

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**January 16, 2020**

**MEMBERS PRESENT:**

Mr. Robert Butler (Chairman)  
Mr. Billy Cotter (Vice-Chairman)  
Mr. Richard D. Pettey  
Mr. Mark Haller  
Mr. Roger Ball  
Ms. Patrice McClammy  
Mr. Chad Anderson  
Mr. Lew Watson (left at 11:15 a.m.)

**MEMBERS ABSENT:**

Ms. Angie Frost

**OTHERS PRESENT:**

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

**GUESTS PRESENT:**

Mr. Neal Fenochietti, Appraisal Subcommittee Policy Manager  
Mrs. Vicki Ledbetter-Metcalf, Appraisal Subcommittee  
Ms. Katie Richard, Alabama Realtors Association  
Mr. Jason Reid, Regulatory Affairs Director, Home Builders Association of Alabama  
Mr. Jimmy Rutland, President, Lowder New Homes  
Mr. Dan Taylor, Certified Residential Appraiser, Albertville, AL

- 1.0 With a quorum present, Mr. Robert Butler, Chairman, called the meeting to order at 9:00 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 31, 2019 in accordance with the Alabama Open Meetings Act.
  
- 2.0 The meeting was opened with prayer, led by Mr. Davis, and the Pledge of Allegiance, led by Mr. Pettey.

3.0 Members present were Mr. Richard D. Pettey, Mr. Billy Cotter, Mr. Roger Ball, Mr. Mark Haller, Ms. Patrice McClammy, Mr. Lew Watson, Mr. Chad Anderson and Mr. Robert Butler. Member absent was Ms. Angie Frost.

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

Mr. Jimmy Rutland of Lowder New Homes spoke to the Board regarding using pre-sales as comparables. Mr. Dan Taylor, Certified Residential Appraiser and homebuilder from Albertville, Alabama, also addressed the Board. Ms. McClammy suggested including an article in the next published newsletter. Ms. Conway suggested that the article be written by an appraiser. Mr. Rutland recommended that Mr. Mandell Tillman be asked to write the article. Mr. Ball suggested that he inquire of the Appraisal Institute if this issue has ever been addressed in an article before. A committee comprised of Mr. Ball, Mr. Haller, Mr. Anderson and Mr. Sam Davis was formed to study this matter further.

On motion by Mr. Cotter and second by Mr. Pettey, the Board voted to suspend the agenda to allow the guests from the Homebuilders Association of Alabama to address the Board.

4.0 On motion by Mr. Ball and second by Ms. McClammy, the regular minutes for November 21, 2019 were approved as written. Motion carried by unanimous vote.

5.0 Ms. Conway discussed the lawsuit, Department of Justice VS. Claud Clark III.

6.0 Ms. Conway discussed proposed statute changes to §34-27A-15 and §34-27A-55 to resolve significant issues cited by the Examiners of Public Accounts. Mrs. Brooks sent the proposed changes to Maria Catledge, Examiners of Public Accounts, to review prior to the Board and Ms. Catledge approved the language. On motion by Mr. Pettey and second by Mr. Watson, the Board voted to send the amendments to the Legislature. Motion carried by unanimous vote.

At this time Mr. Neal Fenochietti, from the Appraisal Subcommittee, spoke to the Board regarding the review that he and Mrs. Ledbetter-Metcalf are conducting, and told the Board that the Subcommittee will issue a report of their preliminary findings when the review is complete. Mr. Fenochietti thanked Mrs. Brooks and Staff for their assistance during the review. Mrs. Brooks thanked Mr. Fenochietti and Mrs. Ledbetter-Metcalf for all their time and assistance.

7.0 On motion by Mr. Pettey and second by Mr. Anderson, the following applications were voted on as listed. Mr. Butler abstained. Motion carried.

7.1 **Trainee Real Property Appraiser applications approved:** Thomas Kip Marbut, Christine B. McDaniel, Chad Edward Merschman and LouAnna (Anna) McCormick Weekly. **Applications deferred:** None. **Applications denied:** None.

**Trainee Real Property Appraiser Experience Logs for Review: Logs approved:** Mike Abercrombie and Chase Amis. **Logs deferred:** None. **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:** Emily Ann Free. **Applications deferred:** None. **Applications denied:** None.

7.4 **Certified Residential Real Property Appraiser applications approved:** Michael Kerr Arnold, Becky Lee Campbell, Jeffrey (Drew) Clark and Tamala Nelson Martinez. **Applications deferred:** None. **Applications denied:** None.

7.5 **Certified General Real Property Appraiser applications approved:** Kyle Austin Catlett (Recip)(FL), Amanda Grace Cooper (Recip)(FL), Delbert Herr Kendall (Recip)(TX), Kristin Lee Manners (Recip)(MS), John Alexander Mullen (Recip)(GA), Bruce Eric Nell (Recip)(OH), David D. Park (Recip)(WA), and Lister Rafael Rivera (Recip)(FL). **Application deferred:** Jonathan Christian Entekin. **Applications denied:** None.

7.6 **Mentor application approved:** Gregory Morton. **Applications deferred:** None. **Applications denied:** None.

8.0 Mr. Pettey presented the Finance report for December 2019-2020 and stated that the Board was 25% into Fiscal Year 2020 and 22% into budget expenditures. Mr. Pettey stated that there were no negative trends that could not be reconciled at this time.

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

Mrs. Brooks discussed the Agency Budget Request for Fiscal Year 2021. On motion by Mr. Watson and second by Ms. McClammy, the Board voted to approve the Budget Request as presented. Motion carried by unanimous vote.

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

## **AMERICAN SOCIETY OF APPRAISERS**

### **New Application:**

- (CE) 2020-2021 7-Hour National USPAP Course – 7 Hours –  
Classroom  
(Instructor: Mike Orman)  
**Both Course and Instructor Approved**

## **APPRAISAL INSTITUTE – ALABAMA**

### **New Application:**

- (CE) What's Up in Technology for Real Estate Appraisers – 7 Hours –  
Classroom  
(Instructor: Wayne Pugh)  
**Both Course and Instructor Approved**

## **APPRAISAL INSTITUTE – NATIONAL**

### **New Application:**

- (CE) 2020-2021 7-Hour Equivalent USPAP Update Course – 7 Hours –  
Online  
(Instructor: Craig Harrington)  
**Both Course and Instructor Approved**

## **HONDROS**

### **New Applications:**

- (CE) 2020-2021 7-Hour Equivalent USPAP Update Course – 7 Hours –  
Online  
(Instructor: Elizabeth Sigg)  
**Both Course and Instructor Approved**
- (LIC) 2020-2021 15-Hour Equivalent USPAP Course – 15 Hours –  
Online  
(Instructor: Elizabeth Sigg)  
**Both Course and Instructor Approved**

## **MCKISSOCK, LP**

### **New Application:**

- (LIC) 2020-2021 15-Hour National USPAP Course – 15 Hours – Online  
(Instructor: Dan Bradley)  
**Both Course and Instructor Approved**

- 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 6 new Appraiser complaints and no new Appraisal Management Company (AMC) complaints were received since the November 2019 Board meeting, no complaints were dismissed, and no complaints were settled, leaving a total of 35 open complaints.
- 11.0 The Board reviewed Probable Cause Report **AB-18-26**: With Mr. Butler and Mr. Anderson recusing, on motion by Mr. Pettey and second by Mr. Ball, 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-18-28**: The Board gave Ms. Conway permission to defer this Probable Cause for further information requested by the Discipline Committee. Motion carried by unanimous vote.
- The Board reviewed Probable Cause Report **AB-18-30**: With Mr. Watson and Mr. Anderson recusing, on motion by Ms. McClammy and second by Mr. Butler, 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-18-31**: With Mr. Watson and Mr. Anderson recusing, on motion by Mr. Pettey 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-18-32**: With Mr. Watson and Mr. Anderson recusing, on motion by Mr. Pettey 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-18-33**: With Mr. Watson and Mr. Anderson recusing, on motion by Mr. Pettey and second by Ms. McClammy, the Board voted that probable case does not exist and to dismiss this case. Motion carried by unanimous vote.
- 12.0 There were no Negotiated Settlements to review at this time.
- 13.0 The following reciprocal license was issued since the November Board meeting: Kyle Austin Catlett ('G' FL), Amanda Grace Cooper ('G' FL), Delbert Herr Kendall ('G' TX), Kristen Lee Manners ('G' MS), John Alexander Mullen ('G' GA), Bruce Eric Nell ('G' OH), David D. Park ('G' WA), and Lister Rafael Rivera ('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

Ms. Conway discussed the Investigator position with the Board. Mrs. Brooks and Ms. Conway will pull the register in February. Committee appointed in November comprised of Mr. Pettey, Mr. Ball, Mr. Anderson, Mr. Watson and Ms. McClammy will meet with Mrs. Brooks and Ms. Conway to review applications for the investigator position. Motion carried by unanimous vote.

Ms. Conway discussed the process to contract with an investigator and explained to the Board that neither an Invitation to Bid or Request for Proposal is required. Because the Board is moving forward with hiring a full-time appraiser, there is no need to proceed with hiring a contract investigator currently.

Ms. Conway discussed the Instructor Certification Course being held March 26-29, 2020 in Louisville, KY.

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

Mrs. Brooks included information on the Level 1 – Investigator Training being held on April 27-29, 2020 in Scottsdale, AZ; Level 2 – Investigator Training being held on June 15-17, 2020 in Kansas City, MO; and Level 3 – Investigator Training being held on September 14-16, 2020 in Tampa, FL.

Mrs. Brooks informed the Board that the next Examiners of Public Accounts Board Member Training would be held January 29, 2020 and Board members, Executive Directors, accounting personnel and attorneys are highly encouraged to attend.

Ms. Conway discussed the engagement letter requirement for upgrade experience credit. On motion by Mr. Pettey and second by Mr. Ball, the Board voted to amend 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 to remove the requirement that applicants must attach to the log the engagement letter for each appraisal assignment on the log. Motion carried by unanimous vote.

On motion by Mr. Pettey and second by Mr. Ball, the Board voted to amend the application for licensure to add an attestation that only USPAP compliant appraisals are included on their experience log. Motion carried by unanimous vote.

Ms. Conway discussed an email from Mr. Byron Claybrook, requesting information on the Trainee/Mentor guidelines. This matter has been deferred to the March Board meeting for further information to be obtained from Mr. Claybrook.

Mrs. Brooks provided the OIT Web Services Time & Cost Estimate for the new website for the Board. On motion by Ms. McClammy and second by Mr. Anderson, the Board voted to go forward with the website.

Mrs. Brooks discussed a memorandum from Kathleen D. Baxter, State Comptroller, announcing that the travel mileage rate for 2020 decreased to 57.5 cents per mile.

Mrs. Brooks included an email from Mr. Joe Dixon regarding the decrease in certified appraisers in California for Board information.

17.0 The hybrid appraisal discussion was tabled.

Ms. Conway discussed the statute of limitations with the Board. Ms. Conway will pose this question on the forum and bring information back to the Board after the AARO conference in April.

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

19.0 At 12:07 p.m., on motion by Mr. Pettey and second by Mr. Anderson, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for the remainder of 2020 is 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