

**West Virginia Real Estate Appraiser
Licensing and Certification Board**

MINUTES

December 11, 2014

A meeting of the West Virginia Real Estate Appraiser Licensing and Certification Board was held on December 11, 2014.

The following were in attendance in the Board's Conference Room: Glenn Summers Acting-Chair, The Honorable Anthony Julian, Dale Dawson-Clowser, David Shields, Linda York, Darlene Ratliff Washington - Counsel, Sandy Kerns - Executive Director, Karen Hudson - Executive Assistant and, Brenda Ashworth – Administrative Assistant.

Ms. Mary-Beth Aliveto attended the Board meeting by telephone.

Mr. Summers called the meeting to order at 10:10 am.

Mr. Summers introduced Ms. Jenny Tidwell, Ms. Kristi Klamet and Mr. Jim Park from the Appraisal Subcommittee to Board members. On December 9, 2014 and December 10, 2014 Ms. Tidwell, Ms. Klamet and Mr. Park conducted a scheduled Compliance Review of the Board to determine if the Board was in compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act. An exit conference was given during the Board meeting where the Preliminary Review Findings were presented.

Reading of the Minutes

A motion was made by Ms. York to approved the October 8, 2014 Board Minutes as submitted. Ms. Dawson-Clowser seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Executive Session

A motion was made by Mr. Shields Board move into Executive Session for the purpose of discussing standards, personnel and legal matters. It was seconded by The Honorable Judge Julian. Roll call:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Committee Reports

Upgrades Committee

On November 20, 2014 the Committee reviewed two applications for Supervisor Review and one application for Licensed Residential.

After discussion, the Board proceeded as follows regarding Upgrade applications:

A motion was made by Mr. Shields to approve with comments, Upgrades Numbers 14-018, and 14-020 for Supervisor. The Honorable Judge Julian seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

A motion was made by Mr. Shields to approve with comments, Upgrades Number 14-019 for Licensed Residential. The Honorable Judge Julian seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Executive Director's Report

Sandy Kerns, Executive Director, presented the following to the Board for review:

1. Fiscal Year 2014 Final Revenue Report
2. Fiscal Year 2014 Final Expenditure Report
3. Fiscal Year 2015 Revenue Report as of November 30, 2014
4. Fiscal Year 2015 Expenditure Report as of November 30, 2014
5. A Temporary Permit Report listing all Temporary Permits issued in 2014
6. A list of active appraisers and apprentices by county as of November 2013
7. A list of active appraisers and apprentices by county as of November 2014
8. A letter from Bradley Jaranko requesting an extension to complete the required number of non-residential experience hours to enable him to upgrade his credential. A

motion was made by The Honorable Judge Julian to deny his request. Ms. Dawson-Clowser seconded the motion. Roll call:

Mr. Summers – Yes
The Honorable Judge Julian – Yes
Ms. Dawson-Clowser – Yes
Ms. Aliveto – Yes
Mr. Shields – Yes
Ms. York – Yes

Motion carried.

9. An email from Terry Bowditch regarding West Virginia Appraisal Management Company Act §30-38A-7

10. A report of expenditures using the state issued Purchasing Card for 2014

A motion was made by The Honorable Judge Julian to accept the Purchasing Card report as submitted. Ms. Dawson-Clowser seconded the motion. Roll call:

Mr. Summers – Yes
The Honorable Judge Julian – Yes
Ms. Dawson-Clowser – Yes
Ms. Aliveto – Yes
Mr. Shields – Yes
Ms. York – Yes

Motion carried.

Ms. Kerns provided Board members with a status update regarding Proposed Legislative Rule Title 190, Series 5, Requirements for Registration and Renewal of Appraisal Management Companies.

A discussion of Legislative Rules Title 190 Series 2 Requirements for Licensure and Certification and Title 190 Series 3 Renewal of Licensure or Certification indicated a need for review and possible revision. Board members shall review the above rules, document suggested changes, and present them at the February Board Meeting.

Legal Update

A legal update regarding Board matters was given during Executive Session.

An Application for Reciprocity for Jeffrey Walker was reviewed. It appears on May 16, 2013, a Consent Settlement Order was entered by the Alabama Real Estate Appraiser Board whereas Mr. Walker signed two appraisal reports while he was not licensed in Alabama. Since that time Mr. Walker obtained an appraiser license in Alabama. Motion was made by The Honorable Judge Julian that the application be denied. Ms. Dawson-Clowser seconded the motion. Roll call vote:

Mr. Summers – Yes
The Honorable Judge Julian – Yes
Ms. Dawson-Clowser – Yes

Ms. Aliveto – Yes
Mr. Shields – Yes
Ms. York – Yes

Motion carried.

An Application for Reciprocity for David Hopkins was reviewed. On July 13, 1999, a Consent Order was entered by the Tennessee Real Estate Appraiser Board. He affixed his signature and Georgia appraiser certification number to the transmittal letter of an appraisal report for property located in Tennessee. Mr. Hopkins had a valid certified general license in Tennessee. Three other appraisers signed the report. However, none were licensed in Tennessee. Mr. Hopkins is now licensed in Tennessee and several other states.

On February 18, 2003 an order was entered in Georgia. Mr. Hopkins failed to disclose the Consent Order entered by the Tennessee Real Estate Appraiser Board on his 2000 application for an appraiser license.

Motion was made by Ms. York to approve the application. Mr. Shields seconded the motion.
Roll call vote:

Mr. Summers – Yes
The Honorable Judge Julian – Yes
Ms. Dawson-Clowser – Yes

Ms. Aliveto – Yes
Mr. Shields – Yes
Ms. York – Yes

Motion carried.

A 2014-2015 License Renewal Application received on December 3, 2014 from Bradley Jaranko was presented to the Board for review. Pursuant to the answer provided on the renewal application, a motion was made by Ms. York that the Board initiate a complaint and a file be opened against Mr. Jaranko The Honorable Judge Julian seconded the motion. Roll call vote:

Mr. Summers – Yes
The Honorable Judge Julian – Yes
Ms. Dawson-Clowser – Yes

Ms. Aliveto – Yes
Mr. Shields – Yes
Ms. York – Yes

Motion carried.

Complaint Number 14-011 On August 20, 2014, the Board voted to revoke the license of this appraiser based this appraiser being convicted of two counts of bank fraud. Administrative staff presented to the Board that the appraiser is not currently licensed by the board, in that the appraiser's license expired on September 30, 2014. A motion was made by

The Honorable Judge Julian that should the appraiser seek licensure at a future date, the complaint will be readdressed. Ms. York seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Complaint Number 14-006 On October 8, 2014, a Cease and Desist letter was sent regular and certified mail, both were returned as no such number and not deliverable as addressed. A motion was made by The Honorable Judge Julian to verify the address and to send it again. Ms. York seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Old Business

A roster of Registered Appraisal Management Companies (AMCs) was presented to the Board members.

The issue of Provisional AMC Registrations pursuant to Title 190 Series 5 Section 11 was discussed. A motion was made by Mr. Shields that no provisional AMC registrations will be issued as of January 1, 2015. AMCs that have submitted a complete application prior to January 1, 2015 will be allowed to continue to practice while awaiting the approval of submitted background checks and/or surety bonds. Any non-registered AMC will be ordered to Cease and Desist. Ms. Dawson-Clowser seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

A detailed job description of the new position and clarification of current job positions was presented to Board members for review.

Discussion was held regarding the upcoming deadline and guidelines for 2014 Upgrade Submissions.

A report was given regarding leasing additional office space. Board members requested additional research. A committee was formed to assist with the matter.

New Business

Mr. Shields and Ms. York attended the AARO Conference held in Washington, D.C. on October 17, 2014. A report was given.

Mr. Shields and Ms. York attended the State Auditor Board Training Conference held on December 2, 2014. A report was given.

A list of tentative meeting dates for Board and Committee meetings was presented to Board members.

The matter of paperless operations for Board and Committee Meetings was discussed.

The 2015 AQB mandated Apprentice/Supervisor Training Course was discussed. Motion was made by Mr. Shields to set as policy the IDECC minimum passing score as the required passing score for WV. Ms. York seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

The new West Virginia Law Course was discussed. Motion was made by The Honorable Judge Julian to set as policy 75% as the passing rate for successful completion of the course. Ms. York seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

A motion was made by Ms. York that as a condition of renewal for the 2015-2016 license renewal period, the required the West Virginia Law class shall be successfully completed. This

is in addition to the necessary fourteen hours required to renew an apprentice permit or appraiser license. The course must be successfully completed every four years thereafter. Mr. Shields seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Currently Board Policy states an Apprentice must successfully pass the National Exam for Licensed Appraiser before being granted an Exemption from Supervisory Accompaniment. New AQB Guidelines precludes taking national examinations prior to completing all education and experience hours. A motion was made by Mr. Shields that the requirement be removed and that new policy be established for Exemption from Supervisory Accompaniment that an Apprentice be granted exemption after 500 hours of experience and recommendation of Supervisor. The Honorable Judge Julian seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Mr. Shields – Yes |
| Ms. Dawson-Clowser – Yes | Ms. York – Yes |

Motion carried.

Election of Officers

Mr. Summers opened the floor for nominations for Chair. Ms. York nominated Mr. Glenn Summers. The Honorable Judge Julian asked that the nominations be closed and Mr. Summers be named Chairman. Ms. Dawson-Clowser seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Ms. Aliveto – Yes | Mr. Shields - Yes |
| The Honorable Judge Julian – Yes | Ms. York - Yes |
| Ms. Dawson-Clowser – Yes | |

Motion carried.

Mr. Summers opened the floor for nominations for Vice-Chairman. The Honorable Judge Julian nominated Mr. David Shields. Ms. Dawson-Clowser asked that the nominations be closed and Mr. Shields be named Vice-Chairman. Ms. York seconded the motion. Roll call vote:

| | |
|----------------------------------|-------------------|
| Mr. Summers – Yes | Ms. Aliveto – Yes |
| The Honorable Judge Julian – Yes | Ms. York – Yes |
| Ms. Dawson-Clowser – Yes | |

Motion carried.

Mr. Summers opened the floor for nominations for Secretary. Mr. David Shields nominated Ms. York for Secretary. The Honorable Judge Julian asked that the nominations be closed and Ms. York be named Secretary. Ms. Dawson-Clowser seconded the motion. Roll call vote:

Mr. Summers – Yes

The Honorable Judge Julian – Yes

Ms. Dawson-Clowser – Yes

Ms. Aliveto – Yes

Mr. Shields – Yes

Motion carried.

Being no further business to be brought before the Board, Mr. Summers declared the meeting adjourned at 4:25 pm.

Glenn Summers, Interim Chair