

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET SUITE 370**  
**MONTGOMERY, ALABAMA**  
**July 21, 2011**

**MEMBERS PRESENT:**

Mr. Kenneth D. Wallis, III (Vice-Chairman)  
Mr. Fred Crochen  
Mr. Joseph Lambert  
Mrs. Dot Wood  
Mr. Mark Moody arriving  
Mr. Chester Mallory  
Mr. Chris Pettey  
Mrs. Cornelia Tisher

**MEMBERS ABSENT:**

Mr. Joseph Lundy (Chairman)

**OTHERS PRESENT:**

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

**GUESTS PRESENT:**

Orientation attendees list attached.

- 1.0 With quorum present Mr. Kenneth D. Wallis, III, Vice-Chairman, called the meeting to order at 8:31 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held at the State Capitol Auditorium, North Union Street, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on January 24, 2011 in accordance with the Alabama Open Meetings Act.
- 1.1 The meeting was opened with prayer by Mr. Crochen and followed by the Pledge of Allegiance.
- 2.0 Mr. Wallis welcomed the guests present and went over housekeeping details.
- At this time, Mr. Wallis asked Board Members to introduce themselves. Members present were Mr. Chris Pettey, Mr. Fred Crochen, Mrs. Dot Wood, Mr. Mark Moody, Mr. Chester Mallory, Mr. Kenneth Wallis III, Mrs. Cornelia Tisher and Mr. Joseph Lambert. Member absent was Mr. Joseph Lundy.
- 3.0 On motion by Mr. Lambert and second by Mr. Pettey, the regular minutes for May 19, 2011 were approved as written. Motion carried by unanimous

vote.

3.3

Ms. Conway included the following for Board consideration:

- Findings of Fact, Conclusions of Law and Recommendation of the Administrative Law Judge on Complaint No. AB-08-131 (Donald W. Manuel, R00460). Mr. Crochen moved to accept the Findings of Fact and Conclusions of Law as written. Mr. Lambert and Mrs. Wood recused. After discussion by the Board, with Mr. Lambert and Mrs. Wood recusing, on motion by Mrs. Tisher and second by Mr. Pettey, the Board voted to accept the Findings of Fact and Conclusions of Law as written with the addition of the revocation of Mr. Manuel's Mentor approval. Motion carried by unanimous vote.
- A request from Mr. Cleabron Pullum for a time extension to complete the 15 Hour USPAP course with exam required under his Consent Settlement Order (AB-09-85). Mr. Lambert moved to grant Mr. Pullum an extension until September 15, 2011 to complete the required 15-hour USPAP with exam. Mr. Crochen seconded the motion and Mr. Pettey abstained. Motion carried by unanimous vote.
- A request from Mr. Brad Pullum for a time extension to complete the 7-hr Deriving & Supporting Adjustments course required under his Consent Settlement Order (AB-10-20). The course was to be completed by July 18, 2011, but will not be given until August. On motion by Mrs. Wood and second by Mr. Mallory, the Board voted to grant the extension. Motion carried by unanimous vote.
- A request from Mr. Leon Nelson for a time extension to complete the 15-hour Sales Comparison Approach course and 7-hour course on Fannie Mae Appraisal Forms that Mr. Nelson was required to complete by July 20, 2011 under his Consent Settlement Order. Mrs. Wood moved to deny Mr. Nelson's request and Mr. Pettey seconded the motion. Mr. Lambert and Mr. Mallory opposed the motion. Motion carried.
- A request from Mr. Charles R. Jones III for a time extension to pay the remaining balance of his administrative fine under his Consent Settlement Order (AB-08-56). On motion by Mr. Wallis and second by Mr. Lambert, the Board voted to grant an extension until August 18, 2011. Motion carried by unanimous vote.

4.0

Mr. Wallis reported on the AMC legislation, and informed the guests that ACT 2011-701 can be found on the Secretary of State's website.

Ms. Conway reported that the AMC administrative rules have been adopted by emergency adoption and that the rules have been filed with Legislative Reference for permanent adoption.

At this time, the Board took questions and comments from the guests.

Mrs. Brooks presented the AMC forms for Board approval. On motion by Mr. Mallory and second by Mr. Lambert, the Board voted to accept the AMC forms as presented. Motion carried by unanimous vote.

Mrs. Brooks presented the following Administrative Rule changes for Board approval:

- 780-X-4-.02 Application and License Fees. On motion by Mrs. Wood and second by Mr. Mallory, the Board voted to approve the change to this Administrative Rule as presented. Motion carried by unanimous vote.
- 780-X-16-.02 Checklist. On motion by Mr. Lambert and second by Mr. Moody, the Board voted to approve the change to this Administrative Rule as presented. Motion carried by unanimous vote.
- Trainee/Mentor rule. The Trainee must submit the experience log to the Board for review when the Trainee has accumulated fifty (50) experience points when the Trainee plans to apply for a State Registered Real Property Appraiser license; one hundred (100) experience points when the Trainee plans to apply for a Licensed Real Property Appraiser license; one hundred twenty five (125) experience points when the Trainee plans to apply for a Certified Residential Real Property Appraiser license and one hundred fifty (150) experience points when the Trainee plans to apply for a Certified General Real Property Appraiser license. The Board will select a sample of appraisals for review to examine how effective the mentoring process is for the Trainee. A fee of \$125 for examination of the appraisal samples must accompany the log. There will not be any discipline files opened for the Trainee ~~or the Mentor~~ as a result of the examination. On motion by Mr. Petty and second by Mrs. Wood, the Board voted to approve the change to this Administrative Rule as written with the omission of 'or the mentor' in 2 (iii). Motion carried by unanimous vote.

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

5.1 **Trainee Real Property Appraiser application approved:** Ashley S. Joseph. **Applications deferred:** None. **Applications denied:** None.

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

5.3 **Licensed Real Property Appraiser application approved:** Darby Hale. **Applications deferred:** None. **Applications denied:** None.

5.4 **Certified Residential Real Property Appraiser applications approved:** David Bryant, John R. Kidd, Jr., Natalie Lambert, Nick Musso, and

Joseph Lee Thomas. **Applications deferred:** Jason R. King, Sellers Payne, and Michael Shelley. **Applications denied:** None.

5.5 **Certified General Real Property Appraiser applications approved:** David E. Dodd (Recip.)(TX), Tadd A. Nixon (Recip.)(AZ), Daniel Joseph Patrick, and Brandon A. White (Recip.)(NC). **Applications deferred:** None. **Applications denied:** None.

5.6 **Mentor applications approved:** Mark Pannell and Travis Prewett. **Application deferred:** Kyle Goodson. **Applications denied:** None.

6.0 Mr. Mallory reported that the Finance Committee met on July 20, 2011 and that Ms. Darby Forrester and Ms. Tara Knee from State Personnel also met with the Committee to discuss budget issues. Mr. Mallory stated that the Finance Committee would meet again on September 14, 2011 to discuss ways to help the 606 Fund.

Mr. Mallory stated that the Board was 75% into FY 11 and 60% into budget expenditures and that there were no negative trends that could not be reconciled at this time. Mr. Mallory explained the following to the Board and attendees:

- The Board Finance report.
- The decrease in Board expenditures.
- The decrease in licensees by 154 from the same point in Fiscal Year 2010.
- License fees have not been raised since 2003 and that the Board is researching other options to increase the 606 Fund. License fees will be increased only as a last resort.
- National Registry fees will increase from \$25 to \$40 annually in November.

On motion by Mr. Crochen and second by Mr. Lambert, the Board voted to approve the Financial Report. Motion carried by unanimous vote.

Mr. Wallis took the opportunity to explain to the guests that although self-funded, the Board was still subject to the budget cuts mandated by Governors Riley (15%) and Bentley.

6.1 On motion by Mr. Mallory and second by Mr. Moody, the following education courses and instructor recommendations were approved, deferred, or denied as indicated. Motion carried by unanimous vote.

#### **APPRAISAL INSTITUTE – NATIONAL CHAPTER**

(CE) Valuation in Challenging Markets - 28 Hours – Classroom  
(Instructors: Stephen Roach and Paul Thomas)  
**Both Course and Instructors Approved**

(CE) Online Comparative Analysis - 7 Hours – Online  
(Instructor: Arlen Mills)  
**Both Course and Instructor Approved**

(LIC) Online General Appraiser Report Writing and Case Studies – 30  
Hours – Online  
(Instructor: Richard Dubay)  
**Both Course and Instructor Approved**

### **MCKISSOCK**

(CE) Mold, Pollution and the Appraiser – 2 Hours – Online  
(Instructor: Dan Bradley)  
**Both Course and Instructor Approved**

### **UNIVERSITY OF SOUTH ALABAMA**

(CE) Coastal Economy Outlook IV – 3 Hours – Classroom  
(Instructor: Donald Epley)  
**Course Credit Approval Only**

The motion carried by unanimous vote.

Mr. Wallis discussed license renewal with the attendees.

6.2 The Board reviewed the following disciplinary reports.

**AB 07-98** On May 19, 2011, the Board voted to accept the recommendation of the Administrative Law Judge and revoked the Certified Residential Appraiser license of Otis Stewart, Jr., (R00552). The Respondent did not appear at the administrative hearing and his license was in a pending renewal status. The Board found that Respondent had violated §34-27A-20(a)(6), §34-27A-20(a)(7), §34-27A-20(a)(8) and §34-27A-20(a)(9) of the Appraisers Act in a residential appraisal.

**AB 09-36, AB 10-06** On May 19, 2011, the Board approved a Voluntary Surrender of license from Certified Residential Appraiser J. Scott Gellerstedt, (R00816). Licensee surrendered his license in lieu of attending an administrative hearing in these cases.

**AB 10-20** On May 19, 2011, the Board approved a Consent Settlement Order and issued a private reprimand to a Certified Residential appraiser. Licensee also agreed to pay an administrative fine of \$300 and complete a Board approved 7-hour course on paired sales analysis and a Board approved 7-hour course on sales comparison. This education may not be claimed for continuing education credit required for license renewal. The violations were: Licensee did not have and could not provide market based data or other justification for the adjustments in the Sales Comparison Approach for Gross Living Area, demonstrating that he did not understand and correctly employ the approach. Licensee failed to provide sufficient information on the adjustments in the Sales Comparison

Approach to enable the intended user to understand the report properly. **Violations: Standard 1-1(a) and 2-1(a), USPAP, 2010-11 Ed.**

**AB 10-21, AB 10-22, AB 10-23, AB 10-24, AB 10-25** On May 19, 2011, the Board approved a Consent Settlement Order and issued a private reprimand to a Certified Residential appraiser. The Licensee agreed to pay an administrative fine of \$4,500 and to take Board approved courses for paired sales analysis and FHA guidelines. This education may not be claimed for CE credit.

**AB 10-21** The licensee failed to describe the Market Conditions for the subject neighborhood as required by FHA. An analysis of the MLS sales and inventory history over the 24 months prior to the effective date of value indicates the median sales prices declined over this period with the sales volume decreasing, and inventory increasing. The licensee reported "Typical marketing time is 90-180 days with values currently stable." By licensee not having market based data or other justification for the adjustments utilized in the licensee's Sales Comparison Approach for Gross Living Area, unfinished basement area and finished basement area, by there being several sales of properties that were more similar to the subject in location, age and size that were available and could have been utilized the licensee did not demonstrate that he understood or correctly employed the approach. Licensee made an unsupported assumption that the subject 38 year old home had an effective age of 25 years. There were several comparable sales that were available to the licensee during this assignment that were more similar to the subject in location, age and size and could have been utilized by the licensee. Licensee failed to provide sufficient information on the Market Conditions in the neighborhood, justification for the effective age being significantly different than actual age and adjustments utilized in the Sales Comparison Approach to enable the intended user to understand the report properly. **Violations: Scope of Work Rule, Standard Rule 1-1(a), Standard Rule 1-1(b), Standards Rule 1-3(a), Standards Rule 1-4(a), Standard Rule 2-1(b), USPAP, 2008-2009 Ed.**

**AB 10-22** The licensee failed to do an analysis of the contract on the subject property, the licensee only reports factual information about the sales contract and does no analysis as required by FHA. The licensee failed to describe the Market Conditions for the subject neighborhood as required by FHA. An analysis of the MLS sales and inventory history over the 24 months prior to the effective date of value indicates the median sales prices declined over this period with the sales volume decreasing and inventory increasing. It might also be noted that this is a high foreclosure rate neighborhood, which was not noted by the licensee. The licensee reported, "Typical marketing time is 90-180 days with values currently stable." By licensee not having market based data or other justification for the adjustments utilized in the licensee's Sales Comparison Approach for Gross Living Area, the licensee did not demonstrate that he understood or correctly employed the approach. Licensee made an unsupported assumption that the subject 28 year old home had an effective age of 20 years. Licensee failed to provide sufficient information on the Market Conditions in the neighborhood, justification for the effective age being significantly different than actual age and adjustments utilized in the Sales Comparison Approach to enable the intended user to understand the report properly. **Violations:**

**Scope of Work Rule, Standard Rule 1-1(a), Standard Rule 1-1(b), Standards Rule 1-3(a), Standards Rule 1-4(a), Standard Rule 2-1(b), USPAP, 2008-2009 Ed.**

**AB 10-23** The licensee failed to do an analysis of the contract on the subject property, the licensee only reports factual information about the sales contract and does no analysis required by FHA. The licensee failed to describe the Market Conditions for the subject neighborhood as required by FHA. An analysis of the MLS sales and inventory history over the 24 months prior to the effective date of value indicates the median sales prices declined over this period with the sales volume decreasing and inventory increasing. It might also be noted that this is a high foreclosure rate neighborhood which was not noted by the licensee. The licensee reported, "Supply and Demand appear in balance in the market". By licensee not having market based data or other justification for the adjustments utilized in the licensee's Sales Comparison Approach for Gross Living Area, unfinished basement area and finished basement area, the licensee did not demonstrate that he understood or correctly employed the approach. Licensee made an unsupported assumption that the subject 45 year old home had an effective age of 35 years. Licensee failed to provide sufficient information on the Market Conditions in the neighborhood, justification for the effective age being significantly different than actual age and adjustments utilized in the Sales Comparison Approach to enable the intended user to understand the report properly. **Violations: Scope of Work Rule, Standard Rule 1-1(a), Standard Rule 1-1(b), Standards Rule 1-3(a), Standards Rule 1-4(a), Standard Rule 2-1(b), USPAP, 2008-2009 Ed.**

**AB 10-24** The licensee failed to do an analysis of the contract on the subject property, the licensee only reports factual information about all sales contract and does no analysis as required by FHA. The licensee failed to describe the Market Conditions for the subject neighborhood as required by FHA. An analysis of the MLS sales and inventory history over the 24 months prior to the effective date of value indicates the median sales prices declined over this period with the sales volume decreasing and inventory increasing. The licensee reported, "Typical marking time is 90-180 days with values currently stable." By licensee not having market based data or other justification for the adjustments utilized in the licensee's Sales Comparison Approach for Gross Living Area, unfinished basement area and finished basement area, by comparable 1 and 3 utilized by the licensee in the Sales Comparison Approach to value being foreclosed sales of homes being sold by the lean holder, by there being several sales of properties that were more similar to the subject in age and size that were available and could have been utilized the licensee did not demonstrate that he understood or correctly employed the approach. Comparable 1 and 3 utilized by the licensee in the Sales Comparison Approach to value were foreclosed homes being sold by the mortgage holder. These sales are considered distressed sales and are not market value transactions. Licensee made an unsupported assumption that the subject 38 year old home had an effective age of 25 years. Comparable 1 and 3 utilized by the licensee in the Sales Comparison Approach to value were foreclosure sales of homes being sold by the mortgage holder. These sales are considered distressed sales and are not market value transactions. There were several comparable sales that were available to the licensee during this assignment that were more similar to the subject

in age and size and could have been utilized by the licensee. Licensee failed to provide sufficient information on the Market Conditions in the neighborhood, justification for the effective age being significantly different than actual age and adjustments utilized in the Sales Comparison Approach to enable the intended user to understand the report properly. **Violations: Scope of Work Rule, Standard Rule 1-1(a), Standard Rule 1-1(b), Standards Rule 1-3(a), Standards Rule 1-4(a), Standard Rule 2-1(b), USPAP, 2008-2009 Ed.**

**AB 10-25** The licensee failed to do an analysis of the contract on the subject property. The licensee only reports factual information about the sales contract and does no analysis as required by FHA. The licensee failed to describe the Market Conditions for the subject neighborhood as required by FHA. An analysis of the MLS sales and inventory history over the 24 months prior to the effective date of value indicates the median sales prices declined over this period with the sales volume decreasing and inventory increasing. The licensee reported, "Typical marketing time is 90-180 days with values currently stable." By licensee not having market based data or other justification for the adjustments utilized in the licensee's Sales Comparison Approach for Gross Living Area, unfinished basement area and finished basement area, by there being other sales of properties that were more similar to the subject in location, age and size that were available and could have been utilized. The licensee did not demonstrate that he understood or correctly employed the approach. There were other comparable sales that were available to the licensee during this assignment that were more similar to the subject in location, age and size and could have been utilized by the licensee. Licensee failed to provide sufficient information on the Market Conditions in the neighborhood, justification for the effective age being significantly different than actual and adjustments utilized in the Sales Comparison Approach to enable the intended user to understand the report properly. **Violations: Scope of Work Rule, Standard Rule 1-1(a), Standard Rule 1-1(b), Standards Rule 1-3(a), Standards Rule 1-4(a), Standard Rule 2-1(b), USPAP, 2008-2009 Ed.**

**AB 10-30, AB 10-32, AB 10-34** On May 19, 2011, the Board approved a Voluntary Surrender of license from Certified General Appraiser Pat L. McDermont, (G00342). Licensee surrendered his license in lieu of attending an administrative hearing in these cases.

**AB 10-37** On May 19, 2011, the Board approved a Consent Settlement Order and assessed a \$750 administrative fine to Kelli Jones Ross (R00961). The violations in the appraisal of a single-family dwelling are as follows: Licensee utilized an effective age of 25 years for a residence with an actual age of 110 years. Licensee's work file contained no justification for this effective age estimate. It may be noted that Licensee did include photos of the interior of the residence that indicated some remodeling and updates had taken place but no explanation as to what was done and when this remodeling or updating took place. Licensee failed to verify the condition of the comparable sales or if any remodeling or updating had taken place on homes that were over 100 years old. Licensee stated the subject and all comparables were in average condition and all had the same effective age but MLS photos did not support this statement. By using an unsupported 25-year effective age,

the physical depreciation for the subject improvements was underestimated. It was also noted that the licensee did not consider or estimate any functional obsolescence for a residence with an actual age of 110 years. Licensee failed to accurately report the condition of the subject property and any remodeling that had taken place. The licensee relied on interior photos to report the condition of the residence. Licensee failed to accurately report the condition of the comparable sales utilized in the sales comparison approach and the MLS photos did not support Licensee's assertions. **Violations: Standards Rule 1-3(a), Standards Rule 1-4(a), Standards Rule 1-4(b)(iii), Standards Rule 2-1(a), Standards Rule 2-1(b), USPAP, 2010-11 Ed.**

**AB 10-38** On May 19, 2011, the Board approved a Consent Settlement Order and issued a private reprimand to a Certified Residential appraiser. Licensee also agreed to pay a \$450 administrative fine and complete the Alabama Manufactured Housing Association Real Property Manufactured Housing course. The violations in the report are as follows: On page 5 of 7 of Licensee's appraisal report under section titled Scope of Work, Licensee states: "inspect each of the comparable sales from at least the street." Licensee incorrectly plotted the location of comparable number one on the Comparable Location Map indicating that the Licensee did not do an exterior inspection of the comparable sales as reported in the Scope of Work. Licensee failed to account for depreciation on the 1995 manufactured home resulting in a flawed estimate of value from the Cost Approach. Licensee did not analyze accrued depreciation for the subject improvements in the Cost Approach, did not disclose that the comparable sales were not inspected from the exterior and did not disclose that the photos utilized in the report were MLS photos. **Violations: Scope of Work Rule, Standards Rule 1-4(b)(iii), Standards Rule 2-1(a), USPAP, 2010-11 Ed.**

**AB 10-41** On May 19, 2011, the Board approved a Consent Settlement Order and assessed a \$750 fine to Burke Sylvest (R00321). The violations in the appraisal of a single family dwelling are: Licensee utilized a flawed adjustment for site in that he valued the subject site as commercial and the comparable sites as residential when the adjustment should have been based on the contributory value of the as improved property. The licensee made no adjustments for Functional Utility in his Sales Comparison approach and as a matter stated all properties were equal. Functional utility difference would exist in homes that are 160 years old verses homes that are 27 to 34 years old such as 8-9 foot ceilings as compared to 12-14 foot ceilings. Licensee made significant adjustments for Garage, guesthouse and enclosed pool without any justification for these adjustments. Licensee utilized an effective age of 20 years for a residence with an actual age of 160 years. Licensee had no justification for this effective age estimate. Licensee utilized a flawed adjustment for site in that he valued the subject site as commercial and the comparable sites as residential when the adjustment should have been based on the contributory value of the as improved property. The licensee made no adjustments for Functional Utility in his Sales Comparison approach and as a matter of fact stated all properties were equal. Functional utility difference exist in homes that are 160 years old verses homes that are 27 to 34 years old such as 8-9 foot ceilings as

compared to 12-14 foot ceilings. Licensee made significant adjustments for Garage, guesthouse and enclosed pool without any justification for these adjustments. Licensee made adjustments to comparables 1, 2 and 4 for not having an enclosed pool but comparable 2 had an in-ground pool, yet Licensee still made the same adjustment. Licensee failed to accurately report the condition of the subject property and any remodeling or lack of remodeling that had taken place. Licensee failed to report justification for this effective age estimate that was significantly less than the actual age of the residence. Licensee utilized a flawed adjustment for site in that he valued the subject site as commercial and the comparable sites as residential when the adjustment should have been based on the contributory value of the as improved property. The licensee made no adjustments for Functional Utility in his Sales Comparison approach and as a matter of fact stated all properties were equal. Functional utility difference exist in homes that are 160 years old verses homes that are 27 to 34 years old such as 8-9 foot ceilings as compared to 12-14 foot ceilings. Licensee made significant adjustments for Garage, guesthouse and enclosed pool without any justification for these adjustments. Licensee made adjustments to comparables 1, 2 and 4 for not having an enclosed pool but comparable 2 had an in ground pool, yet the licensee still made the same adjustment. **Violations: Standards Rule 1-1(a), Standards Rule 1-3(a), Standards Rule 1-4(a), Standards Rule 2-1(a), Standards Rule 2-1(b), USPAP, 2005 Ed.**

**AB 10-122** On May 19, 2011, the Board approved a Voluntary Surrender of license from Certified General Appraiser Michael Roy Rogers, (G00696). Licensee surrendered his license in lieu of an investigation of the appraisal in this case.

**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 10-27** A letter of warning was issued and Licensee was assessed a \$250 administrative fine for the appraisal of a single family dwelling where The room count for subject is reported as 5 and analyzed as 6. The photos for Listing #1 and Listing #2 are swapped and there is not explanation of the exclusion of the Cost Approach and the Income Approach. **Violations: Standard 2-1, Standard 2-2(b)(viii), USPAP, 2010-2011 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 7 new complaints were received since the May 2011 Board meeting, 4 complaints were dismissed, and 17 complaints were settled, leaving a total of 85 open complaints.

6.2.1 Ms. Conway requested that the Board dismiss **AB-09-58 and AB-09-59 (Otis Stewart)** because Mr. Stewart's license had already been revoked. With Mr. Lambert and Mrs. Wood recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to dismiss these cases. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-45**: With Mr.

Lambert recusing, on motion by Mr. Crochen and second by Mrs. Tisher, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-51**: With Mr. Wallis and Mrs. Wood recusing, on motion by Mrs. Tisher and second by Mr. Pettey, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-52**: With Mr. Lambert recusing, on motion by Mrs. Wood and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-53 companion to AB-10-54**: With Mrs. Wood recusing, on motion by Mr. Mallory and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-54 companion to AB-10-53**: With Mrs. Wood recusing, on motion by Mr. Mallory and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-59 companion to AB-10-60**: With Mr. Lambert and Mr. Wallis recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-60 companion to AB-10-59**: With Mr. Lambert and Mr. Wallis recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Reports **AB-10-105**: With Mr. Lambert recusing, on motion by Mr. Crochen and second by Mrs. Wood, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

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

The Board reviewed Probable Cause Report **AB-11-12**: On motion by

Mr. Mallory and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-13**: On motion by Mr. Wallis and second by Mr. Mallory, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-14**: On motion by Mrs. Tisher and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-15**: On motion by Mrs. Tisher and second by Mr. Moody, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-16**: With Mr. Wallis recusing, on motion by Mr. Mallory and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-18**: With Mrs. Wood recusing, on motion by Mr. Crochen and second by Mr. Lambert, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-11-23**: On motion by Mr. Wallis and second by Mr. Mallory, the Board voted to accept the Disciplinary Committee's recommendation that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

Ms. Conway discussed two anonymous complaints that have been received by the Board regarding unlicensed persons performing appraisals. On motion by Mr. Lambert and second by Mr. Crochen, the Board voted to open an investigation into the license status of the individual performing the appraisals in both anonymous complaints. Motion carried by unanimous vote.

6.2.2 The Board reviewed Consent Settlement Order on **AB-10-02 (James W. Smith)**. With Mr. Pettey and Mr. Wallis recusing, on motion by Mr. Lambert and second by Mrs. Wood, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-11-22 (Jonathan M. Ray)**. On motion by Mr. Moody and second by Mr. Lambert, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

6.3 The following reciprocal licenses were issued since last meeting: David E. Dodd (G)(TX), Tadd A. Nixon (G)(AZ), and Brandon A. White (G)(NC).

7.0 The Temporary Permit report was provided to the Board for their information.

8.0 Mrs. Brooks discussed a memorandum from Sen. Paul Bussman, Chairman of the 2011 Sunset Committee, notifying the Board of its scheduled appearance before the Committee on Thursday, July 28, 2011 at 9:00 a.m. The memo also stated that all Board members should be present at the hearing. Board members who cannot be in attendance should write a letter of explanation to the Sunset Committee.

Mrs. Brooks also included the Boards response to the 2011 Sunset Examination.

Mr. Wallis discussed a request for an Experience Points Determination from Seth & Susanna Fillingham, Sizemore & Sizemore, Inc., that he, Mr. Pettey and Mr. Lambert have reviewed. On motion by Mr. Pettey and second by Mr. Lambert, the Board voted to grant Mr. and Ms. Fillingham 10 Experience Points for the timber and timberland appraisals on their Experience Logs of 10,000 to 250,000 acres and 12 Experience Points for their timber and timberland appraisals over 250,000 acres. Motion carried by unanimous vote.

Mrs. Brooks also included a notice of a mileage rate increase to 55.5 cents a mile for all business miles driven from July 1, 2011, through December 31, 2011.

9.0 There was no unfinished business to discuss at this time.

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

At this time, the Board held a Question and Answer session.

11.0 At 11:10 a.m., on motion by Mrs. Tisher and second by Mrs. Wood, the Board voted to adjourn. Motion carried by unanimous vote. The Trainee/Mentor Orientation will begin at 1:30 p.m. The Board's meeting schedule for the remainder of 2011 is September 15, 2011 in the Capitol Auditorium, North Union Street entrance, Montgomery, Alabama, and November 17, 2011 in the 3<sup>rd</sup> Floor Conference Room of the RSA Union Building, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene  
Executive Secretary

**APPROVED:** \_\_\_\_\_  
**Kenneth D. Wallis, III, Vice-Chairman**