

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
July 16, 2009

MEMBERS PRESENT:

Mr. Chris Pettey (Vice-Chairman)
Mr. Joseph Lundy
Mrs. Myra Pruitt (departing at 11:05)
Mr. Joseph Lambert (departing at 11:30)
Mrs. Cornelia Tisher
Mrs. Dot Wood
Mr. Chester Mallory
Mr. Kenneth D. Wallis, III

MEMBER ABSENT:

Mr. Fred Crochen (Chairman)

OTHERS PRESENT:

Ms. Neva Conway, Legal Counsel
Mrs. Carolyn Greene, Executive Secretary
Mr. Joe Dixon, Investigator

GUESTS PRESENT:

Ms. Penny Nichols, State Registered Real Property Appraiser, Deatsville, AL
Mr. Doug Capps, Certified General Real Property Appraiser, Satsuma, AL
Mr. Ken Longcrier, AL Department of Transportation, Certified General Real Property Appraiser, Montgomery, AL
Mr. Dennis Greene, Certified General Real Property Appraiser, Columbus, GA
Mr. Michael Schilleci, Trainee Real Property Appraiser, Birmingham, AL
Mrs. Jane Schilleci

1.0 With quorum present Mr. Chris Pettey, Vice-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 November 26, 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.

Ms. Conway conducted the swearing in ceremonies of re-appointed Board member Mrs. Cornelia Tisher.

2.0 Members present were Mr. Chris Pettey, Mr. Joseph Lundy, Mrs. Myra

Pruit, Mr. Joseph Lambert, Ms. Dot Wood, Mrs. Cornelia Tisher, Mr. Chris Pettey, Mr. Kenneth D. Wallis, III, and Mr. Chester Mallory. Member absent was Mr. Fred Crochen.

3.0 On motion by Mr. Lambert and second by Mr. Lundy, the regular minutes for May 21, 2009 were approved as written. Motion carried by unanimous vote.

3.2 Ms. Conway discussed a request from Mr. Chuck Robertson for an extension to complete education required under a Consent Settlement Order. On motion by Mr. Lambert and second by Mrs. Wood, the Board voted to grant Mr. Robertson an extension through September 30, 2009 to complete the required education.

4.0 Ms. Conway discussed with the Board an amendment to the Administrative Code that she is working on for the Education Rules. She will send the amendment to the Legislative Committee before the September Board meeting.

Ms. Conway updated the Board on the progress of the AMC legislation.

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

5.1 **Trainee Real Property Appraiser application approved:** Fredrick J. Acker, Jeffrey C. Blackmon, Patricia C. Crowley, John M. Moore, Jonathan Pharr. **Applications deferred:** None. **Applications denied:** None.

5.2 **State Registered Real Property Appraiser application approved:** Michael G. Barrios, Jr. **Applications deferred:** None. **Applications denied:** None.

5.3 **Licensed Real Property Appraiser applications approved:** Richard S. Smith. **Applications deferred:** None. **Applications denied:** None.

5.4 **Certified Residential Real Property Appraiser application approved:** Daniel C. Martin, R. Benjamin Moore. **Applications deferred:** Geneva Claybrook. **Applications denied:** None.

5.5 **Certified General Real Property Appraiser application approved:** Matthew V. Albigese (Recip.)(GA), Ivan J. Antal, II (Recip.)(TN), D. Terry McAllister (Recip.)(GA), and Joseph L. Torzewski (Recip.)(GA). **Applications deferred:** None. **Applications denied:** None.

5.6 **Mentor applications approved:** Steven G. Burak, Gene Burnett, Jack Fillingham, David Wayne Sumners, Joshua Tanner, and Damon R. Towery. **Applications deferred:** None. **Applications denied:** Fred N. Acker.

6.0 Mrs. Pruit discussed the financial report with the Board. Mrs. Pruit stated

that the Board was 75% into FY 09 and 61% into budget expenditures. Mrs. Pruitt stated that there were no negative trends that could not be reconciled at this time. On motion by Mr. Lambert and second by Mr. Mallory, the Board voted to approve the Financial Report. Motion carried by unanimous vote.

- 6.1 Mr. Lambert and Mrs. Wood discussed receiving credit for attending Association of Appraisal Regulatory Officials (AARO) conferences. On motion by Mr. Wallis and second by Mr. Lambert, the Board voted to approve continuing education credit not to exceed 7 hours and 1 conference per continuing education cycle for AARO attendance with an affidavit. Motion carried by unanimous vote.

A monitor report from Mr. Joe Dixon on the 2008-2009 7 Hour USPAP Update course taught by Mr. Everett Brooks was included for Board information.

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

APPRAISAL INSTITUTE – ALABAMA CHAPTER

Initial Applications:

- (CE) Quality Assurance in Residential Appraisals: Risky Appraisals=Risky Loans - 7 Hours - Traditional Classroom
(Instructor: Mark Smeltzer)
Both Course and Instructor Approved
- (CE) An Introduction to Valuing Green Buildings - 7 Hours - Traditional Classroom
(Instructor: Thomas Dorsey)
Both Course and Instructor Approved
- (CE) Appraising Distressed Commercial Real Estate - 7 Hours - Traditional Classroom
(Instructor: William 'Ted' Anglyn)
Both Course and Instructor Approved

APPRAISAL INSTITUTE – CHICAGO CHAPTER

Initial Applications:

- (CE) Online An Introduction to Valuation of Green Commercial Buildings - 7 Hours – Online
(Instructor: Alan Simmons)
Both Course and Instructor Approved
- (CE) Online Data Verification Methods - 5 Hours – Online

(Instructor: Alan Simmons)

Both Course and Instructors Approved

(CE) The Discounted Cash Flow Model: Concepts, Issues & Applications – 7 Hours - Traditional Classroom

(Instructor: Ken Lusht)

Both Course and Instructor Approved

(CE) Appraising Historic Preservation Easements - 21 Hours – Traditional Classroom

(Instructor: Dan Doepke)

Both Course and Instructor Approved

(CE) Online Advanced Internet Search Strategies - 7 Hours - Online

(Instructor: Jim Amarin)

Both Course and Instructor Approved

AUBURN UNIVERSITY (Center for Government Services)

Initial Application:

(CE) IAAO Course 201 Appraisal of Land – 30 Hours – Traditional Classroom

(Instructor: Tom Fleming)

Both Course and Instructor Approved

THE COLUMBIA INSTITUTE

Initial Applications:

(CE) Fannie Mae Today No 116 – 8 Hours – Traditional Classroom

(Instructors: Amelia Brown & Bryan Reynolds)

Both Course and Instructors Approved

(CE) Identifying Relevant Characteristics, No. 019 – 5 Hours – Traditional Classroom

(Instructors: Amelia Brown & Bryan Reynolds)

Both Course and Instructors Approved

(CE) FHA No 114 – 8 Hours – Traditional Classroom

(Instructors: Amelia Brown & Bryan Reynolds)

Both Course and Instructors Approved

MCKISSOCK, LP

Initial Applications:

(CE) New Fannie Mae Form 1004MC & More – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

- (CE) Fannie Mae Form 1004MC, HVCC & More – 7 Hours – Online
(Instructor: Richard McKissock)

Both Course and Instructor Approved

- (CE) Current Issues in Appraising – 7 Hours – Traditional Classroom
(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

- (CE) Appraising in a Changing Market – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

- (CE) Appraising FHA Today – 7 Hours – Traditional Classroom
(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

- (CE) 2008 - 2009 National USPAP Update Equivalent – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

The motion carried by unanimous vote.

6.2

The Board reviewed the following disciplinary reports.

AB-08-15: On May 21, 2009 the Board issued a private reprimand to a Certified Residential Real Property Appraiser. Licensee signed a Consent Settlement Order and agreed to pay a \$1000 Administrative fine and take a Board approved URAR course. The violations are: Licensee failed to maintain a true copy of a written appraisal report as required by USPAP and the Alabama Real Estate Appraisers Act. In the Sales Comparison Approach, Licensee made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3. Licensee failed to make an adjustment to Comparable #3 Design and omitted the reason for the lack of the adjustment. In the Sales Comparison Approach, Licensee made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3. Licensee failed to provide sufficient information for the intended user of the appraisal report to understand the report properly. Licensee failed to explain the exclusion of the Cost Approach and Income Approach within the appraisal report. Licensee, in the Sales Comparison Approach, made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3. Licensee stated within the legal description, "See deed" but failed to provide a copy of the deed in the appraisal report so that the intended user of the report

could have the legal description of the property being appraised. Licensee provided a sketch in the appraisal report, but failed to include a drawing of the basement area. Licensee also failed to provide the complete dimensions of the improvement with the drawing or provide a scale of measurement for the intended user to verify the GLA/square footage of the home. The Lender/Client copy of the report did not contain a location map of the subject and comparables. Licensee failed to explain the exclusions of the Cost Approach and Income Approach within the appraisal report. Licensee failed to include the required certification for a license/certified appraiser in the appraisal report. **Violations: Ethics Rule-Record Keeping Standards 1-1(a); 1-1(b); 1-1(c);1-4(a); 2-1(b);2-2(b)(viii);USPAP 2006 Edition. §34-27A-3(b)(2), Code of Alabama, 1975.**

AB 08-16; AB 08-56 On May 21, 2009 the Board suspended the license of Charles Robert Jones, III, R01039 for six months. The suspension is stayed and Licensee will be on probation for twelve months or until all fines are paid and education is completed. Licensee signed a Consent Settlement Order and also agreed to complete 60 hours of Board approved basic appraisal principals and procedures courses and pay an administrative fine of \$5000. He will submit logs of all appraisals completed during the probation period to the Board for review. The violations are: **AB 08-16** Licensee failed to provide sufficient information for the intended user to understand the Map Reference stated was from a Jefferson County, Al Carto-Craft Map. Licensee failed to report that there was a homeowner's association fee for the subject property.

Licensee failed to provide sufficient information for the intended user to identify the neighborhood boundaries of the subject neighborhood.

In the Improvement Section of the appraisal report, Licensee states the home was in average condition inside and outside. In the Sales Comparison Approach, Licensee states the home is in good condition. Licensee did not provide sufficient information for the intended user to understand the condition.

Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report. Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee. Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor. Licensee failed to use recognized methods and techniques to develop the Sales Comparison Approach. Licensee failed to state, analyze and/or adjust for some improvements, amenities and

age where the subject and comparables were different. This caused the indicated value to be non-credible.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to use recognized methods and techniques to develop the Cost Approach. Licensee included site improvements within the dwelling cost calculations and failed to include some dwelling costs. These errors rendered the physical depreciation and total estimate of cost new non-credible.

Licensee stated a Carto-Craft map reference that was not accurate.

Licensee failed to identify the neighborhood boundaries within the report.

Licensee stated the home was on public sewer and public sewer was not available.

Licensee stated the home had a wood stove, when the home did not have a wood stove.

Licensee indicated washer/dryer in the appliance section, there was no washer/dryer, there was a microwave.

Licensee used sales from outside of the subject's market in the Sales Comparison Approach. There was a sale across the street from the subject.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee stated an inaccurate Carto-Craft map reference number in the report.

Licensee failed to provide sufficient information in the report for the intended user to understand that the source of the map reference was a Carto-Craft map.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee failed to state the neighborhood boundaries within the report.

Licensee stated the subject had public sewer when sewer is not available.

Licensee stated the subject is 1-story when the report is a 2-story.

Licensee stated the subject has a wood stove, when the subject did not have a wood stove.

Licensee checked washer/dryer in the appliances, when microwave was the box intended to be checked.

In the Improvement Section comments, Licensee stated the subject was in average condition inside and outside. In the Sales Comparison Approach, Licensee stated the home was in good condition. The report does not provide sufficient information for the intended user to understand the condition statements used the report.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to adjust for the difference in actual age of Comparable #1 & #3 or state a reason for the failure to make an adjustment.

Licensee reported an attached 2-car garage in Comparable #3. Licensee failed to report the apartment above the garage or state a reason for the failure to make an adjustment.

Licensee failed to adjust for a stocked fish pond in Comparable #3 or

state a reason for the failure to make an adjustment.
Licensee failed to provide adequate information for the Lender/Client to replicate the cost data and calculations within the Cost Approach.
Licensee failed to accurately develop the Cost Approach within the appraisal report. Licensee overstated the Scope of Work performed by the Mentor/Supervisor appraiser within the appraisal report, resulting in a lack of credibility in the assignment.
Licensee failed to adjust for the actual age difference in Comparable #1 & #3 or state a reason for the failure to make an adjustment.
Licensee reported an attached 2-car garage in Comparable #3, but failed to report the apartment above the garage or state a reason for the failure to make an adjustment.
Licensee failed to adjust for the stocked fishpond in Comparable #3 or state a reason for the failure to make an adjustment.
In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject. In developing the Sales Comparison Approach, Licensee failed to report and analyze the comparable sale within the immediate market.
Licensee included site improvements in the dwelling cost calculations and arrive at a total estimate of cost new that was not credible.
Licensee omitted some of the dwelling cost components from the estimate of cost new. Licensee failed to accurately analyze the accrued depreciation (physical depreciation) by including site improvement cost in the dwelling cost new calculations and omitted other dwelling cost calculations in the Cost Approach.
Licensee stated the subject property was on public sewer. The subject area is not served by a sewer system.
Licensee stated the Homeowner's Association fee is N/A for subject and there is a Homeowner's Association fee.
Licensee reported the subject has a wood stove, when the home did not have a wood stove. Licensee reported the subject has a washer/dryer in appliance section, when microwave was the intended box to be checked.
Licensee indicated the Mentor inspected the interior & exterior of the subject and exterior of the comparables when these tasks were not performed. **Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(vii); 2-2(b)(viii), USPAP, 2006 Ed.**

AB 08-56 Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report.

Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee.

Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor.

Licensee failed to use the recognized and stated method and technique to develop the GLA and square footage of the home on the subject property. The non-credible GLA and non-credible square footage was then used to develop the cost approach and sales comparison approach. Due to the non-credible data and errors, the indicated value by the cost approach and the adjusted sales price of the comparable in the sales comparison approach were non-credible.

Licensee stated and analyzed, in the sales comparison approach, the above grade room count of the gross living area as 4 bedrooms/3 baths. According to the sketch in the appraisal report, the home was 3 bedrooms/2 baths above grade with an additional bedroom and bath in the finished basement area.

In the Sales Comparison Approach, Licensee stated and analyzed the total of the square footage of the finished basement area and the above grade area as gross living area (GLA).

Licensee did not state and analyze, the unfinished square footage of the basement.

Licensee failed to state and analyze an in-ground pool for Comparable #2 or state a reason for the lack thereof.

Licensee, in developing the Cost Approach, used a GLA (dwelling square footage) that was not credible due to being the total of the above grade square footage and the finished basement square footage.

Licensee, in developing the Cost Approach failed to develop the cost-new of the unfinished or finished basement of the subject home.

Licensee failed to develop the cost-new of the appliances and fireplace within the Cost Approach.

Licensee failed to use a credible square footage to develop the cost-new of the garage in the Cost Approach.

Due to the errors in the estimate of cost-new, Licensee did not analyze a credible accrued depreciation resulting in a non-credible indicated value in the Cost Approach.

Licensee calculated the GLA for the subject as a two (2) story, when the subject was a split foyer with partial finished basement.

Licensee failed to use credible measurements to sketch and calculate the GLA and square footage of the home on the subject property.

Licensee developed the Sales Comparison Approach and Cost Approach with square footage that was not credible.

Licensee failed to develop a credible Sales Comparison Approach.

Licensee failed to develop a credible Cost Approach.

Licensee prepared, developed and communicated an appraisal report that was reconciled from non-credible data resulting in an opinion of market value that was also non-credible.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee stated and analyzed an incorrect date of sale of Comparable #1. Licensee failed to state and adjust Comparable #2 pool or state a reason for the lack thereof.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to using a GLA (dwelling square footage) that was not credible.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to a failure to estimate the cost-new of the basement area.

Licensee failed to estimate the cost new of the appliances and fireplace, as stated in the improvement section of the appraisal report.

Licensee failed to develop the cost-new of the garage area with a credible square footage.

Licensee failed to analyze an accurate accrued physical depreciation, due to the total estimate of cost-new was developed with data that was not credible.

Licensee provided a Sketch Addendum with a sketch that was not accurate, square footage and area calculations that were not credible. The sketch was misleading and the non-credible calculations were used to develop the appraisal, which resulted in a non-credible misleading appraisal report.

Licensee stated ANSI Standard was used to measure the subject property, when ANSI Standard was not used in the measurement and calculations of the Subject property.

Licensee stated the opinion of site value was from an estimate of sales of similar sites, improved or unimproved in the Subject's market area. The site value was taken from the courthouse records (tax assessment land value).

Licensee indicated a sump pump, when the intent was to indicate an outside entry/exit in the appraisal report.

Licensee indicated brick & vinyl siding, when the exterior of the home was brick and wood.

Licensee indicated 4 bedrooms/3 baths above grade, when the home had 3 bedrooms/2 baths above grade and a bedroom & bath in the finished basement area.

Due to a typo in Comparable #1, Licensee indicated a date of sale that was not accurate. (9/21/06 for 7/21/06)

Licensee stated no previous transfer of the comparable properties for the prior year to the date of sale. Licensee failed to report Comparable #1 had transferred within this time period.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the estimated market rent and gross rent multiplier was utilized in the Income Approach, when the Income Approach was not developed.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject has not been offered for sale in the past 30 days when the subject was under contract at the time of the appraisal.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject was not currently under contract, when the Subject was under contract at

the time of the appraisal.

Licensee indicated the Mentor/Supervisor Appraiser inspected the interior and exterior of the Subject and exterior of the comparables, which was not accurate and misleading as to the task the Mentor/Supervisor Appraiser performed.

Licensee's USPAP Compliance Addendum pages are labeled **2005** USPAP Compliance Addendum, when 2006 USPAP was the current edition at the time of the appraisal.

Licensee failed to include the statutory certification accurately within the appraisal report. Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the source of the Map Reference in the Subject section of the appraisal report.

Licensee failed to provide sufficient information within the appraisal report for the intended user to identify the neighborhood boundaries of the Subject property.

Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the GLA for Comparable #1 came from an additional source than stated in the report.

Licensee failed to provide sufficient information for the lender/client to replicate the cost figures and calculations in the Cost Approach.

Licensee represented in the appraisal report the inspection of the interior and exterior of the subject and exterior of the comparables. Licensee overstated the scope of work performed within the appraisal assignment for the Mentor/Supervisor. The Mentor/Supervisor Appraiser did not inspect.

Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(vii); 2-2(b)(viii), USPAP, 2006 Ed., §34-27A-3(b)(2), Appraisers Act.

AB 08-17; AB 08-57 On May 21, 2009 the Board suspended the license of Roger M. Pugh, G00162 for six months. The suspension is stayed and Licensee will be on probation for twelve months or until all fines are paid and education is completed. Licensee signed a Consent Settlement Order and also agreed to complete 60 hours of Board approved basic appraisal principals and procedures courses and pay an administrative fine of \$5000. He will submit logs of all appraisals completed during the probation period to the Board for review. Licensee will not undertake supervision of a Trainee appraiser without obtaining prior approval by the Board. The violations are: **AB 08-17** Licensee failed to provide sufficient information for the intended user to understand the Map Reference stated was from a Jefferson County, Al Carto-Craft Map. Licensee failed to report that there was a homeowner's association fee for the subject property.

Licensee failed to provide sufficient information for the intended user to identify the neighborhood boundaries of the subject neighborhood.

In the Improvement Section of the appraisal report, Licensee states the home was in average condition inside and outside. In the Sales Comparison Approach, Licensee states the home is in good condition. Licensee did not provide sufficient information for the intended user to

understand the condition.

Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report. Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee. Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor. Licensee failed to use recognized methods and techniques to develop the Sales Comparison Approach. Licensee failed to state, analyze and/or adjust for some improvements, amenities and age where the subject and comparables were different. This caused the indicated value to be non-credible.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to use recognized methods and techniques to develop the Cost Approach. Licensee included site improvements within the dwelling cost calculations and failed to include some dwelling costs. These errors rendered the physical depreciation and total estimate of cost new non-credible.

Licensee stated a Carto-Craft map reference that was not accurate.

Licensee failed to identify the neighborhood boundaries within the report.

Licensee stated the home was on public sewer and public sewer was not available.

Licensee stated the home had a wood stove, when the home did not have a wood stove.

Licensee indicated washer/dryer in the appliance section, there was no washer/dryer, there was a microwave.

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Licensee failed to accurately develop the Cost Approach within the appraisal report. Licensee overstated the Scope of Work performed by the Mentor/Supervisor appraiser within the appraisal report, resulting in a lack of credibility in the assignment.
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appliance section, when microwave was the intended box to be checked. Licensee indicated the Mentor inspected the interior & exterior of the subject and exterior of the comparables when these tasks were not performed. **Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(vii); 2-2(b)(viii), USPAP, 2006 Ed.**

AB 08-57 Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report.

Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee.

Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor.

Licensee failed to use the recognized and stated method and technique to develop the GLA and square footage of the home on the subject property. The non-credible GLA and non-credible square footage was then used to develop the cost approach and sales comparison approach. Due to the non-credible data and errors, the indicated value by the cost approach and the adjusted sales price of the comparable in the sales comparison approach were non-credible.

Licensee stated and analyzed, in the sales comparison approach, the above grade room count of the gross living area as 4 bedrooms/3 baths. According to the sketch in the appraisal report, the home was 3 bedrooms/2 baths above grade with an additional bedroom and bath in the finished basement area.

In the Sales Comparison Approach, Licensee stated and analyzed the total of the square footage of the finished basement area and the above grade area as gross living area (GLA).

Licensee did not state and analyze, the unfinished square footage of the basement.

Licensee failed to state and analyze an in-ground pool for Comparable #2 or state a reason for the lack thereof.

Licensee, in developing the Cost Approach, used a GLA (dwelling square footage) that was not credible due to being the total of the above grade square footage and the finished basement square footage.

Licensee, in developing the Cost Approach failed to develop the cost-new of the unfinished or finished basement of the subject home.

Licensee failed to develop the cost-new of the appliances and fireplace within the Cost Approach.

Licensee failed to use a credible square footage to develop the cost-new of the garage in the Cost Approach.

Due to the errors in the estimate of cost-new, Licensee did not analyze a credible accrued depreciation resulting in a non-credible indicated value in the Cost Approach.

Licensee calculated the GLA for the subject as a two (2) story, when the subject was a split foyer with partial finished basement.

Licensee failed to use credible measurements to sketch and calculate the GLA and square footage of the home on the subject property.

Licensee developed the Sales Comparison Approach and Cost Approach with square footage that was not credible.

Licensee failed to develop a credible Sales Comparison Approach.

Licensee failed to develop a credible Cost Approach.

Licensee prepared, developed and communicated an appraisal report that was reconciled from non-credible data resulting in an opinion of market value that was also non-credible.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee stated and analyzed an incorrect date of sale of Comparable #1.

Licensee failed to state and adjust Comparable #2 pool or state a reason for the lack thereof.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to using a GLA (dwelling square footage) that was not credible.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to a failure to estimate the cost-new of the basement area.

Licensee failed to estimate the cost new of the appliances and fireplace, as stated in the improvement section of the appraisal report.

Licensee failed to develop the cost-new of the garage area with a credible square footage.

Licensee failed to analyze an accurate accrued physical depreciation, due to the total estimate of cost-new was developed with data that was not credible.

Licensee provided a Sketch Addendum with a sketch that was not accurate, square footage and area calculations that were not credible. The sketch was misleading and the non-credible calculations were used to develop the appraisal, which resulted in a non-credible misleading appraisal report.

Licensee stated ANSI Standard was used to measure the subject property, when ANSI Standard was not used in the measurement and calculations of the Subject property.

Licensee stated the opinion of site value was from an estimate of sales of similar sites, improved or unimproved in the Subject's market area. The site value was taken from the courthouse records (tax assessment land value).

Licensee indicated a sump pump, when the intent was to indicate an

outside entry/exit in the appraisal report.

Licensee indicated brick & vinyl siding, when the exterior of the home was brick and wood.

Licensee indicated 4 bedrooms/3 baths above grade, when the home had 3 bedrooms/2 baths above grade and a bedroom & bath in the finished basement area.

Due to a typo in Comparable #1, Licensee indicated a date of sale that was not accurate. (9/21/06 for 7/21/06)

Licensee stated no previous transfer of the comparable properties for the prior year to the date of sale. Licensee failed to report Comparable #1 had transferred within this time period.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the estimated market rent and gross rent multiplier was utilized in the Income Approach, when the Income Approach was not developed.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject has not been offered for sale in the past 30 days when the subject was under contract at the time of the appraisal.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject was not currently under contract, when the Subject was under contract at the time of the appraisal.

Licensee indicated the Mentor/Supervisor Appraiser inspected the interior and exterior of the Subject and exterior of the comparables, which was not accurate and misleading as to the task the Mentor/Supervisor Appraiser performed.

Licensee's USPAP Compliance Addendum pages are labeled **2005** USPAP Compliance Addendum, when 2006 USPAP was the current edition at the time of the appraisal.

Licensee failed to include the statutory certification accurately within the appraisal report. Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the source of the Map Reference in the Subject section of the appraisal report.

Licensee failed to provide sufficient information within the appraisal report for the intended user to identify the neighborhood boundaries of the Subject property.

Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the GLA for Comparable #1 came from an additional source than stated in the report.

Licensee failed to provide sufficient information for the lender/client to replicate the cost figures and calculations in the Cost Approach.

Licensee represented in the appraisal report the inspection of the interior and exterior of the subject and exterior of the comparables. Licensee overstated the scope of work performed within the appraisal assignment for the Mentor/Supervisor. The Mentor/Supervisor Appraiser did not inspect.

Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(vii); 2-2(b)(viii), USPAP, 2006 Ed., §34-27A-3(b)(2), Appraisers Act.

AB 08-128 On May 21, 2008, the Board publicly reprimanded Sean Garrison, L00125. Licensee signed a Consent Settlement Order and agreed to pay a \$500 administrative fine. Licensee appraised real property in October, 2008 without first renewing his appraiser License. **Violation: Violation: Rule 780-X-14-.10(a) of the Alabama Real Estate Appraisers Board Administrative Code, Dec. 2007 Ed.; §§ 34-27A-3(a)(1) and 34-27A-20(9), Code of Alabama 1975.**

AB 08-132; AB 08-133; AB 08-134; AB 08-135; AB 08-136 On May 21, 2009, the Board approved the Voluntary Surrender of License from Martha Garrett, Certified Residential Appraiser R00642. Licensee chose to surrender her license in lieu of the Board conducting an investigation of the complaints in the referenced cases. Licensee is eligible to apply for a reinstatement of the license after a period of two years.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board 20 new complaints have been received since the May 2009 Board meeting, that 2 complaints were dismissed, 13 were settled with a total of 169 open complaints.

6.2.1

The Board reviewed Probable Cause Report **AB-08-156**: On motion by Mr. Lundy 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-08-158**: On motion by Mr. Lundy 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-08-162**: On motion by Mr. Lundy 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-08-163**: On motion by Mr. Lundy 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-08-164**: On motion by Mr. Lundy 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-08-165**: On motion by Mr. Lundy 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-08-166**: On motion by

Mr. Lundy 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-09-07 companion case to AB-09-08**: On motion by Mr. Lundy 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-09-08 companion case to AB-09-07**: On motion by Mr. Lundy 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-09-09 companion case to AB-09-10**: On motion by Mr. Lundy 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-09-10 companion case to AB-09-09**: On motion by Mr. Lundy 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-09-11 companion case to AB-09-12**: On motion by Mr. Lundy 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-09-12 companion case to AB-09-11**: On motion by Mr. Lundy 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-09-15 companion case to AB-09-16**: On motion by Mr. Lundy 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-09-16 companion case to AB-09-15**: On motion by Mr. Lundy 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-09-17 companion case to AB-09-18**: 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 not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-09-18 companion case to AB-09-17**: 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 not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-09-24**: With Mrs. Wood and Mr. Pettey recusing, on motion by Mr. Lundy 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.

The Board reviewed Probable Cause Report **AB-09-27**: On motion by Mr. Lundy 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-09-28**: On motion by Mr. Lundy 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-09-29**: On motion by Mr. Lundy 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-09-30**: On motion by Mr. Lundy 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-09-31**: On motion by Mr. Lundy 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-09-34**: On motion by Mr. Lundy 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 Request for Board Initiated Complaint **AB-09-26**: On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to

open a Board initiated complaint, that Probable Cause does exist and to set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint **AB-09-63**: On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint **AB-09-64**: On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint **AB-09-65**: On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to open a formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint **AB-09-66**: On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to open a formal investigation. Motion carried by unanimous vote.

Mr. Lundy discussed his concerns with inconsistencies in administrative fines with regard to USPAP violations and requested that the Disciplinary Committee review the procedure for determining fine amounts. The Disciplinary Committee will discuss setting minimum fines for USPAP violations.

6.2.2 The Board reviewed a Consent Settlement Order on **AB-08-48**. With Mr. Lambert and Mr. Pettey recusing, on motion by Mr. Lundy 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-08-49**. With Mr. Lambert and Mr. Lundy recusing, on motion by Mrs. Wood 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-08-59, AB-08-60, AB-08-61 and AB-08-62**. With Mrs. Wood and Mr. Lundy recusing, on motion by Mr. Mallory 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-08-106**. With Mr. Pettey recusing, on motion by Mr. Lundy and second by Mrs. Wood, 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-08-137, AB-08-139, AB-08-141, and AB-08-144**. With Mr. Lambert and Mr. Lundy recusing, on motion by Mrs. Wood 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-08-138, AB-08-140, AB-08-142, AB-04-143 and AB-08-145**. With Mr. Lambert and Mr. Lundy recusing, on motion by Mrs. Wood 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 Voluntary Revocation Consent on **AB-08-04, AB-08-05, AB-08-06, AB-08-07, AB-08-08, AB-08-09, AB-08-146 and AB-08-148**. On motion by Mr. Lundy and second by Mrs. Tisher, the Board voted to approve this Voluntary Revocation Consent as presented. Motion carried by unanimous vote.

The Board reviewed a Consent Settlement Order on **AB-07-61, AB-07-62, AB-07-63, AB-07-64, AB-07-65, AB-07-66, AB-07-67, AB-07-68, AB-07-69, AB-07-70, AB-07-71, AB-07-72, AB-07-73, AB-07-74, AB-07-75, AB-07-76, AB-07-77, AB-07-78, AB-07-79, AB-07-80, AB-07-81, AB-07-82, AB-07-83, AB-07-84, AB-07-85, AB-08-20, AB-08-21, AB-08-22, AB-08-23, AB-08-24, AB-08-25, AB-08-147 and AB-08-148**. On motion by Mr. Lundy and second by Mrs. Wood, the Board voted to approve this Consent Settlement Order as presented. Those in favor were Mr. Lundy, Mrs. Wood, Mrs. Tisher, Mrs. Pruit, Mr. Mallory, Mr. Lambert and Mr. Pettey. Mr. Wallis was against the motion. Motion carried.

The Board reviewed a Voluntary Surrender of License on **AB-08-150, AB-08-151, AB-08-152 and AB-08-153, AB-09-47, AB-09-48, AB-09-49, AB-09-50, AB-09-52, AB-09-53, AB-09-54, AB-09-55, AB-09-56 and AB-09-57**. On motion by Mr. Lundy and second by Mrs. Tisher, the Board voted to approve this Voluntary Surrender of License as presented. Motion carried by unanimous vote.

On motion by Mr. Lundy and second by Mrs. Wood, the Board voted to set the minimum fine for each USPAP violation to \$150. Those in favor were Mr. Lundy, Mrs. Wood, Mrs. Tisher, Mrs. Pruit, Mr. Wallis, Mr. Lambert and Mr. Pettey. Mr. Mallory was against the motion. Motion carried.

6.3 The following reciprocal licenses were issued since last meeting: Matthew V. Albigese (G)(GA), Ivan J. Antal, II (G)(TN), D. Terry McCollister (G)(GA) and Joseph L. Torzewski (G)(GA).

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

8.0 Mrs. Greene informed the Board that, due to the Finance Director's freeze on merit raises, the Board's request for an annual increase for Mrs. Brooks cannot be processed. **LB**

Mrs. Greene updated the Board on the progress of the database upgrade.

Mrs. Wood discussed her concerns about Certified Residential and Certified General Real Property Appraisers becoming approved Mentors immediately after upgrading their licenses with no experience in a higher classification. The Board will take Mrs. Wood's concerns into consideration.

Mrs. Greene discussed an email from Mr. Joey Vegliacich requesting an experience credit determination on an appraisal of a billboard. This request was deferred for review by Mr. Pettey and Mr. Lundy.

Mrs. Greene discussed a letter from Mr. Steve Wright regarding his concerns about the Trainee/Mentor Policy and Orientation. The Education Committee will take Mr. Wright's concerns into consideration.

RE-CONSIDERATION HEARINGS

At 09:30 a.m., Mr. Pettey convened the re-consideration hearing for Mrs. Patricia Cummings on her application for a Certified Residential Reciprocal license.

At 09:45 a.m. on motion by Mr. Lundy and second by Mr. Lambert, the Board voted to enter Executive Session to deliberate. Those in favor were Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood, Mr. Ken Wallis and Mr. Chris Pettey. Motion carried by unanimous vote.

At 09:50 a.m. on motion by Mr. Lundy and second by Mr. Lambert, the Board voted to re-enter regular session. Those in favor were Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood, Mr. Ken Wallis and Mr. Chris Pettey. Motion carried by unanimous vote.

On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to approve Mrs. Cummings' application for a Certified Residential Reciprocal license. Those in favor were Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood, Mr. Ken Wallis and Mr. Chris Pettey. Motion carried by unanimous vote.

At 10:00 a.m., Mr. Pettey convened the re-consideration hearing for Mr. Seth Dettling on his application to upgrade from Licensed Real Property Appraiser to Certified Residential Real Property Appraiser.

At 10:30 a.m. on motion by Mr. Lundy and second by Mr. Lambert, the Board voted to enter Executive Session to deliberate. Those in favor were Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruit, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood, Mr. Ken Wallis and Mr. Chris Pettey. Motion carried by unanimous vote.

At 10:32 a.m. on motion by Mr. Lundy and second by Mr. Lambert, the Board voted to re-enter regular session. Those in favor were Mr. Chester Mallory, Mr. Joseph Lundy, Mrs. Myra Pruitt, Mr. Joseph Lambert, Mrs. Cornelia Tisher, Mrs. Dot Wood, Mr. Ken Wallis and Mr. Chris Pettey. Motion carried by unanimous vote.

On motion by Mr. Lundy and second by Mr. Lambert, the Board voted to approve Mr. Dettling's upgrade application. Motion carried by unanimous vote.

9.0 Ms. Conway discussed including discipline history with current disciplinary actions. On motion by Mrs. Wood and second by Mr. Lundy, the Board voted to remove the previous time restriction for reviewing discipline history in conjunction with current complaints. Motion carried by unanimous vote.

11.0 At 11:45 a.m., on motion by Mr. Lundy and second by Mrs. Wood, the Board voted to adjourn. Motion carried by unanimous vote. The Board's tentative meeting schedule for the remainder of 2009 will be September 17, 2009, and November 19, 2009 at 8:15 a.m. at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary

CG

APPROVED: _____
Chris Pettey, Vice-Chairman