

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
March 20, 2008

MEMBERS PRESENT:

Mr. Jon B. Blissitte (Chairman)
Mr. Fred Crochen (Vice-Chairman)
Mr. James Davis
Mrs. Myra Pruit (departing at 11:39 am)
Mr. Joseph Lambert
Mr. Clifford Odom
Mr. Thomas E. Garrett
Mr. Leston Stallworth
Mr. Mandell Tillman

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. Patrick Mackin, Trainee Appraiser, Birmingham
Ms. Penny Nichols, Trainee Appraiser, Deatsville

- 1.0 With quorum present Mr. Jon B. Blissitte, Chairman called the meeting to order at 8:27 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on March 7, 2008 in accordance with the Alabama Open Meetings Act.
- 1.1 The meeting was opened with prayer by Mr. Stallworth and then the Pledge of Allegiance.
- 2.0 Members present were Mr. Jon B. Blissitte, Mr. James Davis, Mrs. Myra Pruit, Mr. Joseph Lambert, Mr. Clifford Odom, Mr. Thomas E. Garrett, Mr. Leston Stallworth, Mandell Tillman, and Mr. Fred Crochen.

Mr. Blissitte welcomed the guests, and asked the Board members to introduce themselves.

3.0 On motion by Mr. Lambert and second by Mr. Stallworth, the regular minutes for January 18, 2008 and the special minutes for January 31, 2008 were approved as written. Motion carried by unanimous vote.

3.2 Ms. Conway included the Recommendation of the Administrative Law Judge on Complaint No. AB-05-42 (Charles R. Higgins, Jr.). On motion by Mr. Lambert and second by Mr. Davis, the Board voted to accept the Finding of Fact and Conclusions of Law of the Administrative Law Judge and to revoke Mr. Higgins' license. Motion carried by unanimous vote.

Ms. Conway included for Board information orders setting hearings for Mr. Barry Waldrop and Mr. James Floyd Fitch, III for Thursday, May 15, 2008 before an Administrative Law Judge.

4.0 Mrs. Brooks informed the Board that the Sunset Bill, SB161, is pending. It has been introduced in the Senate. There has been an amendment made to include 'or is legally present in this state' in the Bill. The immigration issue has been attached to all bills.

The Board discussed the proposed amendment to Senate Bill SB459, discussed by the Alabama Realtors Association. After much discussion, the Board voted to not go forward with the Bill until the issues have been resolved.

5.0 Mrs. Brooks discussed with the Board experience log submissions. On motion by Mr. Garrett and second by Mr. Davis, the Board voted to amend the Administrative Rule to require applicants for upgrade licensure to list on their experience logs all appraisals the applicant has signed or is entitled to claim for experience credit, beginning with the most recent appraisals (up to and including the date the application is filed with the Board) and going back, up to 5 years, until the required number of experience points for the classification they are applying for is documented. Motion carried by unanimous vote.

On motion by Mrs. Pruitt and second by Mr. Crochen the following applications were voted on as listed. Motion carried by unanimous vote.

5.1 **Trainee Real Property Appraiser applications approved:** Windy M. Briggs, Clayton H. Brooks, David W. Cummings, Daniel R. Enslin, Donald G. Haynes, Nathan D. Miles, William W. Routh, III (Recip.)(GA), Tonya L. Stewart, Jenny L. Tucker (Recip.)(GA) and Anita Upp.

5.2 **State Registered Real Property Appraiser application approved:** Michael C. Booker, Beth Gordon, and Julie Newman. **Applications deferred:** Monte Atkins and Michael Barrios.

5.3 **Licensed Real Property Appraiser applications approved:** Michael Alexander, Bonnie Burgess (Recip.)(GA), Michael F. Cumberland (Recip.)(MS), Christopher A. Miller, Taylor Parks, Albert Che' Paul, James Utsey and Mark R. Wesson. **Applications deferred:** Randy

Battiste, Joseph Best, Charles Curry, Christopher P. Davis, Allen Fucci, Ronald Hill, Jr., Linda N. Sholes, and Billy Gene Simmons.

5.4 **Certified Residential Real Property Appraiser applications approved:** James D. Andrews, Jr. (Recip.)(MS), Jeffrey L. Baker, Diana L. Banzhoff, Ken Butterworth, Al Darling, Lawrence S. Lee, Shawn Meeks, Jay C. Parker, Christopher L. Thigpen (Recip.)(TN), Michael C. Thorsen (Recip.)(FL), Monroe Turner, and Douglas Wilson. **Applications deferred:** Scott Abercrombie, Mary Michelle Ball, Jason H. Hill, Chris T. Jones, William D. Jones, Julia Meigs Malone, Theresa Matteson, Clint Randolph, Walker Reynolds, Sharon Roberts, Brandon S. Thompson, William Scott Wilcoxson and Jeffrey Zielke. **Applications denied:** Robert Beckman and James F. Bischoff.

5.5 **Certified General Real Property Appraiser applications approved:** Thomas W. Berry (Recip.)(GA), Jonathan P. Brown (Recip.)(FL), Joseph H. Douglas, III (Recip.)(GA), Stephen S. Holcombe (Recip.)(MS), James M. Kelley (Recip.)(GA), Gerald Knight, Kyung H. Min (Recip.)(GA), Stanley C. Saunders (Recip.)(FL), John F. Thigpen (Recip.)(FL), Christine E. White (Recip.)(GA), William B. Wilson (Recip.)(GA), Dale R. Winslette (Recip.)(FL).

5.6 **Mentor applications approved:** George Alan Green, Larry J. Keel, Jr., William Sims, and Cornelia Tisher. **Application deferred:** Glenn R. Heatherly.

6.0 Mrs. Pruitt discussed the financial report with the Board. Mrs. Pruitt stated we were 41% into FY 08 and 40% into budget expenditures.

Mrs. Pruitt stated that there were no negative trends that could not be reconciled at this time. On motion by Mr. Garrett and second by Mr. Tillman, the Board voted to approve the Financial Report. Motion carried by unanimous vote.

6.1 On motion by Mr. Odom and second by Mr. Tillman the following education courses and instructor recommendations were approved, deferred, or denied as indicated.

ASFMRA-AMERICAN SOCIETY OF FARM MANAGERS & RURAL APPRAISERS

Initial Applications:

(CE) All Topo Maps-General Software Training – 8 Hours – Traditional Classroom
(Instructor: Mike Johnson)
Both Course and Instructor Approved

(CE) Computer Plotting Legal Description for the Layman – 8 Hours – Traditional Classroom
(Instructor: Mike Johnson)

Both Course and Instructor Approved

APPRAISAL INSTITUTE – ALABAMA CHAPTER

Initial Application:

Vincent M. Dowling, MAI, SRPA – Instructor approved to teach previously approved **Highest and Best Use Applications** courses. Mr. Leslie Sellers was previously approved to teach this course but is unable to teach this course at this time.

APPRAISAL INSTITUTE – CHICAGO CHAPTER

Initial Applications:

(CE) Reviewing Residential Appraisals and Using Fannie Mae Form 2000 – 7 Hours – Online

(Instructor: Mark Rattermann)

Both Course and Instructor Approved

(CE) Real Estate Appraisal Operations – 4 Hours – Online

(Instructor: Sandra K. Adomatis)

Both Course and Instructor Approved

(CE) GIS-The Building Case Study – 21 Hours – Online

(Instructor: Christopher A. Miner)

Both Course and Instructor Approved

(CE) Residential Designs: The Makings of a Good House – 7 Hours – Traditional Classroom

(Instructor: Dawn Molitor)

Both Course and Instructor Approved

(CE) Marshall & Swift Commercial Cost Training – 7 Hours – Online

(Instructor: Kern Slucter)

Both Course and Instructor Approved

(LIC) Residential Sales Comparison & Income Approach – 30 Hours – Online

(Instructor: Mark Rattermann)

Both Course and Instructor Approved

(CE) REO Appraisal-Appraisal of Residential Property for Foreclosure and Pre-Foreclosure – 7 Hours – Traditional Classroom

(Instructor: Mark Smeltzer)

Both Course and Instructor Approved

(CE) Appraisal Challenges: Declining Markets & Sales Concessions – 7 Hours – Traditional Classroom

(Instructor: Mark Rattermann)

Both Course and Instructor Approved

DYNASTY SCHOOL

Initial Applications:

(LIC) Advanced Residential Applications & Case Studies – 15 Hours – Online

(Instructor: Robert Abelson)

Both Course and Instructor Approved

(LIC) Residential Site Valuation & Cost Approach – 15 Hours – Online

(Instructor: Robert Abelson)

Both Course and Instructor Approved

(LIC) Residential Sales Comparison & Income Approaches – 30 Hours – Online

(Instructor: Robert Abelson)

Both Course and Instructor Approved

(LIC) Residential Market Analysis & Highest & Best Use – 15 Hours – Online

(Instructor: Robert Abelson)

Both Course and Instructor Approved

(LIC) Statistics, Modeling & Finance – 15 Hours – Online

(Instructor: Robert Abelson)

Both Course and Instructor Approved

JVI

Initial Application:

(CE) Appraising Residential REO Properties – 6 Hours – Online

(Instructor: Robert McKenna)

Both Course and Instructor Approved

MCKISSOCK APPRAISAL SCHOOL

Initial Applications:

(CE) 7 Hr. Residential Report Writing – 7 Hours - Online

(Instructor: Ken Guilfoyle)

Both Course and Instructor Approved

(LIC) Residential Market Analysis & Highest & Best Use– 15 Hours - Online

(Instructor: Ken Guilfoyle)

Both Course and Instructor Approved

(CE) Even Odder: More Oddball Appraisals – 7 Hours – Online

(Instructor: Daniel Bradley)
Both Course and Instructor Approved

(CE) Even Odder: More Oddball Appraisals – 7 Hours – Traditional Classroom
(Instructor: Ken Guilfoyle)
Both Course and Instructor Approved

(LIC) Advanced Residential Applications & Case Studies – 15 Hours – Online
(Instructor: Alan Simmons)
Both Course and Instructor Approved

(CE) Mortgage Fraud: Protect Yourself! – 7 Hours – Traditional Classroom
(Instructor: Ken Guilfoyle)
Both Course and Instructor Approved

(CE) Environmental Issues for Appraisers – 4 Hours – Traditional Classroom
(Instructor: Lee Wessendorf)
Both Course and Instructor Approved

VAN EDUCATION LLC

Initial Applications:

(LIC) Basic Appraisal Principles – 30 Hours – Online
(Instructor: Burton Lee)
Both Course and Instructor Approved

(LIC) Basic Appraisal Procedures – 30 Hours – Online
(Instructor: Burton Lee)
Both Course and Instructor Approved

Motion carried by unanimous vote.

6.2 The Board reviewed the following disciplinary reports, which were included in their books.

AB-05-173 On January 31, 2008 the Board revoked the State Registered appraiser license of Joseph Steele, S00062. Steele did not appear for his administrative hearing. The violations in the report were: In the Cost Approach, Respondent failed to mention or cost out a 25.3 foot by 38.8 foot brick recreation building; In the Sales Comparison Approach, Respondent makes a positive adjustment to all 3 comparable sales of \$20,000 but fails to include any justification for this adjustment; Respondent fails to use the best comparable sales that were available at the time of the appraisal; The Respondent goes out of the subject's market area to find comparable sales 2 and 3 when there were comparable sales in the subject's neighborhood. Respondent made a

number of errors in his appraisal as follows: Respondent failed to mention and adjust for a screened porch for comparable sale 1; Respondent had the wrong date of sale for comparable sale 1; Respondent had the wrong date of sale for comparable sale 2; Respondent failed to describe the correct distance from subject to comparable sale 2- Respondent said the distance was 1 mile when it is more like 4.5 miles; Respondent failed to describe the correct distance from subject to comparable sale 3- Respondent said the distance was 1 mile when it is more like 8.5 miles; Respondent made very low unsupported dollar adjustments of \$12 per square foot for differences in gross living area; Respondent made very low unsupported dollar adjustments of \$6 per square foot for differences in finished basement area; Respondent made very low unsupported dollar adjustments of \$3 per square foot for differences in unfinished basement area; Respondent failed to show or adjust comparable sale 2 as having finished basement area when it actually does; Respondent wrongly show comparable sale 2 with 2 ½ baths when it has 3 ½ and the Respondent failed to adjust the sale properly; Respondent failed to show that comparable sale 3 was a foreclosure with redemption rights; Respondent failed to mention or make an adjust for sales concessions when the comparable sale 3 was listed for sale for \$224,900 but sold for \$227,900. Each written real property appraisal report must clearly and accurately set forth the appraisal in a manner that will not be misleading:

Respondent has the wrong lot size in his report; In the Cost Approach, Respondent failed to mention or cost out a 25.3 foot by 38.8 foot brick recreation building; In the Sales Comparison Approach, Respondent makes a positive adjustment to all 3 comparable sales of \$20,000 but fails to include any justification for this adjustment; Respondent failed to mention and adjust for a screened porch for comparable sale 1; Respondent had the wrong date of sale for comparable sale 1; Respondent had the wrong date of sale for comparable sale 2; Respondent failed to describe the correct distance from subject to comparable sale 2. Respondent said the distance was 1 mile when it is more like 4.5 miles; Respondent failed to describe the correct distance from subject to comparable sale 3. Respondent said the distance was 1 mile when it is more like 8.5 miles; Respondent made very low unsupported dollar adjustments of \$12 per square foot for differences in gross living area; Respondent made very low unsupported dollar adjustments of \$6 per square foot for differences in finished basement area; Respondent made very low unsupported dollar adjustments of \$3 per square foot for differences in unfinished basement area; Respondent failed to show or adjust comparable sale 2 as having finished basement area when it actually does; Respondent wrongly show comparable sale 2 with 2 ½ baths when it has 3 ½ and the Respondent failed to adjust the sale properly; Respondent failed to show that comparable sale 3 was a foreclosure with redemption rights; Respondent failed to mention or make an adjust for sales concessions when the comparable sale 3 was listed for sale for \$224,900 but sold for \$227,900. Each written real property appraisal report must contain sufficient information to enable the intended users of the appraisal to understand the report properly: Respondent failed to show that comparable sale 3 was a foreclosure with redemption rights; Respondent failed to mention or make an adjust for sales

concessions when the comparable sale 3 was listed for sale for \$224,900 but sold for \$227,900;

Respondent made very low unsupported dollar adjustments of \$12 per square foot for differences in gross living area; Respondent made very low unsupported dollar adjustments of \$6 per square foot for differences in finished basement area; Respondent made very low unsupported dollar adjustments of \$3 per square foot for differences in unfinished basement area; **Violation: Standard 1-1(b); 1-1(c); 2-1(a); 2-1(b); USPAP, 2005 Ed., §34-27A-20(a)(6), §34-27A-20(a)(7), §34-27A-20(a)(8), §34-27A-20(a)(9), §34-27A-20(a)(15), §34-27A-23, Code of Alabama, 1975.**

AB 06-51, AB 06-53, AB 06-55, AB 06-57, AB 06-59, AB 06-61 On January 17, 2008 the Board approved a Consent Settlement Order from James W. Smith, Certified Residential Appraiser, R00897 for a public reprimand. Licensee agreed to pay an administrative fine of \$4,500 and complete a 15 hour USPAP course with exam, a USPAP FAQs course, a measurement course and a URAR course. Violations in all six appraisals were basically identical. Comparable # 2: Licensee omitted basement in the sales grid. There is a partial basement. Comparable #3: Licensee reported wall heat and window A/C. There was a heat pump. Garage and fireplace omitted. Subject zoning reported as Single Family Residential. It is Central Business District. Report says that physical, functional and external depreciation were analyzed and that the cost approach supported the sales comparison approach. The report also says the cost approach was not applicable and there is no cost approach. Comparable # 2: Licensee omitted basement in the sales grid. There is a partial basement. Comparable #3: Licensee reported wall heat and window A/C. There was a heat pump. Garage and fireplace omitted. Subject zoning reported as Single Family Residential. It is Central Business District. Report says that physical, functional and external depreciation were analyzed and that the cost approach supported the sales comparison approach. The report also says the cost approach was not applicable and there is no cost approach. There is insufficient information about an additional data source used in developing the report. Three year sales history not accurate. **Violation: 1-1(a);1-1(b);1-1(c);1-2(e)(i);1-4(a);1-5(b);2-1(a);2-1(b);2-2(b)(viii), USPAP: 2000 Edition, §34-27A-3(b)(2), §34-27A-20(a)(6)&(7), Code of Alabama, 1975.**

AB 06-52, AB 06-54, AB 06-56, AB 06-58, AB 06-60, AB 06-62 On January 17, 2008 the Board approved a Consent Settlement Order from Sean Hollis, Certified Residential Appraiser, R00701 for a public reprimand. Licensee agreed to pay an administrative fine of \$4,500 and complete a 15 hour USPAP course with exam, a USPAP FAQs course, a measurement course and a URAR course. Violations in all six appraisals were basically identical. Comparable # 2: Licensee omitted basement in the sales grid. There is a partial basement. Comparable #3: Licensee reported wall heat and window A/C. There was a heat pump. Garage and fireplace omitted. Subject zoning reported as Single Family Residential. It is Central Business District. Report says that physical, functional and external depreciation were analyzed and that the cost approach supported the sales comparison approach. The report also

says the cost approach was not applicable and there is no cost approach. Comparable # 2: Licensee omitted basement in the sales grid. There is a partial basement. Comparable #3: Licensee reported wall heat and window A/C. There was a heat pump. Garage and fireplace omitted. Subject zoning reported as Single Family Residential. It is Central Business District. Report says that physical, functional and external depreciation were analyzed and that the cost approach supported the sales comparison approach. The report also says the cost approach was not applicable and there is no cost approach. There is insufficient information about an additional data source used in developing the report. Three year sales history not accurate. **Violation: 1-1(a);1-1(b);1-1(c);1-2(e)(i);1-4(a);1-5(b);2-1(a);2-1(b);2-2(b)(viii), USPAP; 2000 Edition, §34-27A-3(b)(2), §34-27A-20(a)(6)&(7), Code of Alabama, 1975.**

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 06-39 On February 11, 2008 to a Certified General appraiser for an appraisal of vacant land where Licensee stated the departure within the appraisal report was for SR 1-4(a) (Sales Comparison Approach) and SR 1-4(b) (Cost Approach), when the departure was for SR 1-4(b) (Cost Approach) and SR 1-4(c) (Income Approach). Licensee failed to provide sufficient information within the revised appraisal report, so that the intended user could understand the basis of the reconsideration of value in the revised report. In reconsidering the appraisal of the subject property, Licensee failed to state the revised analysis, reasoning & conclusions. The revised appraised value was based on an additional sale provided, which was not available to the appraiser at the time of the original appraisal. Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the source of information quoted within the appraisal report was not from the current edition, at the time of the appraisal, of The Appraisal of Real Estate 12th edition. The Appraisal of Real Estate 8th edition was quoted as the source of information within the appraisal report. Respondent failed to retain a true copy of the appraisal report and the revised appraisal report. The foregoing are **violations of Ethics-Record Keeping, Standards 1-1(b), 1-1(c), 1-2(f), 2-1(b), 2-2(b)(xi), USPAP 2005 Ed., §34-27A-20(a)(6), (7), (14) and §34-27A-26, Code of Alabama.**

AB 07-10 On February 12, 2008 to a Certified Residential for the appraisal of a condominium unit where Licensee failed to make adjustments to comparable sales for location. Subject is a condominium located across the street from the beach with no water frontage and comparable sales are all beachfront properties. Licensee failed to analyze current listings for comparable properties in subject building and failed to analyze the market for beachfront property versus non-beachfront property and failed to analyze sales contract on the subject property. Licensee only mentioned proposed sales price and date of contract. The sales contract with a preconstruction contract dated two plus years before

the effective date of appraisal. **Violation: Violation: Standard Rule 1-1(a) 1-4(a), 1-5(a), USPAP, 2006 Ed.**

AB 07-96 On February 12 to a Trainee Real Property Appraiser who accepted an appraisal assignment from one other than his Mentor. **Violation: 780-X-9, Real Estate Appraisers Board Administrative Code, December, 2007 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board that the Board has received 33 new complaints since the last meeting, 7 complaints were dismissed, 16 complaints were settled with a total of 127 open complaints.

6.2.1 The Board reviewed Probable Cause Report **AB-07-16**: With Mr. Garrett recusing, on motion by Mrs. Pruitt and second by Mr. Davis, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-18**: With Mr. Tillman recusing, on motion by Mr. Davis and second by Mrs. Pruitt, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-19**: With Mr. Davis recusing, on motion by Mr. Garrett and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-20**: With Mr. Davis recusing, on motion by Mr. Garrett and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-27**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mrs. Pruitt, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-31**: With Mr. Tillman recusing, on motion by Mrs. Pruitt and second by Mr. Garrett, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-33**: With Mr. Lambert recusing, on motion by Mr. Garrett and second by Mrs. Pruitt, the

Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-36**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mr. Davis, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-44**: With Mr. Tillman recusing, on motion by Mr. Davis and second by Mr. Garrett, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-45**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mrs. Pruit, the Board voted to accept the Disciplinary Committee's recommendation 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-07-46**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mrs. Pruit, the Board voted to accept the Disciplinary Committee's recommendation 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-07-47**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mrs. Pruit, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-51**: With Mr. Blissitte and Mr. Davis recusing, on motion by Mr. Garrett and second by Mrs. Pruit, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to issue a Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-88**: With Mr. Lambert recusing, on motion by Mr. Odom and second by Mrs. Pruit, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-94**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mr. Davis, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-95**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mr. Davis, the Board voted to accept the Disciplinary Committee's recommendation 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-07-101**: With Mr. Tillman recusing, on motion by Mr. Garrett and second by Mr. Davis, the Board voted to accept the Disciplinary Committee's recommendation 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-07-102**: With Mr. Tillman recusing, on motion by Mrs. Pruitt and second by Mr. Garrett, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-11**: On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-12**: On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-08**: With Mr. Garrett, Mr. Tillman and Mr. Davis recusing, on motion by Mr. Stallworth and second by Mr. Crochen, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-07-09**: With Mr. Garrett, Mr. Tillman and Mr. Davis recusing, on motion by Mr. Crochen and second by Mr. Stallworth, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint **AB-08-19**: On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaints **AB-08-20, AB-08-21, AB-08-22, AB-08-23, AB-08-24, and AB-08-25**: With Mr. Davis and Mr. Blissitte recusing, on motion by Mr. Garrett and second by Mr. Odom, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaints **AB-08-27, AB-08-28, AB-08-29, AB-08-30, AB-08-31, AB-08-32, AB-08-33, and AB-08-34**: With Mr. Davis and Mr. Blissitte recusing, on motion by Mr. Garrett and second by Mr. Odom, the Board voted to open an investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaints **AB-08-35, AB-08-36, AB-08-37, AB-08-38, AB-08-39, AB-08-40, AB-08-41, and AB-08-42**: With Mr. Davis and Mr. Blissitte recusing, on motion by Mr. Garrett and second by Mr. Odom, the Board voted to open an investigation. Motion carried by unanimous vote.

6.2.2 There were no Anonymous complaints to review at this time.

6.2.3 The Board reviewed a Consent Settlement Order on **AB-07-17**. On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-07-92 and AB-07-93**. On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-07-109**. On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a counter offer on the Consent Settlement Offer on **AB-08-10**. On motion by Mr. Garrett and second by Mr. Davis, the Board voted to reject the licensees counter-offer.

6.3 The following reciprocal licenses were issued since last meeting: James D. Andrews (R)(MS), Thomas W. Berry (G)(GA), Jonathan P. Brown (G)(FL), Bonnie L. Burgess (L)(GA), Michael F. Cumberland (L)(MS), Joseph H. Douglas, III (G)(GA), Stephen S. Holcombe (G)(MS), James M. Kelley (G)(GA), Kyung H. Min (G)(GA), William W. Routh, III (T)(GA), Stanley C. Saunders (G)(FL), Christopher L. Thigpen (R)(TN), John F. Thigpen (G)(FL), Michael C. Thorsen (R)(FL), Jenny L. Tucker (T)(GA), Christine E. White (G)(GA), William B. Wilson (G)(GA), and Dale R. Winslette (G)(FL).

7.0 The temporary permit report was provided to the Board for their information.

8.0 Mrs. Brooks discussed a request by Mr. Richard Smith for an experience point's determination on appraisals on 26 condominium units. After much discussion and on motion by Mr. Tillman and second by Mr. Garrett, the Board voted to allow 1 point per condominium appraisal of which Mr.

Smith will receive ½ point as a Trainee Real Property Appraiser. Motion carried by unanimous vote.

Mrs. Brooks discussed a request from Mr. Randy Messick to allow experience credit for demonstration appraisals. The Board agreed to allow demonstration appraisals to be used for experience credit.

Mrs. Brooks discussed a Request for Written Comments on an Exposure Draft of an Interpretation and a Guide Note applying to the Real Property Appraiser Qualification Criteria from The Appraisal Foundation. The Board will comment individually.

Mrs. Brooks discussed the STAR System pricing proposal from ACO Information Services for the new database. After much discussion and on motion by Mr. Odom and second by Mr. Crochen, the Board voted to accept the proposal. Motion carried by unanimous vote.

- 9.0 Ms. Conway updated the Board on the status of the contract for Hearing Officers. She informed the Board that she is working on contracts for Mr. Al Agricola, Mr. Mark Montiel and Mr. Peck Fox.

10:30 a.m. Reconsideration Hearing – Patrick Mackin ('T' applying for 'G')

At 11:30 a.m. on motion by Mr. Tillman and second by Mr. Crochen, the Board voted to enter Executive Session to discuss good name and character. Motion carried by unanimous vote.

At 11:39 a.m. on motion by Mr. Tillman and second by Mr. Crochen, the Board voted to re-enter regular session. Motion carried by unanimous vote.

On motion by Mr. Tillman and second by Mr. Crochen, the Board voted to approve Mr. Mackin to sit for the Certified General Real Property Appraiser exam. Motion carried by unanimous vote.

- 10.0 Mrs. Brooks discussed the license fee increase that the Board voted to approve at the July, 2007 Board meeting. After much discussion, on motion by Mr. Garrett and second by Mr. Crochen, the Board voted to defer the license fee increase until August 1, 2009.

Mrs. Brooks discussed the 10-year college education rule with the Board. After much discussion, on motion by Mr. Garrett and second by Mr. Davis, the Board voted to waive this policy.

Mrs. Brooks discussed an email from Mr. Scott Austin and information from other sources regarding Appraisal Management companies. On motion by Mr. Garrett and second by Mr. Stallworth, the Board voted to have Mrs. Brooks draft a letter of no confidence to Attorney General King and send the draft to the Board members for their approval. Once approved, Mrs. Brooks will send the letter signed by Mr. Blissitte and Mrs.

Brooks to Attorney General King, as well as to New York Attorney General Cuomo, Fannie Mae, Freddie Mac, mortgage brokers and realtors and include the letter on the REAB website.

At 12:07 p.m. on motion by Mr. Lambert and second by Mrs. Pruit, the Board voted to adjourn. Motion carried by unanimous vote. The next Board meeting will be held May 15, 2008 at 8:15 a.m. at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary

CG

APPROVED: _____
Jon B. Blissitte, Chairman