiser Experience Logs for Review: **Log approved:** Paul Christopher Jones and Benjamin Walker. **Logs deferred:** Emily Ann Free and Tamara Nelson Martinez. **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:** Stephanie Campbell. **Applications deferred:** None. **Applications denied:** None.

7.4 **Certified Residential Real Property Appraiser application approved:** Zane Bascom Harris, Jr. (Recip)(TN), John Michael A. Harwood, Jessica Karroll and Timothy A. Waldrop (Recip)(TN). **Application deferred:** None. **Applications denied:** None.

7.5 **Certified General Real Property Appraiser application approved:** Anthony V. Boney (Recip)(FL), Thomas L. Crye (Recip)(TN), Robert Lindsay Dowdell (Recip)(TX), James Alan McNulty (Recip)(NC), Robert Michael Moorman (Recip)(GA), Stephen Patrick Palinkas (Recip)(FL), Richard Aram Plock (Recip)(NJ) and Scot Allen Torkelson (Recip)(MN). **Application deferred:** None. **Applications denied:** Benjamin Gene Carpenter.

7.6 **Mentor application approved:** Jacqueline Carter and Nathan Stephen. **Application deferred:** Larry G. Dunn, Jr., Gregory Morton and Molly McLeod Wilson. **Applications denied:** None.

8.0 Ms. Frost presented the Finance report for June 2019 and stated that the Board was 75% into Fiscal Year 2019 and 55% into budget expenditures. Ms. Frost stated that there were no negative trends that could not be reconciled at this time.

On motion by Mr. Pettey and second by Mr. Watson, the Board voted to approve the Finance Report. Motion carried by unanimous vote.

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

ALABAMA DEPARTMENT OF TRANSPORTATION

New Application:

(CE) NHI Course 141044 Appraisal Review for Federal-aid Highway Programs – 6 Hours – Classroom
(Instructor: Michael McCall and Chad Crawford)
Both Course and Instructors Approved

APPRAISAL INSTITUTE – ALABAMA

New Application:

- (CE) Conservation Easements: Legal, Appraisal, Accounting & Ethical Issues – 5 Hours – Classroom
(Instructors: Ronald Levitt, Greg Rhodes, John Hall, Phillip Paulk, Katherine Eddins, Orman Wilson and Steve Greenberg)
Both Course and Instructors Approved

APPRAISAL INSTITUTE – NATIONAL

New Applications:

- (CE) Fundamentals of Apartment Appraising - Online – 7 Hours – Online
(Instructor: Kenneth Foltz)
Both Course and Instructor Approved
- (CE) Rural Area Appraisals: Freddie Mac Guidelines and Property Eligibility – 7 Hours – Classroom
(Instructor: Mark Ratterman)
Both Course and Instructor Approved
- (CE) Valuation Resources for Solar Photovoltaic Systems – 4 Hours – Classroom
(Instructor: Sandra Adomatis)
Both Course and Instructor Approved

HONDROS

New Applications:

- (CE) 2018-2019 7-Hour Equivalent USPAP Course – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) An Appraiser's Guide to Expert Witness Assignments – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructors Approved
- (CE) Appraisal Review of Residential Properties – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved

- (CE) Appraising Small Residential Income Properties – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Better to be Safe Than Sorry – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Challenging Assignments for Residential Appraisers – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Covering all of the Bases in Residential Reporting – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Defensible Appraising – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) FHA and VA Today – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Income Approach Review – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Green in Residences and Appraisals – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Property and Valuation Analysis for FHA – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Methodology and Application of Sales Comparison – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved
- (CE) Mortgages, Appraisers and Foreclosures – 7 Hours – Online
(Instructor: Elizabeth Sigg)
Both Course and Instructor Approved

- 10.0 **AB 16-15** On May 16, 2019, the Board approved a Voluntary Revocation Consent Order from Certified General Appraiser Claud Clark, III, G00024. Clark voluntarily surrendered his license in lieu of an administrative hearing.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 2 new Appraiser complaints and 1 new Appraisal Management Company complaint were received since the May 2019 Board meeting, 10 complaints were dismissed, and 1 complaint was settled, leaving a total of 28 open complaints.

- 11.0 The Board reviewed Probable Cause Report **AB-18-20**: With Mr. Watson recusing, on motion by Ms. Frost and second by Mr. Pettey, the Board voted that probable cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-18-21**: With Mr. Watson recusing, on motion by Ms. Frost and second by Mr. Pettey, the Board voted that probable case does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-18-22**: With Mr. Watson recusing, on motion by Ms. Frost and second by Mr. Cotter, the Board voted that probable cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-18-23**: With Mr. Watson 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-18-24**: With Mr. Watson recusing, on motion by Mr. Pettey and second by Ms. Frost, the Board voted that probable cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-18-25**: 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 issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed a Request for Board Initiated Complaint **AB-19-05**: With Mr. Watson recusing, on motion by Mr. Pettey and second by Ms. Frost, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed a Request for Board Initiated Complaint **AB-19-07**: With Mr. Watson recusing, on motion by Mr. Pettey and second by Ms. Frost, the Board voted to open a formal investigation. Motion carried by unanimous vote.

12.0 The Board reviewed the Consent Settlement Order on **AB-17-15**. On motion by Ms. Frost and second by Mr. Watson, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

13.0 The following reciprocal license was issued since the May Board meeting: Anthony V. Boney ('G' FL), Thomas L. Crye ('G' TN), Robert Lindsay Dowdall ('G' TX), Zane Bascom Harris, Jr. ('R' TN), James Alan McNulty ('G' NC), Robert Michael Moorman ('G' GA), Stephen Patrick Palinkas ('G' FL), Richard Aram Plock ('G' NJ), Scot Allen Torkelson ('G' MN), and Timothy Waldrop ('R' TN).

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. Anderson discussed hybrid appraisals with the Board. On motion by Mr. Anderson and second by Mr. Watson, the Board voted to defer this topic until the September Board meeting.

Ms. Conway discussed the Investigator position with the Board. The topic was deferred until the September Board meeting.

Mrs. Brooks included the Summer 2019 Newsletter for Board information.

Mrs. Brooks included an article regarding the surrender of Claud Clark's license for Board information.

17.0 The Board discussed pre-sales as comparables. Mr. Cotter, Ms. Frost and Mr. Davis will develop an article to include in the next newsletter.

Ms. Conway discussed the Statute of Limitations for claims against real estate appraisers with the Board. Mr. Ball included, for Board information, an article from Valuation Magazine on the subject. Ms. Conway will review and report back to the Board.

18.0 Mrs. Brooks discussed Mr. Davis' request to count the Association Appraisal Regulatory Officials Investigator Training for continuing education. On motion by Mr. Pettey and second by Ms. Frost, the Board voted to grant Mr. Davis 7 hours continuing education credit for his attendance at the training. Motion carried by unanimous vote.

19.0 At 11:16 a.m., on motion by Ms. Frost and second by Mr. Pettey, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for 2019 is September 19, 2019 and November 21, 2019 in the 3rd Floor Conference Room, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary
/cg

APPROVED: _____
Robert Butler, Chairman