

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**July 15, 2010**

**MEMBERS PRESENT:**

Mr. Chris Pettey (Chairman)  
Mr. Fred Crochen  
Mr. Joseph Lambert  
Mrs. Cornelia Tisher  
Mrs. Dot Wood  
Mr. Chester Mallory  
Mr. Mark Moody

**MEMBERS ABSENT:**

Mr. Joseph Lundy (Vice-Chairman)  
Mr. Kenneth D. Wallis, III

**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. Penny Nichols, Certified Residential Real Property Appraiser, Millbrook, AL  
Mr. Jimmy Sutherland, Certified Residential Real Property Appraiser, Millbrook, AL  
Mr. Steve York, Trainee Real Property Appraiser, Birmingham, AL

- 1.0 With quorum present Mr. Chris Pettey, Chairman, called the meeting to order at 8:25 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 December 1, 2009 in accordance with the Alabama Open Meetings Act.
- 1.1 Mr. Crochen opened the meeting with prayer and followed with the Pledge of Allegiance.
- 2.0 Mr. Pettey welcomed the guests present and asked Board Members to introduce themselves. Members present were Mr. Chris Pettey, Mr. Fred Crochen, Mr. Joseph Lambert, Mrs. Dot Wood, Mrs. Cornelia Tisher, Mr. Mark Moody and Mr. Chester Mallory. Members absent were Mr. Kenneth D. Wallis, III and Mr. Joseph Lundy.

3.0 On motion by Mr. Mallory and second by Mr. Lambert, the regular minutes for May 20, 2010 were approved as written. Motion carried by unanimous vote.

3.2 Ms. Conway informed the Board that she is in the process of setting a number of hearings.

Ms. Conway informed the Board that Mrs. Nancy White has appealed the Board's denial of her application for Licensed Real Property Appraiser at a reconsideration hearing to the Circuit Court of Jefferson County. Ms. Conway informed the Board that she has asked that the case be moved back to Montgomery County, and that there will be no testimony in these proceedings, only a review of the file.

At 8:30 a.m. on motion by Mr. Crochen and second by Mr. Lambert, the Board voted to enter executive session to discuss the pending litigation. Motion carried by unanimous vote.

At 8:40 a.m. on motion by Mr. Crochen and second by Mr. Mallory, the Board voted to re-enter regular session. Motion carried by unanimous vote.

4.0 Mr. Moody reported on the Legislative Committee's meeting and new AMC legislation.. Mr. Moody informed the Board that he met with Mr. Danny Cooper, Executive Director, Alabama Realtors Association, and that he will help with passage of new AMC legislation in the next Legislative Session. Mr. Moody also informed the Board that Representative Paul Beckman, new legislator for House District 88, has offered to help draft the legislation.

Ms. Nichols informed the Board that she had also spoken with Representative Beckman, and that he is willing to help sponsor a new AMC bill in the Legislature next year.

Ms. Conway presented the published changes to Administrative Rule 780-X-12-.02, Continuing Education Requirements, 780-X-13-.01, Adoption of Uniform Standards of Professional Appraisal Practice, 780-X-16-.01, Application for Licensure, 780-X-16-.05, Temporary Permit, and 780-X-16-.07, Application for Mentor Status for permanent adoption by the Board. On motion by Mr. Lambert and second by Mr. Crochen, the Board voted for the final adoption of 780-X-12-.02, 780-X-13-.01, 780-X-16-.01, 780-X-16-.05, and 780-X-16-.07 as published. Motion carried by unanimous vote.

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

5.1 **Trainee Real Property Appraiser applications approved:** Ronald Hayes. **Applications deferred:** None. **Applications denied:** None.

- 5.2 **State Registered Real Property Appraiser applications approved:** Rebecca B. Hicks. **Applications deferred:** None. **Applications denied:** None.
- 5.3 **Licensed Real Property Appraiser applications approved:** None. **Applications deferred:** Steven W. Kendrick. **Application denied:** None.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** Jennifer Barnes (Recip.)(GA), Alan Vincent Bennett, Charles Roberson and Steve York. **Applications deferred:** William David Bryant. **Applications denied:** Barbara Kennedy.
- 5.5 **Certified General Real Property Appraiser applications approved:** Vivian L. Benton (Recip.)(FL), Ceilliah P. Epner (Recip.)(FL), Laura Fullington (Recip.)(MS), Stephen J. Gianoplus (Recip.)(GA), Keith W. Gossett (Recip.)(TX), Neal S. Meyer (Recip.)(LA), Richard L. Murphy (Recip.)(LA), Travis Brian Prewitt and Ashton Wayne Ray (Recip.)(LA). **Applications deferred:** Howard Grigsby. **Applications denied:** None.
- 5.6 **Mentor applications approved:** Robert J. Irwin. **Applications deferred:** John R. Wilson. **Applications denied:** None.

6.0 Mr. Mallory discussed the financial report with the Board. Mr. Mallory stated that the Board was 75% into FY 10 and 64% into budget expenditures, and that there were no negative trends that could not be reconciled at this time. On motion by Mr. Lambert and second by Mr. Moody, the Board voted to approve the Financial Report. Motion carried by unanimous vote.

Mr. Mallory and Mrs. Brooks discussed possible fee increases with the Board.

The Board discussed the negative trend that the 606 Fund is taking and a possible license fee increase. The Finance Committee will work on ways to increase revenue and decrease expenditures.

At 9:27 a.m. on motion by Mr. Crochen and second by Mrs. Wood, the Board voted to enter executive session to discuss the job performance of Jim Coker. Those in favor were Mrs. Cornelia Tisher, Mr. Fred Crochen, Mrs. Dot Wood, Mr. Mark Moody, Mr. Chester Mallory, Mr. Joe Lambert and Mr. Chris Pettey. Motion carried by unanimous vote.

At 9:50 a.m. on motion by Mr. Crochen and second by Mrs. Wood, the Board voted to re-enter regular session. Those in favor were Mrs. Cornelia Tisher, Mr. Fred Crochen, Mrs. Dot Wood, Mr. Mark Moody, Mr. Chester Mallory, Mr. Joe Lambert and Mr. Chris Pettey. Motion carried by unanimous vote.

6.1

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

**CCIM INSTITUTE**

(CE) Investment Analysis for Commercial Investment Real Estate - 32 Hours - Classroom  
(Instructor: William Moss)  
**Both Course and Instructor Approved**

**ASFMRA**

(CE) Timber Property Valuation – 8 Hours – Classroom  
(Instructor: Scott Seely)  
**Both Course and Instructor Approved**

(CE) Understanding Conservation Easement Valuation – 7 Hours – Classroom  
(Instructor: Scott Seely)  
**Both Course and Instructor Approved**

The motion carried by unanimous vote.

Mrs. Brooks discussed a request from Mr. Greg Hartley for continuing education credit to attend “The ‘Train the Trainer’ Event”. On motion by Mrs. Tisher and second by Mr. Crochen, the Board voted to grant Mr. Hartley 7 Hours Continuing Education Credit for the course. Motion carried by unanimous vote.

6.2

There were no disciplinary reports to review at this time.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 18 new complaints were received since the May 2010 Board meeting, and 15 complaints were dismissed, leaving a total of 85 open complaints.

Ms. Conway discussed the Appraisal Foundation Exposure Draft of the Voluntary Disciplinary Action Matrix. The Board will review the Exposure Draft and discuss it at the September Board meeting.

Mrs. Greene discussed implementing a 2010 USPAP Checklist with the Board and informed the Board that she has been in contact with Kristi Klamet, the Board’s Policy Manager, for her opinion as to which checklist to use. Mrs. Greene will report back to the Board at the September Board meeting.

6.2.1

The Board reviewed Probable Cause Report **AB-09-36**: With Mrs. Wood 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 exist and to set this case for hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-09-77**: With Mr. Lambert 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-09-89**: With Mr. Lambert recusing, on motion by Mr. Mallory and second by Mr. Crochen, 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-09-107**: With Mr. Lambert 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-10-006**: 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 exist and to set this case for hearing. Motion carried by unanimous vote.

6.2.2

The Board reviewed Voluntary Surrender of License on **AB-09-35**. On motion by Mr. Crochen and second by Mr. Moody, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Voluntary Surrender of License on **AB-09-38**. With Mr. Pettey and Mr. Lambert recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Voluntary Surrender of License **AB-09-40**. With Mr. Pettey and Mr. Lambert recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Voluntary Surrender of License **AB-09-42**. With Mr. Pettey and Mr. Lambert recusing, on motion by Mr. Crochen and second by Mr. Moody, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-09-87**. With Mr. Lambert and Mrs. Tisher recusing, on motion by Mr. Crochen 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-09-88**. With Mrs. Wood recusing, on motion by Mr. Crochen 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: Jennifer Barnes (R)(GA), Vivian L. Benton (G)(FL), Ceiliah P. Epner (G)(GA), Laura Fullington (G)(MS), Stephen J. Gianoplus (G)(GA), Keith W. Gossett (G)(TX), Neal S. Meyer (G)(LA), Richard L. Murphy (G)(LA) and Ashton Wayne Ray (G)(LA).

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

At this time, Mr. Charles Robert Jones, III appeared before the Board and asked for a reconsideration of the Board's May 2010 decision in his discipline case.

At 11:20 a.m., on motion by Mrs. Wood and second by Mr. Lambert, the Board voted to enter Executive Session to deliberate. Motion carried by unanimous vote.

At 11:31 a.m., on motion by Mr. Mallory and second by Mr. Moody, the Board voted to re-enter Regular Session. Motion carried by unanimous vote.

On motion by Mr. Lambert and second by Mr. Mallory, the Board voted to stay Mr. Jones' license suspension provided that he immediately begin making payments toward his administrative fine, by money order or cashiers check, under the original terms and timeframe of his Consent Settlement Order. Those in favor were Mr. Lambert, Mr. Mallory, Mrs. Tisher, and Mr. Moody. Those opposed were Mr. Pettey, Mrs. Wood and Mr. Crochen. Motion carried.

8.0 Mrs. Brooks discussed charging a fee to mail out renewal forms to licensees who choose not to renew online. Mrs. Brooks explained that under the SMART Budget plan, the goal is to have 90% of the licensees renewing online.

Mrs. Brooks discussed the following items:

- An email from Ms. Penny Nichols, for Board information, regarding the HVCC and IVPI.

- An email from Ms. Emily Bryars requesting that no limit be placed on the number of demonstration appraisals that can be counted for experience credit. After much discussion, on motion by Mr. Crochen and second by Mrs. Tisher, the Board voted to put no limitation on the number of demonstration appraisals that can be counted for experience credit by a Trainee working under an Approved Mentor. Those in favor were Mr. Crochen, Mrs. tisher, Mrs. Wood, Mr. Moody, Mr. Lambert and Mr. Pettey. Mr. Mallory was opposed. Motion carried.
- An addition to the Experience Log, which is necessary per the ASC Compliance Review Report, to include the actual hours worked on each appraisal. On motion by Mr. Crochen and second by Mrs. Wood, the Board voted to adopt the amendment to the Experience Log to include the actual hours worked on each appraisal. Motion carried by unanimous vote.
- An email from Mr. Greg Hartley, for Board information, proposing that an examination be designed for appraisers wanting to become Approved Mentors. The appraiser would have to pass the examination before the Board could approve him/her as a Mentor. The Board tabled this issue for the Education Committee to discuss the issue in conjunction with possible revisions to the Trainee/Mentor Orientation.
- A request from Mr. Harvey Nobles for an Experience Points Determination. Mr. Pettey and Mr. Wallis will review the appraisal in question and bring their determination to the Board for a vote in September.

Mr. Pettey discussed a letter from the Board to State Personnel requesting a pay increase for Mrs. Lisa Brooks. On motion by Mr. Crochen and second by Mr. Lambert, the Board voted to approve this pay increase. Motion carried by unanimous vote. Mrs. Brooks explained to the Board that because pay raises are currently frozen, the Governor would not approve the raise, however, this letter is required by State Personnel.

9.0

Mr. Mallory discussed the status of the research into an Inactive Status for appraisers. The Board tabled this issue for further research. Mrs. Brooks will write Mr. Griffith to update him on the status of the Board's research into an Inactive Status. Ms. Conway will contact North Carolina about their Inactive Status. The Finance Committee will research the information gathered and bring their findings to the Board.

10.0 Mrs. Brooks discussed the upcoming Fall AARO Conference, being held October 2 - 5, 2010, in Washington, D. C. Mrs. Brooks asked the Board members to notify the Board office if they were interested in attending.

Ms. Conway discussed the Appraisal Foundation's Level I Investigator Training, being held in Chicago in August. Ms. Conway informed the Board that Board members could attend this training at no cost to the Board. Mrs. Wood and Mrs. Tisher expressed intent in attending.

11.0 At 12:08 p.m. p.m., on motion by Mr. Lambert and second by Mr. Moody, the Board voted to adjourn. Motion carried by unanimous vote. The Board's tentative meeting schedule for 2010 will be September 16, 2010, and November 18, 2010 at 8:15 a.m. at the RSA Union Building, 100 N. Union Street, 3<sup>rd</sup> Floor Conference Room, Montgomery, Alabama.

Sincerely,

Carolyn Greene  
Executive Secretary

**APPROVED:** \_\_\_\_\_  
**Chris Pettey, Chairman**