

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
January 21, 2016

MEMBERS PRESENT:

Mr. Edmond G. Eslava, III (Chairman)
Mr. Dennis Key (Vice-Chairman)
Mr. Christopher Baker
Ms. Patrice McClammy arrived at 9:19 a.m.
Mr. Lew Watson
Mr. Billy Cotter
Mr. Richard D. Pettey
Mr. Robert Butler

MEMBERS ABSENT:

Ms. Angie Frost

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:

Ms. Claire Brooks, Appraisal Subcommittee
Ms. Jenny Tidwell, Appraisal Subcommittee
Mrs. Jessica Boudreaux, Trainee Appraiser, Grand Bay
Mr. Hamilton Boudreaux, III, Certified General Appraiser, Grand Bay
Ms. Jan Coffey, Certified Residential Appraiser, Indian Springs, AL Association of Women Appraisers
Mrs. Kristen Medlin Holloway, Certified Residential Appraiser, Trussville, AL Association of Women Appraisers
Ms. Camille Posey, Certified Residential Appraiser, Pelham, AL Association of Women Appraisers
Ms. Robyn Sartin, Certified Residential Appraiser, Trussville, AL Association of Women Appraisers

- 1.0 With quorum present, Mr. Edmond G. Eslava, III, 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 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

8, 2015 in accordance with the Alabama Open Meetings Act.

2.0 The meeting was opened with prayer led by Mr. Butler and the Pledge of Allegiance led by Mr. Eslava.

3.0 Members present were, Mr. Edmond G. Eslava, III, Mr. Billy Cotter, Mr. Lew Watson, Mr. Robert Butler, Mr. Richard D. Pettey, Mr. Christopher Baker, Patrice McClammy and Mr. Dennis Key. Member absent was Ms. Angie Frost.

Mr. Eslava welcomed the guests present and asked the Board Members and staff to introduce themselves. Mr. Eslava then asked the guests to introduce themselves.

4.0 On motion by Mr. Butler and second by Mr. Watson, the regular minutes for November 19, 2015 were approved as written. Motion carried by unanimous vote.

5.0 Ms. Conway informed the Board that there was no Pending Litigation to present.

6.0 Mr. Watson informed the Board that there was no Legislative report to present.

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

7.1 **Trainee Real Property Appraiser applications approved:** Jessica Boudreaux and John Austin Gibbons. **Applications deferred:** None. **Applications denied:** None.

Trainee Real Property Appraiser Experience Logs for Review: Logs approved: Thomas Boydston and Tammie Haddock. **Logs deferred:** Max Burkhalter, Randall Shain Clark and Britton Falkner. **Logs denied:** None.

7.2 **State Registered Real Property Appraiser applications approved:** Chris Gattozzi. **Applications deferred:** None. **Applications denied:** None.

7.3 **Licensed Real Property Appraiser applications approved:** None. **Applications deferred:** None. **Applications denied:** None.

7.4 **Certified Residential Real Property Appraiser applications approved:** Donald Conn, Jr. (Recip.)(MS), Thomas Joseph Russell, and Shedrick Evans Jones, Jr. (Recip.)(TX). **Application deferred:** None. **Applications denied:** None.

7.5 **Certified General Real Property Appraiser applications approved:** Ronald Benton Byrnes, Jr. (Recip.)(GA), Jeffrey Blake Carter, Donald Wayne Davidson (Recip.)(TX), Gregory Orville Faler (Recip.)(OH), Lynn

Foster (Recip.)(MS), Marianne E. Riley Hall (Recip.)(GA), Phillip Edward McGinnis (Recip.)(GA), Jonathan Roy Richmond (Recip.)(MO), David Justin Warren (Recip.)(GA), and John Kenton Wyatt (Recip.)(AZ).
Applications deferred: Brandon Beard. **Applications denied:** None.

7.6 **Mentor application approved:** Lynette Arnold. **Application deferred:** None. **Applications denied:** None.

8.0 Mrs. Brooks presented the Finance report and stated that the Board was 25% into Fiscal Year 2016 and 21% into budget expenditures. Mrs. Brooks stated that there were no negative trends that could not be reconciled at this time.

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

9.0 On motion by Mr. Cotter 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 FARM MANAGERS AND RURAL APPRAISERS

New Application:

(CE) 2016-2017 7 Hour National USPAP Update Course (A114) – 7 Hours – Classroom
(Instructor: Jeff Berg)
Both Course and Instructor Approved

ONCOURSE LEARNING DBA CAREER WEBSCHOOL

New Application:

(LIC) 2016-2017 15-hour Equivalent USPAP – 15 Hours – Online
(Instructor A.M. Bud Black)
Both Course and Instructor Approved

MCKISSOCK

New Applications:

(LIC) 2016-2017 15-Hour National Uniform Standards of Professional Appraisal Practice – 15 Hours – Online
(Instructor: Dan Bradley)
Both Course and Instructor Approved

(CE) Adjustments: Supported or Not Supported? – Live Webinar – 5

Hours – Online
(Instructors: Dan Bradley and Tracy Martin)
Both Course and Instructors Approved

- (CE) Appraising Small Apartment Properties – 6 Hours – Online
(Instructor: Tracy Martin)
Both Course and Instructor Approved
- (CE) Appraising Manufactured Homes – 4 Hours – Classroom
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Tracy Martin, Larry McMillen, Steve Vehmeier, Steve Maher and John Smithmyer)
Both Course and Instructors Approved
- (CE) Exploring Appraiser Liability – 7 Hours – Classroom
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Tracy Martin, Larry McMillen, Steve Vehmeier, Steve Maher and John Smithmyer)
Both Course and Instructors Approved
- (CE) Strange but True: Appraising Complex Residential Properties – 7 Hours – Classroom
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Tracy Martin, Larry McMillen, Steve Vehmeier, Steve Maher and John Smithmyer)
Both Course and Instructors Approved
- (CE) Appraisers: How to Recognize and Avoid Mortgage Fraud – 7 Hours – Classroom
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Tracy Martin, Larry McMillen, Steve Vehmeier, Steve Maher and John Smithmyer)
Both Course and Instructors Approved

NAIFA

New Application:

- (CE) HUD Single Family Housing Policy Handbook – 4000.1 Appraisal Overview – 7 Hours – Classroom
(Instructor: Mike Orman)
Both Course and Instructor Approved

Mr. Eslava discussed the development of the new Board sponsored course. Mr. Eslava explained to the guests that there will be a dress rehearsal on Friday, January 22, 2016. Each Board member has invited an appraiser from his or her District to attend the dress rehearsal and critique the course and presentation for final development. He also invited the guests present to attend.

- 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 5 new complaints were received since the November 2015 Board meeting, 7 complaints were dismissed, and no complaints were settled, leaving a total of 29 open complaints.
- Ms. Conway explained the disciplinary process to the guests.
- 11.0 The Board reviewed Probable Cause Report **AB-15-04**: With Mr. Eslava and Mr. Pettey recusing, on motion by Mr. Key and second by Ms. McClammy, the Board voted that probable cause does exist and to set this case for a hearing. Mr. Butler abstained. Those in favor were Mr. Key, Ms. McClammy, Mr. Baker, Mr. Watson and Mr. Cotter. Motion carried.
- 12.0 There were no negotiated settlements to discuss.
- 13.0 The following reciprocal licenses were issued since the November Board meeting: Ronald Benton Byrnes, Jr. ('G' GA), Donald Conn, Jr. ('R' MS), Donald Wayne Davidson ('G' TX), Gregory Orville Faler ('G' OH), Lynn Foster ('G' MS), Marianne E. Riley Hall ('G' GA), Shedrick Evans Jones, Jr. ('R' TX), Phillip Edward McGinnis ('G' GA), Jonathan Roy Richmond ('G' MO), David Justin Warren ('G' GA), and John Kenton Wyatt ('G' AZ).
- 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 At this time Mrs. Claire Brooks, Policy Manager from the Appraisal Subcommittee, reported to the Board the findings of the review that she and Mrs. Tidwell completed on the Board:
- Regarding Statutes and Regulations:
 - Non-student credit for courses taken should be limited to 50%.
 - There were no compliance issues found with the Temporary Permit process.
 - There were no compliance issues found with the National Registry.
 - There were no compliance issues found with the Application process.
 - There were no compliance issues found with the Reciprocity process.

- There were no compliance issues found with Education process.
- Regarding Enforcement:
 - There were four complaints that were over 12 months old without special documented circumstances. This is an area of concern.

Ms. Conway discussed the proposed rule changes to 780-X-4-.02, Application and License Fees; 780-X-12-.01, Expirations and Renewals; 780-X-16-.02, Checklist; 780-X-16-.04, Application for Reciprocal Appraiser License. On motion by Mr. Baker and second by Mr. Key, the Board voted to adopt the changes as written and to file it with Legislative Reference Services and to submit them for final certification if no comments are received during the comment period. Motion carried by unanimous vote.

Ms. Conway discussed an Administrative Code amendment to 780-X-12-.02, Continuing Education Requirements, to specify that up to 50 percent of the Continuing education credit may be granted for participation, other than as a student, in appraisal educational processes and programs. On Motion by Mr. Baker and second by Mr. Key, the Board voted to file the amendment with Legislative Reference Services and to submit it for final certification if no comments are received during the comment period. Motion carried by unanimous vote.

Mrs. Brooks discussed a memorandum from Thomas L. White, Jr., State Comptroller, announcing that the travel mileage rate for 2016 decreased to 54 cents per mile.

Mrs. Brooks discussed the Board meeting dates for 2016. The Board meetings will remain on the third Thursday of every other month.

17.0 The AMC application and renewal fees and grace period for renewing AMC licenses discussion was deferred to the March 2016 Board meeting.

Ms. Conway updated the Board on her research into liability insurance for Board members.

18.0 Ms. Conway discussed the Customary and Reasonable Fee Study and reported that the request for proposals to be distributed is almost complete.

19.0 At 10:23 a.m., on motion by Mr. Baker 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 the remainder of 2016 is March 17, 2016, May 19, 2016, July 21, 2016, September 15, 2016 and November 17, 2015 in the 3rd Floor Conference Room, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary
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APPROVED: _____
Edmond G. Eslava, III, Chairman