West Virginia Real Estate Appraiser Licensing and Certification Board

MINUTES

May 29, 2014

A meeting of the West Virginia Real Estate Appraiser Licensing and Certification Board was held on May 29, 2014.

The following were in attendance in the Board's Office: Scott Barber – chair, Glenn Summers, David Shields, Darlene Ratliff Washington - Counsel, Sandy Kerns - Executive Director and Karen Hudson Executive Assistant. Ms. Dawson-Clowser attended the meeting at 11:04 am.

The following Board members were in attendance via conference call: The Honorable Anthony Julian and Mary Beth Aliveto.

Absent: Linda York

Mr. Barber called the meeting to order at 10:30 am.

Reading of the Minutes

A motion was made by Ms. Aliveto and seconded by The Honorable Judge Julian to approve the March 15, 2014 Board Minutes as submitted. Motion carried.

Committee Reports

Upgrades Committee

Upgrades Number 14-007 During the last Board meeting motion carried to approve the Upgrade for Certified Residential pending receipt of additional information requested by the Committee. The additional information was received and accepted therefore, the application was approved.

Upgrades Number 4-008 During the last Board meeting motion carried to approve the application for Supervisor pending receipt of additional information requested by the Committee. The additional information was received. The application is held for further investigation.

Standards Committee

The Standards Committee had not met since the last Board Meeting. No report was given.

Executive Director's Report

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

1. The Budget Amendment Report

2. The Expense and Revenue Reports for the period of July 1, 2013 through April 30, 2014

3. Purchasing Card expenditures from the period of January 2014 through April 2014, listing the expenditures made on the state authorized VISA purchasing card

4. Temporary Permits issued from January 1, 2014 through May 28, 2014

5. A letter from Senator, William P. Cole III, Delegates Marty Gearheart, Joe Ellington and John Shott regarding Broker Price Opinions (BPO's)

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Effective July 1, 2014, the Board would be utilizing Lockbox, a service offered by the West Virginia State Treasurer's Office, whereas all payments received by the Board will be processed through this service.

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Ms. Kerns stated notification would be sent to appraisers and apprentices advising them to check the Board's website for important information regarding AMC Rules and Registration, new Rules 190 CSR2 and 190 CSR3, and the cash handling policy change.

Legal Report

During the last Board Meeting an application for an Apprentice Permit was submitted by Connie Williams. The application was pending receipt of additional educational documentation. Legal counsel was to review the requested documentation and, if it adequately addresses the concerns of the Board, the application would be approved. The requested documentation was received and viewed by legal counsel. The application was approved.

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A legal update was presented regarding Complaint Number 07-016. The Supreme Court issued a rule to show cause. This matter will be scheduled for consideration and oral arguments during the September 2014 term of court.

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An application for an Apprentice Permit for Greg Shaffer was received. Documentation reviewed indicated he was charged with a minor traffic violation in 2007.The Board has no record of any other criminal activity or disciplinary actions since the 2007 offense. A motion was made by Ms. Aliveto and seconded by Ms. Dawson-Clowser to approve the application. Motion carried.

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The Board office received inquiries regarding two licensed appraisers and their possible involvement in the Logan County matter in the US District Court for the Southern District of West Virginia. A motion was made by The Honorable Judge Julian and seconded by Ms. Dawson-Clowser that a complaint be opened against the appraisers to determine if there has been a violation of the Real Estate Appraiser Practice Act. Motion carried.

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A review of the Valuation Review on-line report revealed that a federal jury found James Lignelli guilty of three counts of bank fraud with sentencing to be held on September 26, 2014.

Mr. Lignelli's license renewal form on file with the Board for the 2013-2014 license renewal period did not disclose that indictment by the federal grand jury was then pending against him, although question 4 or 5 on the application would appear to require that information.

Motion was made by Mr. Summers and seconded by Ms. Aliveto that due to the failure to disclose the federal indictment on his license renewal form, a complaint be opened against Mr. Lignelli. Motion carried.

Old Business

A report was given regarding the replacement of the Board's data base.

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A list of Appraisal Management Companies that have Pre-Registered was presented to the Board for review.

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A draft of the new Series 5 Rules pertaining to Appraisal Management Companies was given to Board members for further review and discussion. A motion was made by Mr. Shields and seconded by Ms. Dawson-Clowser to approve the rules. Motion carried.

New Business

There was no new business before the Board.

Being no further business to be brought before the Board, Mr. Barber declared the meeting adjourned at 1:02 pm.

Glenn Summers, Vice-Chair