MINUTES ALABAMA REAL ESTATE APPRAISERS BOARD RSA UNION STREET SUITE 370 MONTGOMERY, AL 36104 March 16, 2023

MEMBERS PRESENT:

Mr. Roger Ball (Chairman)

Mr. Chad Anderson (Vice-Chairman)

Mr. Billy Cotter

Mr. Richard D. Pettey

Mr. Mark Haller

Mrs. Melanie Housh

Mr. Drew Watson

MEMBERS ABSENT:

Mr. Robert Butler

OTHERS PRESENT:

Mrs. Lisa Brooks, Executive Director Ms. Neva Conway, Legal Counsel

Mrs. Carolyn Greene, Executive Secretary

Mr. Jimmy Green, Investigator Mr. Sam Davis, Investigator

STAFF ABSENT:

None

GUESTS PRESENT:

None

- Mr. Roger Ball, Chairman, called the meeting to order at 9:02 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held in the 3rd Floor Conference Room of the RSA Union Building, 100 N. Union Street, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on December 6, 2022, in accordance with the Alabama Open Meetings Act.
- 2.0 The meeting was opened with prayer led by Mr. Pettey and the Pledge of Allegiance, led by Mr. Anderson.

- 3.0 Mr. Ball asked Mrs. Greene to call a voice roll to establish a quorum. Board members present were Mr. Mark Haller, Mr. Roger Ball, Mr. Rick Pettey, Mr. Billy Cotter, Mrs. Melanie Housh, Mr. Chad Anderson, Mr. Drew Watson. A quorum was established. Member absent was Mr. Robert Butler.
- 4.0 On motion by Mrs. Housh and second by Mr. Cotter, the regular minutes for November 17, 2022, were approved as written. Motion carried by unanimous vote.
- 5.0 There was no Pending Litigation to discuss.
- Ms. Conway discussed a proposed change to 780-X-3, Applications for Licensure and Certification, 780-X-3-.04, Disposal of Applications and 780-X-7, References. On motion by Mr. Anderson and second by Mr. Cotter, the changes were approved as written. Motion carried by unanimous vote.

Ms. Conway informed the Board that the Legislature is in session and that Governor Ivey had called for a Special Session on the first day.

Mrs. Brooks informed the Board that there have been no appointments made to the Board and that she has not heard from Governor Ivey's office.

- 7.0 With Mr. Watson abstaining, on motion by Mr. Anderson and second by Mr. Haller, the following applications were voted on as listed. Motion carried.
- 7.1 <u>Trainee Real Property Appraiser</u> applications approved: Ceara Nicole Bell, Amber Connell, Jennifer Lynn Davis, William L. Duggar, and Lute Thomas Renshaw, III. **Applications approved:** None. **Applications denied:** None.

Trainee Real Property Appraiser Experience Logs for Review: Logs approved: Elizabeth Bena, Brooke Cheatwood, John Heath Davis, Avery Duncan, Chad Maddox, Wilson McDonald, Frank Sargent Moody, Derek Munro, Taylor Nobles and Taylor Sims. Log Reviews deferred: Ashton Fowler and Robert Naves. Log Reviews denied: None.

- 7.2 <u>State Registered Real Property Appraiser</u> applications approved: None. Applications deferred: None. Applications defined: None.
- 7.3 <u>Licensed Real Property Appraiser</u> applications approved: Gregory Earl Garner, Jason David Griffin, Kristy Ann Millington (Recip)(MO) and Michael Murphree. **Applications deferred:** None. **Applications denied:** None.

- Certified Residential Real Property Appraiser applications approved:
 Colby-Win Beasley, Joseph Cialoni, Eric Andrew Colcord (Recip)(GA),
 Benjamin Fikes, Ramsey Griffin, Nathaniel Alan Hawk (Recip)(CO),
 William Harris Kennedy, Jr. (Recip)(FL), Frank Moody, Curtis Dale
 Newsom (Recip)(IL), Steven Brian Presnal (Recip)(GA), Anthony
 Lawrence Reese (Recip)(FL), Mark Amon Sailors (Recip)(FL), Dustin
 Andrew Svendson (Recip)(WI), and Michael Joseph Wells (Recip)(GA).
 Applications deferred: None. Applications denied: None.
- Certified General Real Property Appraiser applications approved:

 Davin Christopher Brantley (Recip)(TX), Lee Frederick Canel (Recip)(IL),
 Creighton Ryan Cross (Recip)(TN), Robert Ehrlich Dietrich (Recip)(TN),
 Mark Alexander Greeley (Recip)(TN), William Taylor Hayes (Recip)(GA),
 John C. Johnson (Recip)(NC), Quinton James Kauchick (Recip)(FL), Paul
 Caleb Koonce (Recip)(MS), Zayin Lake, Anthony Joseph Legotti
 (Recip)(NY), David Zachary Mazzei, Lawrence Drake Moore (Recip)(NC),
 Jeffrey Tyler Morley (Recip)(UT), Evan Schoultz Mudd (Recip)(KS),
 Thomas Jonathon Null (Recip(MS), Kenneth A. Pettay (Recip)(GA), Mark
 Andrew Poggiola (Recip)(TN), Mark Amon Sailors (Recip)(GA), Barton
 Cantrell Sands (Recip)(GA), Thomas Schneider Benjamin Allen Tate
 (Recip)(FL), Mark Edward Verrett (Recip)(TX) and Brayden Wiggins.
 Applications deferred: None. Applications denied: None.
- 7.6 <u>Mentor applications approved:</u> Nancy Case, Mark S. Gordon, Gregory Brent Kelley, and Steven Alan Pharr. **Applications deferred:** Alyson Kipp. **Applications denied:** John Michael Harwood.

Mr. Watson discussed review of work product with the Board.

Mrs. Brooks discussed a request from Victor Smith for an extension on his approval to take the licensure exam. On motion by Mr. Haller and second by Mrs. Housh, the Board voted to deny this request.

Mr. Ball adjourned the meeting at 9:58 a.m. for Mrs. Brooks and Ms. Conway to attend a meeting with Governor Ivey.

Mr. Ball reconvened the meeting at 11:04.

8.0 Mr. Pettey presented the Finance report for February 2022-2023. Mr. Pettey reported that the Board was 42% into Fiscal Year 2023 and 41% into budget expenditures and that there were no negative trends that could not be reconciled at this time.

On motion by Mr. Watson and second by Mr. Anderson, the Board voted to approve the Finance Report. Motion carried by unanimous vote.

9.0 On motion by Mr. Pettey and second by Mrs. Housh, the Board ratified the Executive Director's approval of the following courses from the cancelled February Board meeting Education Agenda. Motion carried by unanimous vote.

APPRAISAL INSTITUTE - CHICAGO

New Applications:

- (CE) Online Appraiser's Guide to Expert Witnessing 7 Hours Online (Instructor: Paula Konikoff)

 Both Course and Instructor Approved
- (CE) Online Fundamentals of Apartment Appraising 7 Hours Online (Instructor: Ken Foltz)

 Both Course and Instructor Approved
- (CE) Litigation Appraising: Specialized Topics and Applications 22.5
 Hours Classroom
 (Instructor: Rick Carlile)
 Both Course and Instructor Approved
- (CE) Online Thinking Outside the Form Tools, Techniques, and Opportunities for Residential Appraising 4 Hours Online (Instructor: Dana Thornberry)

 Both Course and Instructor Approved
- (CE) Review Case Studies General Synchronous 30 Hours Online (Instructor: Richard Borges)

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

 Both Course and Instructor Approved

Renewal Applications:

- (CE) Online Case Studies in Appraising Green Residential Buildings 7 Hours Online (Instructor: Dana Thornberry)

 Both Course and Instructor Approved
- (LIC) Online Understanding and Appraising Residential REO's 4
 Hours Online
 (Instructor: Larry Wright)
 Both Course and Instructor Approved

APPRAISAL INSTITUTE - ALABAMA/MISSISSIPPI CHAPTER

New Applications:

- (CE) Evaluating Commercial Leases: The Tenant & The Terms Both Matter 7 Hours Classroom
 (Instructor: Stephen Roach)
 Both Course and Instructor Approved
- (CE) 2022-2023 7-Hour National USPAP Update 7 Hours Classroom (Instructor: Ted Whitmer)

 Both Course and Instructor Approved

APPRAISER ELEARNING, LLC

Renewal Application:

- (CE) How to Appraise Solar Panels 7 Hours Classroom (Instructor: Mark Buhler)

 Both Course and Instructor Approved
- (CE) Elimination of Bias and Cultural Competency of Appraisers with Real World Relevance 3 Hours Classroom (Instructor: Peter Christensen)

 Both Course and Instructor Approved

CALYPSO CONTINUING EDUCATION

New Applications:

(CE) Acquainting Ourselves with the ANSI Standard: Measuring Residential Properties Properly – 7 Hours - Online (Instructor: Francis Finigan)

Both Course and Instructor Approved

DYNASTY SCHOOL

New Application:

(CE) Supervisor Appraiser and Trainee Appraiser Course – 4 Hours – Online
 (Instructor: Robert Abelson)
 Both Course and Instructor Approved

MCKISSOCK

New Application:

(LIC) Live Webinar: Residential Market Analysis and Highest and Best Use – 15 Hours - Online (Instructors: Mel Black, Bob Abelson, Rob McClelland, Josh Walitt, Dan Bradley, Pat Kelly, Sam Martin, Diana Jacob, Greg Stephens, and Pamela Teel) Instructors Approved

On motion by Mr. Pettey and second by Mr. Cotter, the following education courses and instructor recommendations on the March Education agenda were approved, deferred, or denied as indicated. Motion carried by unanimous vote.

APPRAISAL INSTITUTE - CHICAGO

New Applications:

- (CE) Appraisal of Manufactured Homes 8.5 Hours Classroom (Instructor: Ken Foltz)

 Both Course and Instructor Approved
- (LIC) Quantitative Analysis Synchronous 33 Hours Online (Instructor: Ken Foltz)

 Both Course and Instructor Approved
- (CE) Online Appraisal of Manufactured Homes and Next-Generation Manufactured Homes 7.5 Hours Online (Instructor: Ken Foltz)

 Both Course and Instructor Approved
- (CE) Online Practical Applications of the Residential Sales Comparison Approach – 4 Hours – Online (Instructor: Alan Simmons) Both Course and Instructor Approved

APPRAISAL INSTITUTE - ALABAMA/MISSISSIPPI CHAPTER

New Applications:

(CE) The Tough Ones: An Income Capitalization & Sales Comparison Approach to Mixed Use Properties – 7 Hours – Classroom (Instructor: Vince Dowling)

Both Course and Instructor Approved

APPRAISER ELEARNING, LLC

New Applications:

- (CE) FHA Roadmap 7 Hours Classroom (Instructor: Bryan Reynolds) Both Course and Instructor Approved
- (CE) Desktops 101: Navigating GSE Appraisal Modernization Online 4 Hours Online (Instructor: James Baumberger)

 Both Course and Instructor Approved
- (CE) Desktops 101: Navigating GSE Appraisal Modernization 4 Hours
 Classroom
 (Instructor: James Baumberger)
 Both Course and Instructor Approved

CALYPSO CONTINUING EDUCATION

New Application:

(CE) Cultural Competency and Elimination of Bias in Appraisals – 3
 Hours - Online
 (Instructor: Francis Finigan)
 Both Course and Instructor Approved

MCKISSOCK

New Applications:

- (LIC) Live Webinar: Residential Appraiser Site Valuation and Cost Approach – 15 Hours - Online (Instructors: Mel Black, Bob Abelson, Rob McClelland, Josh Walitt, Dan Bradley, Pat Kelly, Sam Martin, Diana Jacob, Greg Stephens, and Pamela Teel) Both Course and Instructor Approved
- (LIC) Live Webinar: Residential Report Writing and Case Studies 15 Hours Online (Instructors: Mel Black, Bob Abelson, Rob McClelland, Josh Walitt, Dan Bradley, Pat Kelly, Sam Martin, Diana Jacob, Greg Stephens, and Pamela Teel) Both Course and Instructor Approved
- (CE) Live Webinar: 2022-2023 7-Hour National USPAP Update Course
 7 Hours Online
 (Instructor: Kevin Hecht)
 Instructor Approved

- (CE) Live Webinar: Bifurcated and Hybrid Appraisals: A Practical Approach 4 Hours Online (Instructor: Kevin Hecht)
 Instructor Approved
- (CE) Live Webinar: Focus on FHA Minimum Property Requirements 4
 Hours Online
 (Instructor: Kevin Hecht)
 Instructor Approved
- (CE) Live Webinar: Learning from the Mistakes of Others: Appraisal Disciplinary Case Studies 3 Hours Online (Instructor: Kevin Hecht)

 Instructor Approved
- (CE) Live Webinar: Market Disturbances-Market Analysis in Atypical Markets and Cycles 4 Hours Online (Instructor: Kevin Hecht)

 Instructor Approved
- (CE) Live Webinar: Mortgage Lending Appraisal Requirements: Fannie Mae and Freddie Mac 7 Hours Online (Instructor: Kevin Hecht)

 Instructor Approved
- (CE) Live Webinar: Residential Property Inspections: An Appraiser's Perspective 7 Hours Online (Instructor: Kevin Hecht)
 Instructor Approved
- (CE) Live Webinar: Responding to a Reconsideration of Value (ROV) 3 Hours Online (Instructor: Kevin Hecht)
 Instructor Approved
- (CE) Live Webinar: Using Appraisal Report Templates Responsibly 3
 Hours Online
 (Instructor: Kevin Hecht)
 Instructor Approved
- (CE) Live Webinar: Bifurcated and Hybrid Appraisals: A Practical Approach 4 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Focus on FHA Minimum Property Requirements 4
 Hours Online
 (Instructor: John Dingeman)
 Instructor Approved

- (CE) Live Webinar: Learning from the Mistakes of Others: Appraisal Disciplinary Case Studies 3 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Measuring 1-4 Unit Residential Properties with ANSI Z765 4 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Mortgage Lending Appraisal Requirements: Fannie Mae and Freddie Mac - 7 Hours - Online (Instructor: John Dingeman) Instructor Approved
- (CE) Live Webinar: Residential Property Inspections: An Appraiser's Perspective 7 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Responding to a Reconsideration of Value (ROV) 3 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Supporting Adjustments: The Journey from Analysis to Adjusting 4 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: The Appraiser's Guide to HUD Handbook 4000.1 7 Hours Online (Instructor: John Dingeman)
 Instructor Approved
- (CE) Live Webinar: Using Appraisal Report Templates Responsibly 3
 Hours Online
 (Instructor: John Dingeman)
 Instructor Approved
- 10.0 There was no Disciplinary Report to review.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board that 11 new Appraiser complaints and no new Appraisal Management Company (AMC) complaints were received since the November 2022 Board meeting, 4 complaints were dismissed, and no complaints were settled, leaving a total of 53 open complaints.

11.0

The Board reviewed Probable Cause Report AB-21-39: With Mr. Anderson recusing, on motion by Mrs. Housh and second by Mr. Haller, 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-21-41: With Mr. Anderson recusing, on motion by Mr. Pettey and second by Mrs. Housh, 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-21-44 companion case to AB-21-45: With Mr. Haller recusing, on motion by Mr. Anderson and second by 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-21-45 companion case to AB-21-44: With Mr. Haller recusing, on motion by Mr. Anderson and second by 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-22-09: With Mr. Anderson and Mr. Haller recusing, on motion by Mr. Pettey 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-22-11: With Mr. Anderson recusing, on motion by Mr. Pettey and second by Mrs. Housh, 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-22-18: With Mr. Anderson recusing, on motion by Mr. Pettey 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-22-22: With Mr. Anderson and Mr. Haller recusing, on motion by Mr. Watson 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-22-26: With Mr. Anderson recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-27: With Mr. Anderson and Mr. Haller recusing, on motion by Mrs. Housh and second by Mr. Cotter, 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-22-33: With Mrs. Housh recusing, on motion by Mr. Cotter and second by Mr. Pettey, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

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The Board reviewed Probable Cause Report AB-22-34: With Mr. Haller recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-35: With Mrs. Housh recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-36: With Mr. Haller recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-39: With Mr. Haller recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-41**: With Mrs. Housh recusing, on motion by Mr. Cotter and second by Mr. Pettey, 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-22-43: With Mr. Haller recusing, on motion by Mr. Cotter and second by Mr. Pettey, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

The Board reviewed the Consent Settlement Order on AB-20-12. With Mr. Anderson recusing, on motion by Mr. Pettey and second by Mr. Cotter, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed the Consent Settlement Order on AB-21-18: With Mr. Anderson recusing, on motion by Mr. Watson and second by Mr. Cotter, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

The Board reviewed the Consent Settlement Order on AB-21-20: With Mr. Anderson recusing, on motion by Mr. Cotter and second by Mr. Pettey, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

12.0

The Board reviewed the Consent Settlement Order on AB-21-48: With Mrs. Housh recusing, on motion by Mr. Anderson and second by Mr. Haller, the Board voted to approve this Consent Settlement Order. Motion carried by unanimous vote.

- 13.0 The following reciprocal licenses were issued since the September Board meeting: Davin Christopher Brantley ('G' TX), Lee Frederick Canel ('G' IL), Eric Andrew Colcord ('R' GA), Creighton Ryan Cross ('G' TN), Robert Ehrlich Dietrich ('G' TN), Marc Alexander Greeley ('G' TN), Nathaniel Alan Hawk ('R' CO), William Taylor Hayes ('G' GA), John Christopher Johnson ('G' NC), Quintin James Kauchick ('G' FL), William Harris Kennedy, Jr. ('R' FL), Paul Caleb Koonce ('G' MS), Anthony Joseph Legotti ('G' NY), Kristy Ann Millington ('L' MO), Lawrence Drake Moore ('G' NC), Jeffrey Tyler Morley ('G' UT), Evan Schoultz Mudd ('G' KS), Curtis Dale Newsom ('R' IL), Thomas Jonathon Null ('G' MS), Kenneth A. Pettay ('G' GA), Mark Andrew Poggiola ('G' TN), Steven Brian Presnal ('R' GA), Anthony Lawrence Reese ('R' FL), Mark Amon Sailors ('R' GA), Barton Cantrell Sands ('G' GA), Robert Gordon Sawyer ('G' GA), Dustin Andrew Svendsen ('R' WI), Benjamin Allen Tate ('G' FL), Mark Edward Verrett ('G' TX), and Michael Joseph Wells ('R' GA).
- 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.
- Mrs. Brooks discussed a memorandum from Kathleen D. Baxter, State Comptroller, announcing that the travel mileage rate for 2022 increased to 65.5 cents per mile.

Mrs. Brooks discussed the upcoming Spring AARO conference and asked the Board members to let her know as soon as possible if they are interested in attending.

Mrs. Brooks included the Examiners of Public Accounts Audit Report for Board information.

Mrs. Brooks discussed the Statements of Economic Interest forms, which are due by April 30, 2023.

Mrs. Brooks included a memo from Jim Park, the Executive Director of the Appraisal Subcommittee regarding the Property Appraisal and Valuation Equity (PAVE) Task Force which is an initiative to decrease barriers to entry into the appraisal profession.

Mrs. Brooks included an email from Aida Dedajic, Director of Engagement with The Appraisal Foundation regarding PAREA.

17.0 Ms. Conway discussed the proposed change to Administrative Rule 780-X-9. After discussion this rule change was deferred.

Ms. Conway discussed the proposed rule change to Administrative Rule 780-X-13-.02. On motion by Mr. Pettey and second by Mr. Anderson, the Board voted to approve the proposed changes and have Ms. Conway file them with Legislative Reference Service. Motion carried by unanimous vote.

Mrs. Brooks discussed the Contractor/Investigator position. On motion by Mr. Anderson and second by Mr. Watson, the Board voted for Mrs. Brooks to begin the process of hiring an investigator. Motion carried by unanimous vote.

- 18.0 Mr. Pettey discussed the number of hours that Board members receive for continuing education. Mr. Pettey made a motion to grant 14 hours every two-year continuing education period. Mr. Anderson seconded the motion. Motion carried by unanimous vote.
- 19.0 At 12:49 p.m., on motion by Mr. Haller and second by Mr. Anderson, the Board voted to adjourn the regular Board meeting. Motion carried by unanimous vote. The Board's tentative meeting schedule for 2023 is May 18th, July 20th, September 21st and November 16th, held in the RSA Union 3rd Floor Conference Room, 100 Union Street, Montgomery, AL 36104.

Sincerely,

Carolyn Greene Executive Secretary

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APPROVED:

Roger Ball, Chairman