

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**November 20, 2008**

**MEMBERS PRESENT:**

Mr. Jon B. Blissitte (Chairman)  
Mr. Chester Mallory  
Mr. Joseph Lundy  
Mrs. Myra Pruit  
Mr. Joseph Lambert  
Mrs. Cornelia Tisher  
Mrs. Dot Wood  
Mr. Chris Pettey

**MEMBER ABSENT:**

Mr. Fred Crochen (Vice-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:**

Ms. Debra Coleman, Hoover, AL  
Mr. Otis Stewart, Certified Residential Real Property Appraiser, Birmingham, AL  
Ms. Penny Nichols, Trainee Real Property Appraiser, Deatsville, AL

- 1.0 With quorum present Mr. Jon B. Blissitte, Chairman, called the meeting to order at 8:30 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 April 4, 2008 in accordance with the Alabama Open Meetings Act.
- 1.1 The meeting was opened with prayer by Mr. Lundy followed by the Pledge of Allegiance.
- 2.0 Members present were Mr. Jon B. Blissitte, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Ms. Dot Wood, Mrs. Cornelia Tisher, Mr. Chester Mallory, and Mr. Chris Pettey. Member absent was Mr. Fred Crochen.
- 3.0 On motion by Mr. Lambert and second by Mrs. Pruit, the regular minutes for September 18, 2008 were approved as written. Motion carried by unanimous vote.

**RE-CONSIDERATION HEARING**

At 9:50 a.m., Mr. Blissitte convened the re-consideration hearing for Mr. Glenn Heatherly on his Mentor application.

Mrs. Brooks included the Final Order with Findings of Fact and Conclusions of Law from the Administrative Law Judge on Complaint No. AB-06-65 and Complaint No. AB-07-23 (Everett Brooks).

Mrs. Brooks included the Final Order with Findings of Fact and Conclusions of Law from the Administrative Law Judge on Complaint No. AB-07-30 and Complaint No. AB-07-86 (Veronica Underwood).

Mrs. Brooks included a Summons and Complaint for AB-07-108 (James F. Fitch, III) from the May 2008 hearing.

At 10:10 a.m. on motion by Mrs. Pruit and second by Mr. Lambert, the Board voted to enter Executive Session to discuss good name and character. Those in favor were Mr. Jon B. Blissitte, Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood and Mr. Chris Pettey. Motion carried by unanimous vote.

At 10:25 a.m. on motion by Mrs. Pruit and second by Mr. Lundy, the Board voted to re-enter regular session. Those in favor were Mr. Jon B. Blissitte, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mr. Chester Mallory, Mrs. Dot Wood and Mr. Chris Pettey. Motion carried by unanimous vote.

On motion by Mrs. Pruit and second by Mr. Lundy, the Board voted to deny Mr. Heatherly's application for Mentor status at this time, and suggested that he re-apply in 6 months. Those in favor were Mr. Jon B. Blissitte, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mr. Chester Mallory, Mrs. Dot Wood and Mr. Chris Pettey. Motion carried by unanimous vote.

On motion by Mrs. Pruit and second by Mrs. Tisher, the Board voted to accept the Findings of Fact and Conclusions of Law of the Administrative Law Judge on Complaint No. AB-06-65 and Complaint No. AB-07-23 (Everett Brooks) and to issue a Public Reprimand to Mr. Brooks and fine him \$1,000.00. Those in favor were Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood and Mr. Chris Pettey. Mr. Chester Mallory and Mr. Jon B. Blissitte recused. Motion carried.

On motion by Mrs. Pruit and second by Mr. Lambert, the Board voted to accept the Findings of Fact and Conclusions of Law of the Administrative Law Judge on Complaint No. AB-07-30 and Complaint No. AB-07-86 (Veronica Underwood) and to issue a Private Reprimand, impose a \$1,200 fine and require that the licensee complete 20 hours of appraiser education relating to the sales comparison or the market analysis

approach. Those in favor were Mr. Jon B. Blissitte, Mr. Joseph Lundy, Mrs. Myra Pruitt, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mr. Chester Mallory, Mrs. Dot Wood and Mr. Chris Pettey. Motion carried by unanimous vote.

On motion by Mr. Lambert and second by Mrs. Pruitt, the Board voted to enter a default and issue a final order on Complaint No. AB-07-108 (James F. Fitch, III) revoking Mr. Fitch's license. Those in favor were Mr. Jon B. Blissitte, Mr. Joseph Lundy, Mrs. Myra Pruitt, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mr. Chester Mallory, Mrs. Dot Wood and Mr. Chris Pettey. Motion carried by unanimous vote.

- 4.0 Ms. Conway included the final adoption on 780-X-6-.02, Qualifying Experience - State Registered Real Property Appraiser, 780-X-6-.03, Qualifying Experience - Licensed Real Property Appraiser, 780-X-6-.04, Qualifying Experience – Certified Residential Real Property Appraiser, and 780-X-6-.05, Qualifying Experience – Certified General Real Property Appraiser. On motion by Mr. Lambert and second by Mrs. Pruitt, the Board voted to adopt the changes to the Administrative code and instructed Ms. Conway to file the necessary paperwork with Legislative Reference Services. The motion carried by unanimous vote.
- 5.0 On motion by Mrs. Wood and second by Mrs. Pruitt the following applications were voted on as listed. Motion carried by unanimous vote.
- 5.1 **Trainee Real Property Appraiser application approved:** Russell D. Bagwell, Emily H. Bryars, Jeremy H. Clute, Rebecca B. Hicks, Patrick C. Kennamer, Alan C. Little, George A. Pennington, Jr., David K. Pugh, Hannah L. Redick, Christopher C. Sumners, and Jonathan F. Williams. **Applications deferred:** None. **Applications denied:** None.
- 5.2 **State Registered Real Property Appraiser applications approved:** Joseph B. Hughes and Terry Little. **Application deferred:** Dustin H. Phillips. **Applications denied:** Susan Hamilton and Barry Kornegay.
- 5.3 **Licensed Real Property Appraiser applications approved:** Scott Ferguson, Howard A. Grigsby and William J. Shaver. **Applications denied:** Allen Fucci and Billy Gene Simmons. **Applications denied:** None.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** Sherry Langford (Recip.)(GA), Kenneth S. Newton (Recip.)(TN), James H. Owens (Recip.)(GA), and Michael J. Parker (Recip.)(GA). **Application deferred:** Matthew Clark. **Application denied:** Theresa Matteson.
- 5.5 **Certified General Real Property Appraiser application approved:** Travis Avant (Recip.)(SC), Louis E. Clark (Recip.)(GA), Steven M. Crawford (Recip.)(GA), Hugh B. Hicks (Recip.)(GA), Samuel P. McEnery (Recip.)(LA), Ashley T. Miller (Recip.)(NC), Eric P. Moskau (Recip.)(LA), Teddy Wayne Reynolds (Recip.)(AR), and Allison M. Wilson (Recip.)(TX). **Applications deferred:** Mark Palmer and Rusty Rich.

- 5.6 **Mentor applications approved:** Carol J. Bannister and Michael Rafe Massengale. **Applications deferred:** Harvey Dinkins, James Grimmatt and Cleabron Pullum. **Applications denied:** None.
- 6.0 Mrs. Pruit discussed the September 2008 financial report, which is the 13<sup>th</sup> accounting period of 2008, with the Board. Mrs. Pruit explained that any unused money goes back into the 606 fund. Mrs. Pruit also discussed the financial report for October 2008, which is the 1<sup>st</sup> accounting period of the new fiscal year, with the Board, and stated that the Board was 8% into FY 09 and 9% into budget expenditures. Mrs. Pruit stated that there were no negative trends that could not be reconciled at this time. On motion by Mr. Lundy and second by Mr. Mallory, the Board voted to approve the Financial Report. Motion carried by unanimous vote.
- 6.1 On motion by Mrs. Pruit and second by Mr. Lundy, the following education courses and instructor recommendations were approved, deferred, or denied as indicated.

#### **AL MANUFACTURED HOUSING ASSOCIATION**

##### **Initial Application:**

- (CE) REAL Property Manufactured Housing Course – 21 Hours – Traditional Classroom  
(Instructor: Steve Morgan)  
**Both Course and Instructor Approved**

#### **APPRAISAL INSTITUTE – CHICAGO CHAPTER**

##### **Initial Applications:**

- (CE) Appraising Distressed Commercial Real Estate - 7 Hours – Traditional Classroom  
(Instructor: William T. Anglyn)  
**Both Course and Instructor Approved**
- (CE) Condemnation Appraising: Principles & Applications – 22 Hours - Traditional Classroom  
(Instructors: Roscoe Shiplett & Stephen Matonis)  
**Both Course and Instructors Approved**
- (CE) General Appraiser Market Analysis & Highest & Best Use – 30 Hours - Traditional Classroom  
(Instructors: David Lennhoff & Richard Parli)  
**Both Course and Instructors Approved**
- (CE) Online Rates & Ratios: Making Sense of GIMS, OAR's & DCF – 7 Hours – Online

(Instructor: Kenneth Lusht)  
**Both Course and Instructor Approved**

(CE) Online Subdivision Valuation – 7 Hours - Online  
(Instructor: Don Emerson)  
**Both Course and Instructor Approved**

(CE) Online Supervising Appraisal Trainees – 4 Hours - Online  
(Instructor: Sandra K. Adomatis)  
**Both Course and Instructor Approved**

(CE) Valuation of Green Residential Properties – 7 Hours – Traditional Classroom  
(Instructor: Alan Simmons)  
**Both Course and Instructor Approved**

### **CONCENTRANCE CONSULTING on behalf of Dept. of HUD/FHA**

#### **Initial Application:**

(CE) FHA Basics for Appraisers – 4 Hours – Online  
(Instructors: Jan Marquardt, George Hibbert, Linda Middleton & Malcolm Jefferson)  
**Both Course and Instructor Deferred**

### **DYNASTY INSTITUTE, INC.**

#### **Initial Applications:**

(CE) 2008/09 National USPAP Update Equivalent Course - 7 Hours – Online  
(Instructor: Robert Abelson)  
**Both Course and Instructor Approved**

(CE) 2008/09 National USPAP Equivalent Course - 15 Hours – Online  
(Instructor: Robert Abelson)  
**Both Course and Instructor Approved**

### **INTERNATIONAL RIGHT OF WAY ASSOCIATION**

#### **Initial Applications:**

(CE) 201 – Communications in Real Estate Acquisition - 24 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

- (CE) University of Alabama Annual ROW Conference - 8 Hours – Traditional Classroom – July 2009  
**Course Approved**
- (CE) University of Alabama Annual ROW Conference - 8 Hours – Traditional Classroom – March 2010  
**Course Approved**
- (CE) IRWA Chapter 24 Annual Conference - 8 Hours – Traditional Classroom  
**Course Approved**
- (CE) Annual IRWA International Conference - 24 Hours – Traditional Classroom  
**Course Approved**
- (CE) 401 – The Appraisal of Partial Acquisition - 40 Hours – Traditional Classroom  
(Instructor: Edmond Eslava)  
**Both Course and Instructor Approved**
- (CE) 200 – Principles of Real Estate Negotiation - 16 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**
- (CE) 900 – Principles of Real Estate Engineering - 16 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**
- (CE) 803 – Eminent Domain Law Basics - 16 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**
- (CE) 400 – Principles of Real Estate Appraisal - 16 Hours – Traditional Classroom  
(Instructor: Edmond Eslava)  
**Both Course and Instructor Approved**
- (CE) 100 – Principles of Land Acquisition - 32 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**
- (CE) 403 – Easement Valuation - 8 Hours – Traditional Classroom  
(Instructor: Edmond Eslava)  
**Both Course and Instructor Approved**
- (CE) 213 – Conflict Management - 8 Hours – Traditional Classroom

(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

(CE) 104 – Standards of Practice for the ROW Professional - 8 Hours –  
Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

(CE) 103 – Ethics and the Right of Way Profession - 8 Hours –  
Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

(CE) 406B – USPAP 7 hour - 7 Hours – Traditional Classroom  
**Course Approved**

(CE) 902 – Property Descriptions - 8 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

(CE) 205 – Bargaining Negotiations - 16 Hours – Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

(CE) 209 –Negotiating Effectively with a Diverse Clientele - 16 Hours –  
Traditional Classroom  
(Instructor: Ted Williams)  
**Both Course and Instructor Approved**

### **JUST VALUATION INC. (JVI)**

#### **Initial Applications:**

(CE) Introduction to HUD REO Appraisals - 12 Hours – Online  
(Instructor: Robert McKenna)  
**Both Course and Instructor Approved**

(CE) JVI Appraising Residential REO Properties - 6 Hours – Online  
(Instructor: Robert McKenna)  
**Both Course and Instructor Approved**

Motion carried by unanimous vote.

6.2 The Board reviewed the following disciplinary reports.

**AB-05-65** On September 18, 2008 the Board approved a Consent Settlement order signed by Silas Williams, Certified Residential #R00282 for violations in a residential appraisal. The Licensee agreed that his license will be suspended for 1 year, six months will be stayed. The

active suspension will begin on February 1, 2009 through July 31, 2009. Williams will be on probation through October 2009 and is required to submit logs of all appraisals on a monthly basis. Licensee must complete 30 hours of appraisal education and pass the course examination prior to February 1, 2009. The violations in the report were: Licensee communicated a non-credible appraisal report by his failure to report a manufactured home on the subject, to make adjustment for exercise house in sales comparison analysis, to include the cost of the exercise house in the cost approach, by reporting that the subject was in a developing phase of a subdivision when it was not, and by using incorrect pictures in the comparables photo addendum. Licensee used superior sales from Baldwin County waterfront when subject is located in rural Washington County, failed to adequately reconcile the cost approach(indicated cost approach value 30% less EMV), and used incorrect pictures in the comparable photo addendum. Licensee failed to develop and report the Scope of Work; Licensee failed to include the cost of the exercise house in the cost approach. Licensee failed to consider functional depreciation for the subject when it was overbuilt for area and to consider external depreciation for the rural setting with smaller inferior homes (street appeal of area inferior). Licensee failed to adequately reconcile the indicated value of cost approach with the estimated value. Licensee failed to include the certification required by the Appraiser Act. **Violations: Ethics Rule-Conduct Section, 1-1(a), 1-1(b), 2-1(a), 2-2(b)(iii), 1-1(c), 2-1(a), 1-2(f), 2-2(b)(vii), 1-4(a), 1-4(b)(2), 1-4(b)(iii), 1-6(a), 1-6(b), USPAP, 2005 Ed., §34-27A-3(b)(2), Code of Alabama, 1975.**

**AB 05-150** On September 18, 2008 the Board issued a private reprimand to a Certified Residential Appraiser. Licensee signed a consent settlement order and agreed to pay a \$900 fine and complete a 15-hour USPAP course with exam. Violations are: A copy of the appraisal report and the work file were requested in writing from Licensee on October 19, 2005 and again on July 5, 2006. A request was made via telephone on March 8, 2007. Licensee provided a copy of the appraisal report on April 25, 2007. A copy of the work file was received on September 7, 2007 after completion of the investigation. Licensee did not report that the listing for subject in the local MLS service said that subject contained 12.0 acres, the residence and a rental duplex containing 1,728 square feet with monthly rental of \$1,150. Licensee appraised 5 acres and the residence without disclosing that it was a segment of a larger property makes this a misleading appraisal report. Licensee did not adequately identify the characteristics of the property that are relevant to the purpose and intended use of the appraisal, including the location and physical and legal attributes of the subject property. There was no legal description or survey map included in the appraisal that adequately shows the subject property. The subject is a physical segment of a larger property and only an address and tax parcel ID were used to identify the property and these refer to a property that consists of 12 acres, a single family residence and a rental duplex. The licensee's analysis of comparable sales utilized unsupported adjustments for differences in square footage, differences in baths, differences in garages and in

fireplaces to the comparable sales The licensee also did not make adjustments to the comparable sales for basement area, reporting that the subject's basement area was of no value. Yet in the Cost Approach he values this area at \$18.23 per square foot new and then applies a depreciation of 25% for a depreciated value of \$13.67 per square foot or a total value of \$10,307. The Licensee only mentions the pending sale and the proposed purchase price, he does not analyze the pending sale. The report does not contain enough pertinent information for a reader to understand the report properly: No legal description or survey of property appraised, Did not disclose that the appraised property was a physical segment, Made misleading statements that adjustments in the sales comparison approach were market extracted, but had no documentation to prove these adjustments, Did not analyze pending sale and sales listing agreement. **Violations: 34-27A-20(a)(15); 34-27A-26b), Code of Alabama, 1975, Ethics Rule, Conduct, 1-2(e)(i), 1-2(e)(v), 1-4(a), 1-5(a), 2-1(b), 2-2(b)(iii), USPAP , 2004 Edition.**

**AB 07-16** On September 18, 2008 the Board issued a private reprimand to a Certified General appraiser for a residential appraisal. Licensee signed a Consent Settlement Order. The violations are: Licensee failed to adequately safeguard his electronic signature which resulted in the communication of a misleading or fraudulent report by an assistant. ***Ethics Rule-Conduct, USPAP, 2005 Ed.***

**AB 07-104** On September 18, 2008 the Board issued a private reprimand to a Trainee appraiser for a residential appraisal. Licensee signed a Consent Settlement Order and agreed to pay an administrative fine of \$800 and complete continuing education in the cost approach. The violations are: Licensee stated the subject was located on a paved street when it was located on a dirt/gravel road. In the Sales Comparison Approach, Licensee failed to analyze Comparable #1 as a 3 bedroom / 3 bath above grade with 1 bedroom/1 bath in the basement. Licensee reported and analyzed 4 bedrooms/4 baths above grade. Licensee reported a partially finished basement but failed to report and analyze that the basement is an apartment. Licensee failed to report and analyze Comparable 1 boat dock. In the Sales Comparison Approach, Licensee failed to analyze Comparable #2 as a 3 bedroom / 2.5 bath above grade with 1 bedroom / 1 bath in the basement. Licensee reported and analyzed 4 bedrooms / 3.5 baths above grade. Licensee also failed to report and analyze the Comparable's 2 fireplaces. In the Sales Comparison Approach, Licensee failed to report and analyze Comparable #3 private pond. In the Sales Comparison Approach, Licensee failed to analyze and adjust for the inferior quality of construction of subject. In the Sales Comparison Approach, Licensee failed to analyze and adjust for the subject inferior market area. Licensee used good quality rating from the cost data service to develop the cost new estimate of the improvements. The improvements more clearly match the Marshall & Swift description of average. Licensee's calculations for accrued depreciation in the Cost Approach are not credible because cost new estimate was developed using the wrong quality of construction rating.

Licensee failed to analyze and calculate external depreciation within the Cost Approach. The area surrounding the Subject was inferior to the comparables. **1-1(a), 1-1(b), 1-1(c), 1-4(a), 1-4(b)(ii), 1-4(b)(iii), 2-1(b), USPAP 2006 Ed.**

**AB 07-105** On September 18, 2008 the Board issued a private reprimand to a Certified Residential appraiser for a residential appraisal. Licensee signed a Consent Settlement Order and agreed to pay an administrative fine of \$800 and complete continuing education in the cost approach. The violations are: Licensee stated the subject was located on a paved street when it was located on a dirt/gravel road. In the Sales Comparison Approach, Licensee failed to analyze Comparable #1 as a 3 bedroom / 3 bath above grade with 1 bedroom/1 bath in the basement. Licensee reported and analyzed 4 bedrooms/4 baths above grade. Licensee reported a partially finished basement but failed to report and analyze that the basement is an apartment. Licensee failed to report and analyze Comparable 1 boat dock. In the Sales Comparison Approach, Licensee failed to analyze Comparable #2 as a 3 bedroom / 2.5 bath above grade with 1 bedroom / 1 bath in the basement. Licensee reported and analyzed 4 bedrooms / 3.5 baths above grade. Licensee also failed to report and analyze the Comparable's 2 fireplaces. In the Sales Comparison Approach, Licensee failed to report and analyze Comparable #3 private pond. In the Sales Comparison Approach, Licensee failed to analyze and adjust for the inferior quality of construction of subject. In the Sales Comparison Approach, Licensee failed to analyze and adjust for the subject inferior market area. Licensee used good quality rating from the cost data service to develop the cost new estimate of the improvements. The improvements more clearly match the Marshall & Swift description of average. Licensee's calculations for accrued depreciation in the Cost Approach are not credible because cost new estimate was developed using the wrong quality of construction rating. Licensee failed to analyze and calculate external depreciation within the Cost Approach. The area surrounding the Subject was inferior to the comparables. **1-1(a), 1-1(b), 1-1(c), 1-4(a), 1-4(b)(ii), 1-4(b)(iii), 2-1(b), USPAP 2006 Ed.**

**AB 08-72; AB 08-74; AB 08-76; AB 08-78; AB 08-80; AB 08-82; AB 08-84; AB 08-86; AB 08-88; AB 08-90; AB 08-92; AB 08-94; AB 08-96; AB 08-98** On September 18, 2008 the Board approved a Consent Settlement Order from Certified Residential appraiser William B. Hankins, R00127. Hankins surrendered his license in lieu of producing the appraisal reports and work files in the above referenced cases.

**AB 08-73; AB 08-75; AB 08-77; AB 08-79; AB 08-81; AB 08-83; AB 08-85; AB 08-87; AB 08-89; AB 08-91; AB 08-93; AB 08-95; AB 08-97; AB 08-99** On September 18, 2008 the Board approved a Consent Settlement Order from Trainee appraiser Alan L. Alford, T00575. Alford surrendered his license in lieu of producing the appraisal reports and work files in the above referenced cases.

**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 08-03** To a Certified General appraiser for a residential appraisal where The detached metal building was reported and analyzed as an attached carport; failed to recognize and analyze comparable #2 as a two-story home; failed to recognize and analyze comparable #3 with a detached 2-car garage. The cost of the carport (detached metal building) was included in the total estimate of cost-new calculations in the cost approach, which should be a site improvement. The physical depreciation is not accurate/credible. Licensee failed to accurately describe the south neighborhood boundary of the subject neighborhood; information within the report was not clear and/or accurate. Photo of comparable #1 in the photo addendum was not the accurate photo of the comparable home located on the property. Licensee failed to provide sufficient information within the report for the lender/client to replicate the cost figures and calculations. **Violation: Standards Rule 1-1(a); 1-1(b); 1-1(c); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); and 2-1(b), USPAP, 2006 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 13 new complaints have been received since the July Board meeting, and that 5 complaints were dismissed, and 37 were settled with a total of 110 open complaints.

6.2.1 The Board reviewed Probable Cause Report **AB-08-26**: With Mr. Lambert recusing, on motion by Mr. Lundy 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 a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-43**: With Mr. Lundy recusing, on motion by Mrs. Wood 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 a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-47**: With Mr. Lambert recusing, on motion by Mr. Lundy 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-08-53**: With Mrs. Wood recusing, on motion by Mrs. Pruitt and second by Mr. Lundy, 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-08-56 companion case to AB-08-57**: With Mr. Pettey recusing, on motion by Mr. Lundy and

second by Mrs. Wood, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-57 companion case to AB-08-56**: With Mr. Pettey recusing, on motion by Mr. Lundy and second by Mrs. Wood, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-68 companion case to AB-08-69**: With Mr. Lambert recusing, on motion by Mr. Lundy and second by Mrs. Pruitt, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-69 companion case to AB-08-68**: With Mr. Lambert recusing, on motion by Mr. Lundy and second by Mrs. Pruitt, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-70**: With Mrs. Wood recusing, on motion by Mrs. Pruitt and second by Mr. Lundy, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does not exist and to dismiss this complaint. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-08-104**: On motion by Mrs. Wood and second by Mrs. Pruitt, the Board voted to accept the Disciplinary Committee's recommendation that Probable Cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

- 6.2.2 Mr. Blissitte discussed the Sunset Committee's request that the Board discontinue accepting anonymous complaints. Ms. Conway explained to the Board that the Administrative Rule states that complaints must be signed, but that the Rule could be changed if the Board voted to do so. After much discussion, on motion by Ms. Wood and second by Mr. Lambert, the Board voted to no longer accept anonymous complaints as of November 20, 2008. Those in favor were Mr. Blissitte, Mrs. Tisher, Mrs. Wood, Mrs. Pruitt, Mr. Mallory, and Mr. Lambert. Those against the motion were Mr. Pettey and Mr. Lundy. Motion carried.

There were no Anonymous Complaints to review at this time.

- 6.2.3 The Board reviewed a Consent Settlement Order on **AB-06-05 and AB-06-06**. On motion by Mr. Lundy and second by Mrs. Pruitt, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-06-26 and AB-07-103**. On motion by Mr. Lambert and second by Mrs. Pruit, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-07-107**. On motion by Mrs. Pruit and second by Mrs. Tisher, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-08-13**. On motion by Mr. Lambert and second by Mrs. Pruit, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-08-14**. On motion by Mr. Lambert and second by Mrs. Pruit, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-08-18**. On motion by Mrs. Pruit and second by Mr. Lambert, the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

6.3 The following reciprocal licenses were issued since last meeting: Travis Avant (G)(SC), Louis E. Clark (G)(GA), Steven M. Crawford (G)(GA), Hugh B. Hicks (G)(GA), Sherry Langford (R)(GA), Samuel P. McEnery (G)(LA), Ashley T. Miller (G)(NC), Eric P. Moskau (G)(LA), Kenneth S. Newton (R)(TN), James H. Owens (R)(GA), Michael J. Parker (R)(GA), Teddy Wayne Reynolds (G)(AR) and Allison M. Wilson (G)(TX).

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

8.0 Mrs. Brooks included, for Board information, a Renewal Report as of November 19, 2008. Mrs. Brooks informed the Board that as of this date, 90% of the Licensees have renewed. Three hundred ninety-nine licensees have renewed by mail and Twelve hundred fifty-five licensees have renewed online to date.

Mrs. Brooks discussed the Florida Mutual Agreement with the Board. Mrs. Brooks informed the Board that Florida is now requiring out-of-state applicants for licensure in Florida to have taken the national examination within the 24 months prior to their application. On motion by Mr. Mallory and second by Mr. Lambert, the Board voted to require Florida applicants for Alabama licensure to have taken the national licensure examination within 24 months prior to the date of application. Motion carried by unanimous vote.

Mrs. Brooks discussed an email from Mr. Wesley Pinyan requesting a review of a sample of his work for feedback.

Mrs. Brooks discussed a letter from Mr. Michael Barrios requesting that the Board reconsider their denial of his application for the upgrade of his license to State Registered Real Property Appraiser. Mrs. Brooks will write Mr. Barrios with instructions for requesting a re-consideration hearing and will request that he submit more recent appraisals to mail to the Board members in advance for their review.

Mrs. Brooks included an email, for Board information, from Mr. Scott Dibiasio regarding Appraisal Management Company Model Legislation that the Appraisal Institute has developed.

Mrs. Brooks included an email, for Board information, from Mr. Joe Batrich regarding starting an Appraisal Management Company.

Mrs. Brooks also included an email, for Board information, from Mr. Batrich, regarding adjustments for time in light of the current real estate market crisis. The Board has no opinion in this matter at this time.

Mrs. Brooks discussed a letter from Mr. Danny Carmichael requesting a renewal extension. Mrs. Brooks explained to the Board that Mr. Carmichael did not submit renewals for either 2008 or 2009 until September 22, 2008 and did not submit the required continuing education with his 2008 renewal. Mr. Carmichael had been advised that he must either submit the continuing education or a request to the Board for a possible extension by September 30, 2008 or his file would be closed. He did not request the extension until October 3, 2008. On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to deny the request. Motion carried by unanimous vote.

Mrs. Brooks discussed a letter from Mr. Kurt Krueger, requesting an exception to the Trainee/Mentor Policy requirement that he work out of his Mentor's office. On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to deny the request. Motion carried by unanimous vote.

Mrs. Brooks discussed an email from Ms. Judith Haney asking the Board to include a statement on its website addressing appraiser confidentiality. The request was denied as there is already a link on the website to USPAP.

Mrs. Brooks included, for Board amusement, 'jailbird' pictures of herself and Mr. Al Agricola from the Muscular Dystrophy Association's "Lock-Up" fundraiser.

Mr. Lambert informed the Board that Mr. Mallory had been elected Alternate Director for Alabama's district and that Ms. Conway is now the President of AARO.

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

10.0 Ms. Debra Coleman and Mr. Otis Stewart spoke to the Board regarding the status of her application to take the Trainee Real Property Appraiser examination. The Board explained to Ms. Coleman the requirements to complete her application.

Mrs. Brooks discussed the tentative schedule for 2009 with the Board. The Board agreed to continue meeting on the 3<sup>rd</sup> Thursday of every other month.

Mrs. Brooks discussed the Disciplinary Committee's schedule for attending its Committee meetings. The Committee members agreed to alternate attendance of the Committee meetings unless the disciplinary caseload is heavy.

11.0 At 12:00 p.m., on motion by Mr. Lundy and second by Mr. Pettey, the Board voted to adjourn. Motion carried by unanimous vote. The Board's tentative meeting schedule for the 2009 will be January 15, 2009, March 19, 2009, May 21, 2009, July 16, 2009, September 17, 2009 and November 19, 2009, 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

CG

**APPROVED:** \_\_\_\_\_  
**Jon B. Blissitte, Chairman**