

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, AL 36104
January 11, 2024

MEMBERS PRESENT:

Mr. Chad Anderson (Chairman)
Mrs. Melanie Housh (Vice-Chairman)
Mr. Drew Watson
Mr. Roger Ball
Mr. Richard D. Pettey
Mr. Billy Cotter
Mr. Robert Butler

MEMBERS ABSENT:

Mr. Mark Haller

STAFF PRESENT:

Ms. Neva Conway, Legal Counsel
Mrs. Carolyn Greene, Executive Secretary
Mr. Jimmy Green, Investigator

STAFF ABSENT:

Mrs. Lisa Brooks, Executive Director

GUESTS PRESENT:

Mr. Sam Davis, retired Investigator
Mrs. Kellie Summerlin, Trainee Real Property
Appraiser
Mrs. Brooke Bosarge, Trainee Real Property
Appraiser

- 1.0 Mr. Chad Anderson, Chairman, called the meeting to order at 9:04 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held in the Suite 300 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 November 13, 2023, in accordance with the Alabama Open Meetings Act.
- 2.0 The meeting was opened with prayer led by Mr. Anderson and the Pledge of Allegiance, led by Mrs. Housh.
- 3.0 Mr. Anderson asked Mrs. Greene to call a voice roll to establish a quorum. Board members present were Mr. Anderson, Mr. Robert Butler, Mr. Billy Cotter, Mr. Rick Pettey, Mr. Roger Ball Mr. Drew Watson and Mrs. Melanie Housh. Member absent was Mr. Mark Haller. A quorum was established.

Mr. Anderson welcomed the guests and asked them to introduce themselves.

- 4.0 On motion by Mr. Ball and second by Mrs. Housh, the regular minutes for November 9, 2023, were approved as written. Motion carried by unanimous vote.
- 5.0 Ms. Conway reminded the Board that the hearing for Richard Maloy will be held at 11 a.m. today.
- 6.0 Ms. Conway discussed the new Congressional districts and that the appointments made by the Governor, which were never confirmed in 2023, will need to be resubmitted. The Legislature is set to convene in February.
- 7.0 On motion by Mrs. Housh and second by Mr. Butler, the following applications were voted on as listed. Motion carried.
- 7.1 **Trainee Real Property Appraiser applications approved:** Amelia Gamblin Breeze, Justin Mitchell, Jackson Reedy and Valerie Spicuzza. **Applications approved:** None. **Applications 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.
- 7.4 **Certified Residential Real Property Appraiser applications approved:** James Baker, Brooke Lanier Bosarge, William Hatfield (Recip)(KY), James Evans Jay, Joshua Gary Robinson, Amanda Short, John Solberger, Kellie Summerlin, and Ronald Curtis Vaughn. **Applications deferred:** None. **Applications denied:** None.
- 7.5 **Certified General Real Property Appraiser applications approved:** Thomas Coutu, David Hahn (Recip)(WA), John Alexander Hutto, Steven A. Klett (Recip)(IL), Tony Lenamon (Recip)(TX), and Ted Whitmer (Recip)(TX). **Applications deferred:** Haleigh Wright. **Applications denied:** None.
- 7.6 **Mentor applications approved:** Jason Lane Easter and Janice Lynnette Fendley. **Applications deferred:** Jack D. Couch II and John Michael Harwood. **Applications denied:** None.
- 7.7 **Trainee Real Property Appraiser Experience Logs for Review: Logs reviewed:** None. **Log Reviews deferred:** Ceara Bell, Conner Daniel, Christopher Hamby, Jamie Lee Posey, Mark Andrew Robbins and Larry Daniel Watts.

The Board discussed the experience log submitted for review by a Trainee appraiser. Mr. Haller had noted that the licensee did not sign the reports and her contributions were not listed in the reports. She was merely mentioned as having contributed to the appraisals. Mrs. Greene notified the licensee of Mr. Haller's findings and explained why it was an issue. The licensee submitted reports that had been updated to include the contributions of the Trainee. Mrs. Greene asked the licensee if the new reports had also been submitted to the client, and the licensee responded that they had not. After discussion by the Board, on motion by Mrs. Housh and second by Mr. Butler, the Board voted to allow the review to go forward and to request an affidavit from the Trainee and Mentor of the licensee's contributions for the reports on the experience log for USPAP compliance, that going forward the reports should be properly documented and to explain the issue with making changes to a report. Motion carried by unanimous vote.

- 8.0 Mr. Pettey presented the Finance report for December 2023-2024, reported that the Board was 25% into Fiscal Year 2024 and 27% into budget expenditures and that there were no negative trends that could not be reconciled at this time.

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

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

ALOFT, INC.

New Application:

- (CE) 2024-2025 7-Hour National USPAP Update Course – 7 Hours -
Classroom
(Instructor: Pamela Teel)

Both Course and Instructor Approved

APPRAISAL INSTITUTE – ATLANTA AREA

New Application:

- (CE) Workforce Housing: Bridging the Gap in our Communities – 4 Hours -
Classroom
(Instructor: Sandra Winter)

Both Course and Instructor Approved

APPRAISAL INSTITUTE – CHICAGO CHAPTER

New Application:

- (CE) Online Valuation Bias – The Invisible Fence of Racial Discrimination
– 7 Hours - Classroom
(Instructor: Craig Harrington)
Both Course and Instructor Approved

APPRAISER ELEARNING, LLC

New Applications:

- (CE) Believe it or not: Creating Credible and Supported Adjustments – 4
Hours – Classroom
(Instructor: Steve Kahane)
Both Course and Instructor Approved
- (CE) Manufactured Housing – 7 Hours – Classroom
(Instructor: Cathy Putegnat)
Both Course and Instructor Approved
- (CE) Supporting Land Value – 7 Hours – Classroom
(Instructor: Martin Wagar)
Both Course and Instructor Approved
- (CE) The Past, Present and Future of the Mortgage Appraisal – 7 Hours
– Classroom
(Instructor: Cathy Martin Wagar)
Both Course and Instructor Approved

MCKISSOCK LLC

New Applications:

- (LIC) Live Webinar: 2024 15-Hour National USPAP Course – 15 Hours -
Online
(Instructors: Alan Hummel, Dan Bradley, Diana Jacob, Greg
Stephens, Josh Walitt, Julie Floyd, Kevin Hecht, Mel Black, Pam
Teel, Rob McClelland, and Rob Abelson)
Both Course and Instructors Approved
- (LIC) 2024 15-Hour National USPAP Course – 15 Hours - Online
(Instructor: Dan Bradley)
Both Course and Instructor Approved

- (LIC) Live Webinar: Residential Sales Comparison and Income Approaches
– 30Hours -
Online
(Instructors: Mel Black, Rob Abelson, Rob McClelland, Josh Walitt,
Dan Bradley, Pat Kelly, Sam Martin, Diana Jacob, Greg Stephens,
and Pamela Teel)
Both Course and Instructors Approved

MCKISSOCK LLC

New Applications:

- (LIC) Live Webinar: 2024 15-Hour National USPAP Course – 15 Hours -
Online
(Instructors: Alan Hummel, Dan Bradley, Diana Jacob, Greg
Stephens, Josh Walitt, Julie Floyd, Kevin Hecht, Mel Black, Pam
Teel, Rob McClelland, and Rob Abelson)
Both Course and Instructors Approved
- (LIC) 2024 15-Hour National USPAP Course – 15 Hours -Online
(Instructor: Dan Bradley)
Both Course and Instructor Approved
- (LIC) Live Webinar: Residential Sales Comparison and Income Approaches
– 30Hours -
Online
(Instructors: Mel Black, Rob Abelson, Rob McClelland, Josh Walitt,
Dan Bradley, Pat Kelly, Sam Martin, Diana Jacob, Greg Stephens,
and Pamela Teel)
Both Course and Instructors Approved

THE CE SHOP

New Applications:

- (LIC) 15-Hour National USPAP Course – 15 Hours -Online
(Instructors: Rebecca Jones and Justin Merrill)
Both Course and Instructors Approved
- (CE) 2024-2025 7-Hour National USPAP Update Course – 7 Hours -
Online
(Instructors: Rebecca Jones and Justin Merrill)
Both Course and Instructors Approved
- (CE) A Review of Appraisal Approaches and Techniques – 14 Hours -
Online
(Instructor: Rebecca Jones)
Both Course and Instructor Approved

(LIC) Basic Appraisal Principles – 30 Hours -
Online
(Instructor: Rebecca Jones)
Both Course and Instructor Approved

(LIC) Basic Appraisal Procedures – 30 Hours -
Online
(Instructor: Rebecca Jones)
Both Course and Instructor Approved

10.0 **AB 22-49:** The appraiser used a sale 45 to 50 miles away, containing approximately 45+/- acres more than the subject, which is in or adjacent to an active market. The appraiser further indicated that sales from the adjacent active market were not used because he is not a member of that MLS and could never get an accurate verification, i.e., MLS. There are other methods of verification, and the appraiser should be reminded to be more diligent in market research. Lack of membership in an MLS does not preclude the appraiser from obtaining and utilizing the best information available. The workfile does not contain documentation to support adjustments made to comparable sales. To appropriately analyze the comparables and employ the correct methodology in the Sales Comparison Approach, the appraiser must correctly apply adjustments indicated by the market. **Violation: Record Keeping Rule, SR 1-4, SR 2-2(a)(x)(1), 2-2(a)(x)(5). USPAP, 2020-21 Ed.**

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway reported that 5 new Appraiser complaints and no new Appraisal Management Company (AMC) complaints were received since the November 2023 Board meeting, 13 complaints were dismissed, and 1 complaint was settled, leaving a total of 31 open complaints.

11.0 The Board reviewed Probable Cause Report **AB-22-45:** With Mr. Anderson recusing, on motion by Mr. Ball 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-23-19:** With Mr. Anderson recusing, on motion by Mr. Butler 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-23-24:** With Mr. Ball recusing, on motion by Mr. Pettey and second by Mr. Butler, 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-23-25:** With Mr. Ball recusing, on motion by Mr. Cotter and second by Mr. Butler, 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-23-43**: On motion by Mr. Pettey and second by Mr. Ball, 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-23-44**: With Mrs. Housh recusing, on motion by Mr. Butler and second by Mr. Ball, 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-23-45**: With Mrs. Housh recusing, on motion by Mr. Ball 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-23-47**: With Mr. Ball recusing, on motion by Mr. Cotter 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-23-48**: With Mr. Ball recusing, on motion by Mr. Pettey 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-23-54**: With Mrs. Housh recusing, on motion by Mr. Butler and second by Mr. Cotter, the Board voted that probable cause does not exist and to dismiss this case. Motion carried by unanimous vote.

- 12.0 There were no Consent Settlement Orders to review at this time.
- 13.0 The following reciprocal licenses were issued since the November Board meeting: David Jongkeun Hahn ('G' WA), William Hatfield ('R' KY), Steven A. Klett ('G' AZ), Tony Lenamon ('G' TX), and Ted Whitmer ('G' TX).
- 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 Ms. Conway discussed the proposed Administrative Code changes for PAREA. She asked the Board to consider if a PAREA candidate should also hold a Trainee license. Mr. Ball suggested checking with other states that have adopted PAREA. Mr. Butler suggested adding verbiage to the criteria to inform applicants of both the traditional Trainee/Mentor path and the PAREA path and that the proposed changes should go to a committee to discuss.

Mr. Cotter made a motion that a committee be formed, to include Mr. Anderson, Mr. Ball and Mr. Watson, to review the proposed changes. Mr. Pettey seconded the motion. Mr. Butler voiced his concerns about the makeup of the committee and opposed the motion.

Mr. Cotter made a motion that Mr. Ball, Mr. Butler and Mr. Watson be on the committee to work on the proposed changes to the Administrative Code for PAREA. Mrs. Housh seconded the motion. Motion carried by unanimous vote. Mr. Ball will chair the committee and bring the committee's recommendation to the Board. Ms. Conway will send the Appraisal Qualifications Board information to the committee.

Ms. Conway presented a draft of the Request for Proposal of a contract to conduct evaluation of appraisal work product for USPAP and State Law compliance in Appraiser Credential Upgrade Applications for the Alabama Real Estate Appraisers Board. After discussion, on motion by Mr. Ball and second by Mrs. Housh, the Board voted to publish the RFP on the State Purchasing RFP website. The motion passed by unanimous vote.

Mrs. Greene presented a memorandum from Kathleen D. Baxter, State Comptroller, announcing that the travel mileage rate for persons traveling in privately owned vehicles has increased to 67 cents for 2024.

Mrs. Greene discussed an email from Lee Cummings on behalf of Steve Griffith, Certified General Real Property appraiser, requesting a waiver of the late fee. On motion by Mr. Ball and second by Mr. Watson, the Board voted to deny the request. Motion carried by unanimous vote.

Mr. Anderson announced that Ms. Conway has been selected for and has accepted the position of Vice Chair of the Affiliate Member Advisory Council with the Association of Appraisal Regulatory Officials.

17.0 Mrs. Greene gave the Board a status update on the USPAP purchase for appraisers. Mr. Anderson asked that staff send this update to appraisers eligible to receive the USPAP.

Mrs. Greene presented the ethnicity report requested by Mr. Butler. Mr. Butler asked Mrs. Greene to add totals to the report.

18.0 Mr. Watson discussed MLS reporting concessions with the Board. Mr. Anderson suggested putting an article in the next newsletter and asked Mr. Watson to draft this article.

On motion by Mr. Watson and second by Mr. Pettey, the Board voted to recess for 15 minutes, returning at 11:00. Motion carried by unanimous vote.

DISCIPLINARY HEARING

At 11:00 a.m., Administrative Law Judge Jerry Wood convened the Disciplinary Hearing for Mr. Richard Maloy.

At 1:04 p.m., Mr. Wood adjourned the disciplinary hearing.


19.0

At 1:04 p.m., the hearing and Board meeting were adjourned by the Judge Wood. The Board's tentative meeting schedule for 2024 is March 14th, May 9th, July 11th, September 12th, and November 14th, held in the RSA Union 3rd Floor Conference Room, 100 Union Street, Montgomery, AL 36104.

Sincerely,



Carolyn Greene
Executive Secretary
/cg

APPROVED: 
Chad Anderson, Chairman