

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
November 18, 2010

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

OTHERS PRESENT:

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

GUESTS PRESENT:

Mr. Richard Maloy, Certified General Real Property Appraiser, Birmingham, AL
Ms. Linda Maloy, Birmingham, AL
Ms. Penny Nichols, Certified Residential Real Property Appraiser, Millbrook, AL
Ms. Camille Posey, Certified Residential Real Property Appraiser, Pelham, AL
Mrs. Karen Seiler, Certified Residential 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 January 25, 2010 in accordance with the Alabama Open Meetings Act.
- 1.1 The meeting was opened with prayer by Mr. Lundy and followed by the Pledge of Allegiance led by Mr. Pettey.
- 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. Kenneth D. Wallis III, Mr. Joseph Lundy, Mr. Mark Moody and Mr.

Chester Mallory.

- 3.0 On motion by Mr. Lambert and second by Mr. Crochen, the regular minutes for September 16, 2010 were approved as written. Motion carried by unanimous vote.
- 3.2 Ms. Conway included the following for Board member information:
- An Order in the Circuit Court of Jefferson County setting a briefing schedule in CV-2010-902165.00, Mrs. Nancy White, in her appeal of the Board's denial of her application for Licensed Real Property Appraiser.
- 4.0 Mr. Moody discussed the November 17, 2010 Legislative Committee meeting with the Board. Ms. Conway is going to take HB490 and update it with the notes from the committee meeting. The Committee will meet again on December 6, 2010.
- 5.0 On motion by Mr. Lambert 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:** Kevin Haefner, David D. Ikard, John H. Lankford, Daniel A. Lincoln and Matthew M. Robinson. **Applications deferred:** None. **Applications denied:** None.
- 5.2 **State Registered Real Property Appraiser applications approved:** None. **Application deferred:** Barrett H. Sanders. **Applications denied:** None.
- 5.3 **Licensed Real Property Appraiser applications approved:** Richard J. Bauer (Recip.)(GA). **Applications deferred:** None. **Applications denied:** None.
- 5.4 **Certified Residential Real Property Appraiser application approved:** Frank X. Aaron (Recip.)(KS). **Applications deferred:** Reuben Bullock, Jason King, Summer Maples and Bonnie Wheatley. **Applications denied:** None.
- 5.5 **Certified General Real Property Appraiser applications approved:** Jeffrey M. Bowling (Recip.)(GA), P. Ryan McDonald (Recip.)(IL), Bruce E. Nell (Recip.)(OH), Trevor E. Phillips (Recip.)(TX) and Christopher D. Tea (Recip.)(GA). **Applications deferred:** None. **Applications denied:** None.
- 5.6 **Mentor applications approved:** Rose Osborn and Kenneth Wallis, III. **Applications deferred:** None. **Applications denied:** None.
- 6.0 Mr. Mallory discussed the financial report with the Board. Mr. Mallory stated that the Board was 8% into FY 11 and 9% into budget expenditures, and that there were no negative trends that could not be

reconciled at this time. Mr. Mallory commended the Board Staff on their hard work. 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 also discussed the Fee Increase Report. The Finance Committee will discuss the information provided and report back to the Board with recommendations for fee increases and explanations for these recommendations.

6.1 Mrs. Brooks discussed an email from Mr. Kirk Epstein requesting approval for the Property Tax Education and Certification course that he took October 18-22, 2010. Mr. Epstein's request was deferred for the Education Committee to discuss whether or not to continue approving continuing education on an individual basis for courses that have not been submitted for approval through the education approval process.

Mrs. Brooks discussed an email from Ms. Ashley Northrop, McKissock, requesting that the Board allow electronic proctoring of examinations. On motion by Mr. Wallis and second by Mr. Lundy, the Board voted to approve the request. Motion carried by unanimous vote.

Mrs. Brooks discussed a second email from Ms. Northrop requesting the Board's opinion of the Proposed Revision to 7-Hour National USPAP Update Course Eligibility. Currently, the Criteria only require that the 7-hour USPAP Update Course, or its AQB-approved equivalent, be taken every two years to maintain a credential. Additionally, the appraiser may take the 7-hour National USPAP Course, or its AQB-approved equivalent, at anytime during that two-year period. The proposed revision would require all appraisers to take the 7-hour National USPAP Update Course, or its AQB-approved equivalent, within six months of its effective date, so that appraisers will become aware of all applicable changes and new rules, and will be able to incorporate them into their work product in a timely manner. On motion by Mr. Wallis and second by Mr. Crochen, the Board voted to accept the proposed revision. Motion carried by unanimous vote.

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

AL MANUFACTURED HOUSING ASSOCIATION

Renewal Application:

(CE) Real Property Manufactured Housing Course – 21 Hours - Classroom
(Instructor: Steve Morgan)

Both Course and Instructor Approved

ALABAMA CHAPTER APPRAISAL INSTITUTE

Initial Applications:

(LIC) Basic Appraisal Principles – 30 Hours – Classroom
(Instructor: James Atwood)
Both Course and Instructor Approved

(CE) Appraisal Review Seminar - General – 7 Hours – Classroom
(Instructor: Vince Dowling)
Both Course and Instructor Approved

APPRAISAL INSTITUTE – CHICAGO CHAPTER

Renewal Applications:

(CE) An Introduction to Valuing Commercial Green Buildings – 7 Hours
– Classroom
(Instructor: Alan Simmons)
Both Course and Instructor Approved

(CE) GIS: The Novice Case Study – 7 Hours – Online
(Instructor: George Dell)
Both Course and Instructor Approved

Initial Applications:

(LIC) Residential Sales Comparison & Income Approach – 30 Hours –
Online
(Instructor: Mark Rattermann)
Both Course and Instructor Approved

(CE) Case Studies in Appraising Green Residential Buildings – 8 Hours
– Classroom
(Instructor: Sandra Adomatis)
Both Course and Instructor Approved

(CE) Analyzing Tenant Credit Risk and Commercial Lease Analysis – 7
Hours – Classroom
(Instructor: Jeffrey Miller)
Both Course and Instructor Approved

(CE) Introduction to Green Buildings: Principles & Concepts – 8 Hours
– Classroom
(Instructor: Taylor Watkins)
Both Course and Instructor Approved

COSBY APPRAISAL SCHOOL

Initial Application:

(LIC) USPAP 15-Hour - 15 Hours – Classroom

(Instructor: Melissa Cosby)
Both Course and Instructor Approved

**DEPARTMENT OF HOUSING & URBAN DEVELOPMENT/FEDERAL
HOUSING C/O CONCENTRANCE CONSULTING GROUP**

Initial Application:

(CE) FHA Basics for Appraisers – 4 Hours – Online
(Instructors: Janice Marquardt, George Hibbert, Linda Middleton,
and Malcolm Jefferson)
Both Course and Instructors Approved

HUD/FHA, Atlanta

Initial Application:

(CE) FHA Appraiser Training – 7 Hours – Classroom
(Instructors: Frank Coleman, Chuck Melton and Robert
Minniefield)
Both Course and Instructors Approved

MCKISSOCK

Initial Applications:

(LIC) Commercial Appraisal Review-Subject Matter Electives – 15
Hours – Online
(Instructor: Paul Lorenzen)
Both Course and Instructor Approved

(LIC) Expert Witness for Commercial Appraisers-Subject Matter
Electives – 15 Hours – Online
(Instructor: Paul Lorenzen)
Both Course and Instructor Approved

(LIC) General Appraiser Market Analysis & Highest and Best Use – 30
Hours – Online
(Instructor: Daniel Bradley)
Both Course and Instructor Approved

(LIC) General Appraiser Site Valuation and Cost Approach – 30 Hours –
Online
(Instructor: Alan Simmons)
Both Course and Instructor Approved

The motion carried by unanimous vote.

At this time, Ms. Linda Maloy addressed the Board regarding the status of
her appraiser license.

At this time, Mr. Richard Maloy addressed the Board regarding the creation of an Inactive status for licensees.

Mr. Maloy also addressed the Board regarding the Dodd-Frank Act.

Mr. Pettey encouraged the Board to contact Mr. Maloy with any questions the members might have.

6.2 The Board reviewed the following disciplinary reports.

AB-09-35 – On July 15, 2010, Noah Lee Marshall voluntarily surrendered his Trainee Real Property Appraiser License, #T01202, in lieu of an investigation of the complaint.

AB-09-38, AB-09-40, AB-09-42 – On July 15, 2010, Fletcher M. Moore, Sr. voluntarily surrendered his Certified General Real Property Appraiser License, #G00154, in lieu of an administrative hearing in these cases.

AB-09-87 – On July 15, 2010, the Board approved a Consent Settlement Order and issued a private reprimand to a Certified Residential Appraiser. Licensee also agreed to pay a \$900 administrative fine and complete a 15-hour USPAP course with an exam. The USPAP course may not be claimed for CE credit. The violations were: Licensee communicated six appraisal reports for the same assignment to the lender/client with values of \$160,500, \$162,000 and \$164,000 without reasons in the reports for the increase in value. Licensee became an advocate for the cause or interest of the client by increasing the value opinion with no rationale for the increase. All value opinions were within the range of value indicated by the sales analysis. In the Sales Comparison Approach, Licensee failed to set out in his analysis of some of the attributes indicated by the data source for adjustments to comparable sales 1, 2 and 3 and omitted adjustments. Licensee failed to accurately indicate the Subject foundation as crawl space foundation in the Improvement section of the appraisal report. In the Sketch Addendum the Subject is shown with four (4) bedrooms when the report states 3 bedrooms. Licensee failed to accurately locate Comparable #2, #3 and Comparable #5 on the Location Map. Licensee failed to provide sufficient information to support an effective age of 15 years when actual age is 47 years. Licensee failed to explain the absence of a site adjustment for the difference in the site sizes. Licensee failed to explain the absence of a quality of construction adjustment between the Subject and Comparable #5. Licensee failed to explain the exclusion of the Income Approach. Licensee failed to include the Alabama certification in the report. **Violations: ETHICS RULE Conduct, Standards Rule 1-1(a), 1-1(c), 2-1(a), 2-1(b), USPAP, 2008-2009 Ed., § 34-27A-3(b)(2), Code of Alabama, 1975.**

AB-09-88 – On July 15, 2010, 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 a 14-hour Sales Comparison Approach, Declining Market and Sales Concession course. The course may not be claimed for CE credit. The

violations were as follows: Licensee failed to adjust comparables for a negative time adjustment that was indicated by the comparable sales located in the neighborhood. Licensee misapplied the appraisal technique of paired sales analysis and therefore applied a flawed adjustment for view. The Licensee also did not apply this adjustment uniformly by applying it to comparables 2 and 4 but not applying it to comparable 3, which also did not have a view of the golf course. Licensee also failed to analyze and adjust comparable 2 for excess sales concessions. **Violations: Standards Rule 1-1(a), 1-1(b), 1-4(a), USPAP, 2008-2009 Ed.**

AB-08-121, AB-08-155 – On September 16, 2010, the Board approved a Consent Settlement Order with Everett S. Brooks, G00442, suspending his Certified General Appraiser license and appraisal course instructor approvals for one year. The license suspension was stayed and Brooks is on probation for two years. Licensee surrendered his approval to Mentor Trainee appraisers and agreed not to sign any appraisal report in any supervisory capacity. He will also submit reports of his appraisal assignments to the Board and submit appraisal reports for review by the Board during the probationary period.

AB-08-154 – On September 16, 2010, the Board approved a Consent Settlement Order and issued a public reprimand to Christopher Keith Hallum, S00101. Licensee will also complete education.

AB-09-37, AB-09-39, AB-09-41 – On September 16, 2010, the Board approved a Consent Settlement Order and issued a Public Reprimand to Ricky Higginbotham, Trainee Real Property Appraiser License # T01679. Licensee also agreed to pay a \$4,050 administrative fine and complete 15 hour USPAP course and a 15 hour Sales Comparison Approach Course. The courses may not be claimed as continuing education or for license upgrade. Licensee may not participate in or assist in any appraisal other than the appraisal of residential 1-4 properties until he obtains approval of the Board to remove the restriction on his license. The violations in all three appraisals are: Licensee failed to identify the intended user(s) and intended use of the appraisal report. Licensee failed to identify the relevant characteristics of the Subject and comparables. Licensee failed to identify all elements of comparison that affect the value of land being appraised. Licensee failed to develop a credible indicated value of the Subject by the Market Data Analysis. Licensee failed to analyze the ownership and ownership interest of the Subject property. Licensee failed to develop a credible opinion of the highest and best use of the Subject property. Licensee's estimate of value was not credible because the Market Data Analysis was not credible. Licensee failed to accurately analyze market sales data, which affected the credibility of the Market Data Analysis. Licensee failed to analyze the Subject's 3-year sales history. Licensee failed to reconcile the quality & quantity of data available, the applicability/suitability of the approach used and the exclusions of the Cost Approach and Income Approach. Licensee failed to determine the necessary Scope of Work to produce a credible assignment for a land appraisal. Licensee included directly conflicting

statements and information in the report that affected the credibility of the report. Licensee failed to specify the reporting option. Licensee stated the type & definition of value but failed to cite the source of the definition. Licensee failed to state the use of the real estate as of date of value, which was different than the highest and best use in the appraisal. Licensee failed to summarize the support and rationale for the opinion of the highest and best use in the appraisal report. Licensee failed to include statutory certification. **Violations: SCOPE OF WORK RULE, Standards Rule 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-2, USPAP, 2008-2009 Ed., §34-27A-3(b)(1), Code of Alabama (1975).**

AB-09-68, AB-09-70 – On September 16, 2010, the Board approved a Consent Settlement Order and issued a Private Reprimand to a Licensed Appraiser. Licensee also agreed to complete a Board approved 7 hour FHA/HUD appraisal course. The course may not be claimed as credit for continuing education. The violations in **AB-09-68** were as follows: Licensee did not develop the appraisal report/assignment according to the published standards of HUD/FHA, an intended user of the report. Licensee failed to state and analyze the sales/finance concession of a comparable in the Sales Comparison Approach. Licensee analyzed the cost of the fence, a site improvement, in the total estimate of cost new in the Cost Approach. The miscalculation of the total estimate of cost new resulted in inaccurate accrued depreciation. Licensee developed the Cost Approach but failed to reconcile the Cost Approach in the reconciliation process. Licensee reported the garage count as one (1) in the Improvement/Car Storage section of the description of improvements when the garage count was two. Licensee accurately reported (2) garage storage in the Sales Comparison Approach. Licensee failed to explain the comment that the neighborhood is stable, when the property values are reported as increasing with over 75% build up rate for the neighborhood. Licensee failed to state the data verification source(s) in the Sales Comparison Approach. Licensee did not comment on Comparable #3 and Comparable #4 sold for more than the original list price. Licensee reported the fireplace count for Comparable #1 as one (1) in the Sales Comparison Approach, and the data sources reflected two (2). Licensee did not comment on the lack of an adjustment for fireplace to Comparable #2 and #3. Licensee did not comment on why repairs were listed in the Additional Comments section, when the appraisal was made “as is”. Licensee failed to state that the photos of Comparable #2 and Comparable #3 were his file photos and not current photos as of the date of the appraisal. Licensee did not include HUD/FHA as an intended user. **Violations: SCOPE OF WORK RULE, Standards Rule 1-1(a), 1-1(c), 1-2(h), 1-4(a), 1-4(b)(iii), 1-6(b), 2-1(a), 2-1(b), 2-2(b)(i), 2-2(b)(vii), USPAP, 2008-2009 Ed.**

The violations in **AB-09-70** were as follows: Licensee failed to state and analyze the sales/finance concessions for Comparable #2. Licensee stated the intended use is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction. Licensee failed to state the additional use is to support FHA’s decision to provide mortgage insurance on the real property that is the subject of the

appraisal. Licensee failed to develop an appraisal report with the Scope of Work necessary to comply with HUD/FHA appraisal requirements. Licensee reported R-2 Single Family Residential when RG Residential Garden Homes was the accurate zoning classification and description stating a basement finished area in the Improvement section when the Subject did not have a basement. Reported four (4) bedrooms for Comparable #1 the data sources reported three (3) bedrooms. Licensee failed to explain the comment that the neighborhood is stable when the property values are reported as increasing with over 75% build up rate for the neighborhood. Licensee did not comment on why Subject property is reported in average condition in the Improvement section and analyzed as good condition in the Sales Comparison Approach. Licensee failed to report the verification source(s) in the Sales Comparison Approach section of the appraisal report. Licensee did not include HUD/FHA as an intended user. Licensee failed to explain the exclusion of the Cost Approach. **Violations: Scope of Work Rule, Standards Rule 1-1(a), 1-2(b), 1-2(h), 1-4(a), 2-1(a), 2-1(b), 2-2(b)(i), 2-2(b)(viii) USPAP, 2008-2009 Ed.**

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-09-23 To a Licensed Real Property appraiser for an appraisal where in the Sales Analysis, quality of construction is reported as type of construction. The actual age of comparable sales is given as a range from MLS and exclusion of the Income Approach was not explained as required by 2-2(b)(viii). **Violation: 2-1(b), 2-2(b)(viii), USPAP, 2008-09 Ed.**

AB-09-32 To a Certified Residential appraiser for an appraisal where there was a series of errors in the report that did not significantly affect the results of the appraisals. However, the aggregate effect of the errors negatively impacted the credibility of the reports. Licensee reported sales prices and GLA for comparable sales that did not match the stated data sources in the reports. Licensee researched and verified the data used through other appraisers with actual knowledge of the properties and sales but did not indicate an accurate data source. Investigation confirmed that the date reported was correct. **Violation: 1-1(b), 2-2(b)(vii), USPAP, 2008-09 Ed.**

AB-09-33 To a Certified Residential appraiser for an appraisal where there was a series of errors in the report that did not significantly affect the results of the appraisals. However, the aggregate effect of the errors negatively impacted the credibility of the reports. Licensee reported sales prices and GLA for comparable sales that did not match the stated data sources in the reports. Licensee researched and verified the data used through other appraisers with actual knowledge of the properties and sales but did not indicate an accurate data source. Investigation confirmed that the date reported was correct. **Violation: 1-1(b), 2-2(b)(vii), USPAP, 2008-09 Ed.**

AB-09-44 To a Certified Residential appraiser where Licensee did not state the reason for the exclusion of the income approach. Licensee displayed a photo for a comparable that was the photo of another property. **Violation: 1-1(c), 2-1(a), USPAP, 2008-09 Ed.**

AB-10-01 To a Certified Residential appraiser where the Cost approach is flawed by analyzing dwelling cost items, porches and deck, as site improvement costs. These items were not depreciated. Appliances were analyzed as a part of dwelling cost instead of as a separate cost item. Licensee included a certification for a national appraisal organization member and Licensee is not a member of that organization. There is no explanation of the exclusion of the cost approach. Adjustments were not made for the difference in bedroom counts between the subject and comparables 2 & 3. **Violation: 1-1(a), 1-1(b), 1-1(c), 1-4(b)(ii), 1-4(b)(iii), 2-1(a), 2-1(b), USPAP, 2008-09 Ed.**

AB-10-04 To a Certified Residential appraiser where Licensee did not have adequate information in the workfile submitted to the Board to support the appraisal report. Licensee reported a basement for the subject that was not supported by county property records and resulted in an 800 S.F. error in living area for comparable #2 used in the appraisal. Licensee subsequently corrected the error. **Violation: Ethics Rule, Record Keeping provision, Standard Rule 1-1(b), USPAP, 2008-09 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 56 new complaints were received since the September 2010 Board meeting, 8 complaints were dismissed, and 9 complaints were settled, leaving a total of 132 open complaints.

Ms. Conway included, for Board information, a Complaint Form for the convenience of complainants, which will be put on the Board's website.

6.2.1 The Board reviewed Probable Cause Report **AB-10-16**: With Mr. Pettey and Mr. Lambert recusing, on motion by Mr. Crochen and second by Mr. Wallis, 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-10-17**: With Mr. Lundy 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-10-18**: With Mr. Pettey 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-10-19**: With Mr. Pettey and Mrs. Wood recusing, on motion by Mr. Lundy 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-10-55**: With Mr. Wallis 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 issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-10-57**: 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-10-58**: With Mr. Lundy 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-10-65**: 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-10-67**: 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-10-69**: 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-10-71**: 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-10-73**: 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-10-75**: 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-10-77**: 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-10-79**: 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-10-81**: 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-10-83**: 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-10-85**: 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-10-87**: 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-10-89**: 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-10-91**: 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-10-93**: 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-10-95**: 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.

exist and to dismiss this case. Motion carried by unanimous vote.

Mrs. Wood informed the Investigators that when they find a Standard 1 violation when investigating a report, there must always be a Standard 2 violation also.

6.2.2 The Board reviewed a Voluntary Surrender of License G00027, Lee Pake, on **AB-09-01, AB-09-02, AB-09-03 and AB-09-04**. With Mr. Lambert and Mr. Pettey recusing, on motion by Mr. Mallory 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-09-77**. With Mr. Lambert recusing, on motion by Mr. Wallis and second by Mr. Crochen, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed a Voluntary Surrender of License R00965, Jane Smithson, on **AB-09-89**. With Mr. Lambert recusing, on motion by Mr. Lundy and second by Mr. Crochen, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-09-107**. With Mr. Lundy and Mr. Lambert recusing, on motion by Mr. Crochen and second by Mrs. Wood, the Board voted to approve this Consent Settlement Order. Mr. Pettey opposed. Motion carried.

The Board reviewed Consent Settlement Order on **AB-09-112**. With Mr. Pettey and Mr. Wallis recusing, on motion by Mr. Lundy and second by Mrs. Wood, the Board voted to approve this Consent Settlement Order as written. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-10-07**. With Mr. Lundy and Mr. Wallis recusing, on motion by Mrs. Wood and second by Mr. Crochen, the Board voted to approve this Consent Settlement Order with the addition of required education related to new construction. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-08-120 and AB-08-125**. With Mr. Lambert and Mrs. Wood recusing, on motion by Mr. Crochen and second by Mr. Mallory, the Board voted to approve this Consent Settlement Order as written. Motion carried by unanimous vote.

The Board reviewed Consent Settlement Order on **AB-08-124**. With Mrs. Wood recusing, on motion by Mr. Lundy and second by Mr. Mallory, the Board voted to approve this Consent Settlement Order as written. Motion carried by unanimous vote.

6.3 The following reciprocal licenses were issued since last meeting: Frank X. Aaron (R)(KS), Richard J. Bauer (L)(GA), Jeffrey M. Bowling (G)(GA), P. Ryan McDonald (G)(IL), Bruce E. Nell (G)(OH), Trevor E. Phillips (G)(TX)

and Christopher D. Tea (G)(GA).

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

8.0 Mrs. Brooks included, for Board information, the Renewal Report as of November 16, 2010, and stated that 1534 of the Licensees have renewed as of this date. Mrs. Brooks also stated that 78% of the total renewals have been online.

Mrs. Brooks discussed the National Registry Fee increase from \$25 to \$40, effective January 1, 2012.

Mrs. Brooks included, for Board information, an email from Ms. Christine Parrish regarding the Board Member Training to be held on January 26, 2011.

RE-CONSIDERATION HEARING

At 10:17 a.m., Mr. Pettey convened the re-consideration hearing for Ms. Adria Bradford on her application for a Certified Residential Real Property license.

At 11:07 a.m. on motion by Mr. Wallis and second by Mr. Crochen, the Board voted to enter Executive Session to deliberate on the reconsideration of Ms. Bradford's application for Certified Residential appraiser and Ms. Maloy's request to the Board to reinstate her Certified Residential Appraiser license. Those in favor were Mr. Mallory, Mr. Lundy, Mr. Moody, Mr. Lambert, Mrs. Tisher, Mrs. Wood, Mr. Wallis, Mr. Pettey and Mr. Crochen. Motion carried by unanimous vote.

At 11:15 a.m. on motion by Mr. Lundy and second by Mrs. Wood, the Board voted to re-enter Regular Session. Those in favor were Mr. Mallory, Mr. Lundy, Mr. Moody, Mr. Lambert, Mrs. Tisher, Mrs. Wood, Mr. Wallis, Mr. Pettey and Mr. Crochen. Motion carried by unanimous vote.

On motion by Mr. Lundy and second by Mrs. Wood, the Board voted to deny Ms. Maloy's request for a reinstatement of her Certified Residential license. Those in favor were Mr. Lundy, Mrs. Wood, Mrs. Tisher, Mr. Moody, Mr. Mallory, Mr. Lambert and Mr. Pettey. Mr. Crochen abstained and Mr. Wallis opposed the motion. Motion carried.

On motion by Mr. Wallis and second by Mr. Mallory the Board voted, should Ms. Maloy apply for a Trainee Real Property Appraiser license, to waive the requirement that a Board approved Mentor accompany her on her first 50 appraisals, as a Trainee. Those in favor were Mr. Wallis, Mrs. Wood, Mrs. Tisher, Mr. Moody, Mr. Mallory, Mr. Lambert and Mr. Pettey. Mr. Crochen abstained and Mr. Lundy opposed the motion. Motion carried.

Mrs. Brooks will send Ms. Maloy an outline of the steps she needs to take

to re-apply for an Alabama license.

On motion by Mr. Lundy and second by Mrs. Wood, the Board voted to deny Ms. Bradford's application for upgrade to Certified Residential Real Property Appraiser. Those in favor were Mr. Lundy, Mrs. Wood, Mr. Lambert, Mrs. Tisher, Mr. Moody, Mr. Mallory, Mr. Pettey, Mr. Crochen and Mr. Wallis.

- 9.0 There was no unfinished business to discuss at this time.
- 10.0 On motion by Mr. Wallis and second by Mr. Lundy, the Board voted to purchase the Dictionary of Real Estate Appraisal and Principles of Appraisal Practice for the Investigators. Motion carried by unanimous vote.
- 11.0 At 12:47 p.m., on motion by Mr. Lambert and second by Mr. Lundy, the Board voted to adjourn. Motion carried by unanimous vote. The next Board meeting is scheduled for January 20, 2011 at 8:15 a.m. in the 3rd Floor Conference Room of the RSA Union Building, 100 North Union Street, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary

APPROVED: _____
Chris Pettey, Chairman