

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
July 15, 2021

MEMBERS PRESENT:

Mr. Billy Cotter (Chairman)
Mr. Robert Butler
Mr. Mark Haller
Mr. Roger Ball
Mr. Chad Anderson

MEMBERS ABSENT:

Ms. Patrice McClammy (Vice-Chairman)
Mr. Richard D. Pettey
Mr. Drew Watson
Mrs. Melanie Housh

OTHERS PRESENT:

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

GUESTS PRESENT:

None

- 1.0 Mr. Billy Cotter, Chairman, called the meeting to order at 9:05 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held in the 3rd Floor Conference Room, 100 North Union Street, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on March 9, 2021 in accordance with the Alabama Open Meetings Act.
- 2.0 The meeting was opened with prayer by Mr. Haller and the Pledge of Allegiance, led by Ms. Conway.
- 3.0 Members present were Mr. Billy Cotter, Mr. Roger Ball, Mr. Mark Haller, Mr. Robert Butler, Mrs. Melanie Housh, and Mr. Chad Anderson. A quorum was established. Members absent were Ms. Patrice McClammy, Mr. Richard D. Pettey, Mrs. Melanie Housh, and Mr. Drew Watson.
- 4.0 On motion by Mr. Haller and second by Mr. Butler, the corrected minutes for March 18, 2021 were approved as written. Motion carried by unanimous vote.

On motion by Mr. Ball and second by Mr. Butler, the regular minutes for May 20, 2021 were approved as written. Motion carried by unanimous vote.

At this time, Mr. Cotter thanked the Board for their support during his time as Chairman. Mrs. Brooks and the Board thanked Mr. Cotter for his service to the Board.

Mr. Cotter opened nominations for Board Chairman. Mr. Haller nominated Mr. Ball for Chairman. Mr. Anderson seconded the motion. Mr. Butler nominated Ms. McClammy. There was no second. Hearing no further nominations, Mr. Cotter closed the nominations. Mr. Haller discussed that although he admires Ms. McClammy greatly, he has concerns over having a chairman who is not an appraiser. Those in favor of Mr. Ball for Chairman of the Board were Mr. Cotter, Mr. Haller, Mr. Anderson, and Mr. Ball. Mr. Butler abstained from the vote. The Board voted to elect Mr. Ball as Chairman.

Mr. Ball opened nominations for the Vice-Chairman position. Mr. Anderson nominated Mr. Haller for Vice-Chairman. Mr. Cotter seconded the motion. Those in favor of Mr. Haller for Vice-Chairman were Mr. Anderson, Mr. Cotter, Mr. Ball and Mr. Haller. Mr. Butler abstained from the vote. The Board voted to elect Mr. Haller as Vice-Chairman.

Mr. Ball discussed Committee assignments with Board members.

5.0 Ms. Conway reported that the hearing on the Judith Haney complaint was held on May 21, 2021. The Administrative Law Judge issued a recommendation that the charges be dismissed with prejudice. The Alabama Personnel Department met on June 16, 2021 and adopted the recommendation of the Administrative Law Judge. The charges filed by Judith Haney against Ms. Conway and Mr. Davis were dismissed with prejudice.

6.0 Ms. Conway informed the Board that there was no Legislative report to present.

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

7.1 **Trainee Real Property Appraiser applications approved:** Colby-Win Beasley, Joseph Blaine Beatty, Ina Chandler Crenshaw, Carolina Brooke Lanier and Samuel Burroughs McPhillips. **Applications deferred:** None. **Applications denied:** None.

Trainee Real Property Appraiser Experience Logs for Review: **Logs approved:** Newton Ace, Maricia Barras, and R. Jason Wright. **Logs deferred:** Anthony Faulkner and Marcy Payne. **Logs denied:** None.

- 7.2 **State Registered Real Property Appraiser applications approved:** None. **Applications deferred:** None. **Applications denied:** None.
- 7.3 **Licensed Real Property Appraiser applications approved:** None. **Applications deferred:** None. **Applications denied:** None. Chelsea Sellers (application withdrawn).
- 7.4 **Certified Residential Real Property Appraiser applications approved:** Newton Ace, Thomas Kip Marbut, Nicholas Risner, Trent Jackson Self, Jennifer Lynn Worstell (Recip)(CA), and Timothy Noten Wright (Recip)(SC). **Applications deferred:** Nicholas Risner. **Applications denied:** None.
- 7.5 **Certified General Real Property Appraiser applications approved:** Arthur M. Goldsmith (Recip)(TX), Kevin Michael Johnson (Recip)(TX), and Willard H. Langhenry (Recip)(TX). **Applications deferred:** Travis Loyd Cousins. **Applications denied:** None.
- 7.6 **Mentor applications approved:** Wesley Pinyan, Sheldon Skipper and Andrew Wilcoxon. **Applications deferred:** Robert Lowe McGough, Alston Lee Parker, and Norman Settles. **Applications denied:** None.
- 8.0 Mrs. Brooks presented the Finance report for June 2020-2021. Mrs. Brooks stated that the Board was 75% into Fiscal Year 2021 and 51% into budget expenditures. Mrs. Brooks stated that there were no negative trends that could not be reconciled at this time.
- On motion by Mr. Butler and second by Mr. Anderson, the Board voted to approve the Finance Report. Motion carried by unanimous vote.
- 9.0 On motion by Mr. Anderson and second by Mr. Cotter, the following education courses and instructor recommendations were approved, deferred, or denied as indicated. Motion carried by unanimous vote.

APPRAISAL INSTITUTE – ALABAMA/MISSISSIPPI CHAPTER

New Application:

- (CE) Conservation Easements: 2021 Updates on Legal, Appraisal, Accounting, and Ethical Issues – 5 Hours – Classroom
(Instructors: David Aughtry, Luke Von Esh, Stephanie Surles, Alex Robertson and Caitlin Guthrie)
Both Course and Instructors Approved

APPRAISAL INSTITUTE – CHICAGO

New Application:

- (CE) Inconsistency: It's Hiding in Plain Sight in Your Appraisal – 7 Hours – Classroom
(Instructor: Rick Carlile)
Both Course and Instructor Approved

CALYPSO CONTINUING EDUCATION

New Application:

- (CE) Cost Approach and Land Valuation – 7 Hours – Online
(Instructor: Francis Finigan)
Both Course and Instructor Approved

GEORGE DELL

New Application:

- (CE) Data Science Approach to Collateral Risk Valuation – 7 Hours – Classroom
(Instructor: George Dell)
Both Course and Instructor Approved

MCKISSOCK, LP

New Applications:

- (CE) Diversify Your Appraisal Practice with Assessment Appeals – 4 Hours - Classroom
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Philicia Lloyd, Dan Tosh, Bob Abelson, Tony Pistilli, Larry McMillen, Steve Vehmeier, Steve Maher, Robert McClelland, Julie Molendorp, Alex Gilbert, Josh Walitt, Joanne Bailey, Robert Luciani, Rob Frazier, and Charles Fisher)
Both Course and Instructors Approved
- (CE) Valuation of Residential Solar – 3 Hours - Online
(Instructors: Dan Bradley, Wally Czekalski, Chuck Huntoon, Philicia Lloyd, Dan Tosh, Bob Abelson, Tony Pistilli, Larry McMillen, Steve Vehmeier, Steve Maher, Dale Shae, Robert McClelland, Julie Molendorp, Alex Gilbert, Josh Walitt, Joanne Bailey, Rob Luciani, Rob Frazier, and Charles Fisher)
Both Course and Instructor Approved

Ms. Conway discussed McKissock's proctoring policy. The Appraisal Qualifications Board Criteria states that the provider determines the proctor.

Mrs. Brooks discussed email from Ms. Myra Pitts regarding whether virtual courses will be allowed/approved post 12/31/21. Mrs. Brooks has emailed Mr. Fenochietti but has not received a response yet. Mrs. Brooks will reply to Mrs. Pitts that the Board is favorable if the Appraisal Qualifications Board is. The Board will follow AQB recommendations.

- 10.0 **AB-20-05** On May 20, 2021, the Board approved a Consent Settlement Order with a Certified Residential appraiser on a residential appraisal report. The violations in the report were: Licensee made several large adjustments to the comparable sales used in the Sales Comparison Approach to value without market support or explanation in the report or work file. Licensee did not comment in the report or have relevant evidence in the work file to support the large adjustments or to explain his logic for the adjustments in the context of the assignment. Under Site value the licensee states the site value was developed through the use of market extraction which was supported by MLS lot sales but there is no data or analysis to support this value Licensee states in the Scope of Work section of the report that Market data was researched and analyzed but there was no support for the adjustments made in the sales comparison approach to value and the report does not contain data to support the statement that market data was researched fully. Violations: Standards Rule 1-1(a); Rule 1-2(h); Rule 1-4(b)(i); Rule 2-2(a)(vii); USPAP, 2018-2019 Edition.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board that 10 new Appraiser complaints and no new Appraisal Management Company (AMC) complaints were received since the May 2021 Board meeting, 2 complaints were dismissed, and 1 complaint were settled, leaving a total of 49 open complaints.

- 11.0 The Board reviewed Probable Cause Report **AB-19-07**: With Mr. Ball and Mr. Haller recusing, on motion by Mr. Anderson and second Mr. Butler, the Board voted that probable cause does not exist and dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-20-12**: With Mr. Anderson recusing, on motion by Mr. Haller and second Mr. Cotter, the Board voted 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-20-18**: With Mr. Ball and Mr. Anderson recusing, on motion by Mr. Haller and second by Mr. Cotter, the Board voted that probable cause does exist and set this case for a hearing. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-20-20**: With Mr. Ball and Mr. Anderson recusing, on motion by Mr. Haller and second by Mr.

Cotter, the Board voted that probable cause does not exist and to issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-20-21**: With Mr. Ball and Mr. Anderson recusing, on motion by Mr. Haller and second by Mr. Butler, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-21-15**: With Mr. Haller recusing, on motion by Mr. Butler and second by Mr. Anderson, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-21-17**: With Mr. Haller recusing, on motion by Mr. Anderson and second by Mr. Butler, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

12.0 The Board reviewed the Consent Settlement Order on **AB-20-07**. With Mr. Ball recusing, on motion by Mr. Anderson and second by Mr. Cotter, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

13.0 The following reciprocal license was issued since the January Board meeting: Arthur M. Goldsmith ('G' TX), Kevin Michael Johnson ('G' TX), Willard H. Langhenry ('G' TX), Jennifer Lynn Worstell ('R' CA), and Timothy Noten Wright ('R' SC).

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

15.0 The Appraisal Management report was provided to the Board for their information.

16.0 Mrs. Brooks updated the Board on the new database search and stated that several proposals had been received from various vendors. Mrs. Brooks also stated that she, Ms. Conway and Mrs. Greene would be reviewing the proposals to determine which vendor would be able to provide the best product for the agency.

Mrs. Brooks and Ms. Conway discussed the Investigator position with the Board. Mrs. Brooks informed the Board that after much discussion with Ms. Conway, she had decided to hire Mr. Jimmy Green for the vacant investigator position.

Mr. Ball stated that there was nothing new to report on PAREA, Practical Applications of Real Estate Appraisal.

Ms. Conway and Mrs. Greene discussed Trainee/Mentor requirements with the Board. The current requirements are for the Mentor to provide office space to the Trainee, however with Mentors often working out of their homes now, the question has arisen regarding Trainee Appraisers teleworking.

Mrs. Brooks discussed a scenario brought to her for the Board's consideration. Can A Trainee work under a Certified Appraiser in the firm who is not his/her Mentor as long as the Trainee's Mentor signs off on the appraisals? The Mentor would not be signing the reports but would only be signing the Trainee's log. After discussion, the Board agreed that a Trainee in this scenario cannot work under anyone who is not their Mentor.

Mrs. Brooks stated that Trainee/Mentor requirements will be sent to Committee for discussion.

Mrs. Brooks discussed the upcoming Fall AARO meeting with the Board and asked Board members to let her know if they are planning to attend the meeting.

- 17.0 There was no unfinished business to discuss at this time.
- 18.0 There was no new business to discuss at this time.
- 19.0 At 11:09 a.m., on motion by Mr. Anderson and second by Mr. Cotter, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for 2021 is September 16th, and November 18th, held in the RSA Union 3rd Floor Conference Room, 100 Union Street, Montgomery, AL 36104.

Sincerely,

Carolyn Greene
Executive Secretary
/cg

APPROVED: _____
Roger Ball, Chairman