

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
March 17, 2016

MEMBERS PRESENT:

Mr. Edmond G. Eslava, III (Chairman)
Mr. Dennis Key (Vice-Chairman)
Ms. Angie Frost
Ms. Patrice McClammy
Mr. Lew Watson
Mr. Billy Cotter
Mr. Richard D. Pettey

MEMBERS ABSENT:

Mr. Robert Butler
Mr. Christopher Baker

OTHERS PRESENT:

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

GUESTS PRESENT:

Mrs. Jessica Boudreaux, Trainee Real Property Appraiser, Grand Bay
Mr. Hamilton Boudreaux, Certified General Real Property Appraiser, Grand Bay
Mr. Byron Claybrook, Certified Residential Real Property Appraiser, Coker
Ms. Sharon Goldman, Certified Residential Real Property Appraiser, Ashland
Mr. Nathan Stephen, Certified Residential Real Property Appraiser, Montgomery
Mr. Josh Finlay, Certified General Real Property Appraiser, Montgomery
Mr. Rick Church, Certified General Real Property Appraiser, Deatsville
Mr. Richard Lawrence, Certified Residential Real Property Appraiser, Clanton
Mr. Chris Dixon, Certified Residential Real Property Appraiser, Montgomery
Mr. Doug Hixon, Certified Residential Real Property Appraiser, Montgomery

- 1.0 With quorum present, Mr. Edmond G. Eslava, III, Chairman, called the meeting to order at 9:07 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 February 2, 2016 in accordance with the Alabama Open Meetings Act.

Mrs. Brooks announced that Mr. Butler's son passed away this morning.

She will let the Board members know when arrangements have been made.

2.0 The meeting was opened with prayer 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, Ms. Angie Frost, Mr. Richard D. Pettey, Patrice McClammy and Mr. Dennis Key. Members absent were Mr. Christopher Baker and Mr. Robert Butler.

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 Ms. Frost and second by Mr. Watson, the regular minutes for January 21, 2016 were approved as written. Motion carried by unanimous vote.

5.0 Ms. Conway informed the Board that there was no Pending Litigation to present and that there is one hearing to be set.

6.0 Ms. Conway called for a Public Hearing on 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. There were no comments.

Ms. Conway discussed the proposed rule changes to 780-X-1-.17, Study of Customary and Reasonable Fee for Appraisals of Alabama Properties; 780-X-17-.18, Business Practices; 780-X-17-.21, Appraiser Independence and Customary and Reasonable Fees. On motion by Mr. Watson 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. Mr. Eslava, the Board Chairman, asked for a voice vote. Those in favor were Mr. Watson, Mr. Pettey, Ms. Frost, Ms. McClammy, Mr. Cotter, Mr. Key and Mr. Eslava. Motion carried by unanimous vote.

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

7.1 **Trainee Real Property Appraiser applications approved:** Jeffrey A. (Drew) Clark, Timothy Clayton Harris, Alexandria Bazor Jennings and Jeremiah Roberson. **Applications deferred:** None. **Applications denied:** None.

Trainee Real Property Appraiser Experience Logs for Review: **Logs approved:** Randall Shain Clark and Scott Helms. **Logs deferred:** Max Burkhalter, Britton Falkner and Seth Knowles. **Logs denied:** None.

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

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

7.4 **Certified Residential Real Property Appraiser applications approved:** Leigh Anne Way and Melissa Swaim Leary (Recip.)(VA). **Application deferred:** None. **Applications denied:** None.

7.5 **Certified General Real Property Appraiser applications approved:** Todd Lee Barfield (Recip.)(FL), Brandon Beaird, Floyd William Bischoff, Billy Brandon Burlison (Recip.)(FL), Katherine E. Campbell (Recip.)(TX), Thomas James Crozier (Recip.)(NC), Matthew David Edmonds (Recip.)(KY), Dean R. Hobart (Recip.)(IL), Timothy Patrick Huber (Recip.)(GA), Richard Jerome Lynott (Recip.)(GA), Matthew Kenji Reynolds (Recip.)(CA), Russell Allen Roberts (Recip.)(KY) and Tanna S. Santangelo (Recip.)(GA). **Applications deferred:** Will Cabaniss and Alexander McCall. **Applications denied:** None.

7.6 **Mentor applications approved:** Timothy Marbut and Denzil L. Sands, II. **Application deferred:** Patrick Mackin. **Applications denied:** None.

8.0 Ms. Frost presented the Finance report and stated that the Board was 42% into Fiscal Year 2016 and 37% into budget expenditures. Ms. Frost stated that there were no negative trends that could not be reconciled at this time.

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

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

ONCOURSE LEARNING DBA CAREER WEBSCHOOL

New Application:

(CE) 2016-2017 7 Hour Equivalent USPAP – 7 Hours – Online
(Instructor: A. M. Bud Black)
Both Course and Instructor Approved

McKissock, LP

New Applications:

(CE) Appraisal of Single Tenant Distribution Center – 6 Hours – Online
(Instructor: Tracy Martin)
Both Course and Instructor Approved

(CE) Basic Hotel Appraising – Limited Service Hotels – 7 Hours – Online
(Instructor: Tracy Martin)
Both Course and Instructor Approved

Mr. Cotter reported on the Education Committee meeting held on Wednesday, March 16, 2016. The Committee recommended holding a work session in April with Mr. Davis, Mr. Dixon, Mr. Mandell Tillman and Mr. Hamilton Boudreaux to fine tune the Board sponsored course. Mr. Key suggested that the course presentation be taped to review. Mr. Watson read comments from the dress rehearsal.

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 complaints were received since the January 2016 Board meeting, no complaints were dismissed, and no complaints were settled, leaving a total of 35 open complaints.

11.0 The Board re-reviewed Probable Cause Report **AB-15-04**: With Mr. Eslava, Mr. Key and Mr. Pettey recusing, on motion by Mr. Watson and second by Ms. McClammy, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-15-11**: With Mr. Eslava, Mr. Pettey recusing, on motion by Mr. Key and second by Ms. McClammy, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-15-20**: With Mr. Pettey recusing, on motion by Mr. Watson and second by Ms. Frost, the Board voted that probable cause does exist and to issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-15-21**: With Mr. Key and Mr. Pettey recusing, on motion by Ms. Frost and second by Mr. Watson, the Board voted that probable cause does exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-15-31**: On motion by Mr. Key and second by Mr. Pettey, the Board voted that probable cause does not exist and to issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-15-32**: On motion by Mr. Pettey and second by Mr. Cotter, the Board voted that probable cause does not exist and to issue a Letter of Counsel. Motion carried by unanimous vote.

12.0 The Board reviewed the Consent Settlement Order on **AB-14-15**. With Mr. Eslava and Mr. Pettey recusing, on motion by Mr. Key and second by

Mr. Watson, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

13.0 The following reciprocal licenses were issued since the November Board meeting: Todd Lee Barfield ('G' FL), Billy Brandon Burluson ('G' FL), Katherine E. Campbell ('G' TX), Thomas James Crozier ('G' NC), Matthew David Edmonds ('G' KY), Dean R. Hobart ('G' IL), Timothy Patrick Huber ('G' GA), Richard Jerome Lynott ('G' GA), Matthew Kenji Reynolds ('G' CA), Russell Allen Roberts ('G' KY) and Tanna S. Santangelo ('G' GA).

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 Mrs. Brooks reported to the Board that the State Auditor's Office conducted a property audit of the agency's non-consumable personal property on December 1, 2015. All items were located, and Mr. Jim Zeigler, State Auditor, commended the agency and Mrs. Carolyn Greene, property manager, on this achievement.

Mrs. Brooks discussed an email from Mr. Chris Traynor, of Psychometrics (formerly Applied Measurement Professionals), regarding using the Trainee examination that has been developed and administered by PSI since the implementation of the AQB examinations for other appraiser categories in place of the AMP Trainee exam. On motion by Ms. Frost and second by Mr. Pettey, the Board voted to use the PSI examination. Motion carried by unanimous vote.

Mrs. Brooks discussed the Statements of Economic Interest forms, included along with the instructions in the Board books, which are due by May 2, 2016.

Mrs. Brooks included the following items for Board information:

- An email from Ms. Judith Haney regarding the Appraisal Foundation's February 2016 Discussion Draft - *Potential Areas of Change to the Real Property Appraiser Qualification Criteria* for Board information.
- An email from Ms. Judith Haney regarding iMortgage Services.
- A course monitor report from Mr. Joe Dixon on 2016-17 National USPAP Update, taught by NAIFA on March 10, 2016.

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

17.0 Ms. Frost discussed the Appraisal Management Companies late fees and

grace period for renewing their licenses. On motion by Ms. Frost and second by Mr. Pettey, the Board voted to decrease the late fee to \$500 and to implement a 10-day grace period both effective October 1, 2016. Motion carried by unanimous vote.

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

18.0 Mr. Eslava suggested that the Board make a memorial donation in Mr. Butler's son's name.

Mr. Watson discussed requiring that Trainee qualifying education be classroom instruction instead of distance education.

Mr. Hamilton Boudreaux addressed the Board regarding The Appraisal Foundation's Discussion Draft – Potential Areas of Change to the Real Property Appraiser Qualification Criteria. He told the Board that the deadline to comment in writing to the AQB is March 31, 2016.

Mr. Key asked if the Board could make available the digital USPAP offered by The Appraisal Foundation.

Ms. Frost encouraged Board members to follow protocol by sending matters that need to be considered to the appropriate Committee Chairman for a recommendation to the Board.

19.0 At 11:22 a.m., on motion by Mr. Pettey and second by Ms. Frost, 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 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
/cg

APPROVED: _____
Edmond G. Eslava, III, Chairman