

**MINUTES**  
of the  
**West Virginia Real Estate Appraiser  
Licensing and Certification Board**

**March 14, 2013**

A meeting of the West Virginia Real Estate Appraiser Licensing and Certification Board was held on March 14, 2013, in the Board's office located at 2110 Kanawha Boulevard East, Charleston, West Virginia. The following Board members were in attendance: Scott Barber-Chair, Glenn Summers, The Honorable Anthony Julian, David Shields, Virginia Shaw, Darlene Ratliff-Washington – Counsel, and Sandy Kerns – Executive Director. Absent were: Mary Beth Aliveto, Dale Dawson-Clowser and Linda York. Mr. Barber called the meeting to order at 10:07 am.

***Reading of the Minutes***

A motion was made by The Honorable Judge Julian and seconded by Mr. Summers to approve the January 4, 2013, February 19, 2013 and February 27, 2013 Board Minutes as submitted. Motion carried.

***Committee Reports***

**Upgrades Committee**

Mr. Summers stated the Upgrades Committee held a telephonic Upgrades meeting on March 13, 2013. A total of nine applications were reviewed. Mr. Summers stated a report would be given during Executive Session.

**Standards Committee**

Mr. Barber stated the Standards Committee met on February 12, 2013. Eleven complaints were placed on the agenda.

Mr. Barber stated the Standards Committee met on March 5, 2013. Five complaints were placed on the agenda.

Mr. Barber stated a report would be given during Executive Session.

***Executive Director's Report***

Ms. Kerns presented the Board with a Financial Expense Report as of March 14, 2013.

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Ms. Kerns presented the Board with a report listing expenditures made using the state authorized VISA purchasing card since the last Board meeting.

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Ms. Kerns stated the Board received forty one applications for Temporary Permits since January 1, 2013. She stated some of the applicants have applied for Non-Resident licenses. She stated others have indicated they would be applying for Non-Resident licenses after July 1, 2013.

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### ***Old Business***

Ms. Kerns gave an updated report regarding the Appraisal Management Company legislation, House Bill 2608 and Senate Bill 346. Discussion was held regarding the legislation.

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Ms. Kerns presented the Board with a tracking list of bills introduced in the legislature that could possibly affect appraisers.

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Ms. Kerns presented the Board with the 2013 West Virginia Legislative Calendar.

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Ms. Kerns gave an update on the Broker's Price Opinions (BPO's) letter presented to the Board by Mr. Timothy Helmick during the December 12, 2012 Board meeting. Ms. Kerns stated Ms. Dawson-Clowser informed her BB&T discontinued the language referencing Broker's Price Opinions.

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During the January 4, 2013 Board meeting the Board reviewed an Application for an Apprentice Permit submitted by Mr. Vendeland. The criminal background check received by the Board indicated Mr. Vendeland failed to properly answer question number one and question number two on the application. Therefore, the approval of the application was denied.

On March 12, 2013, Mr. Vendeland submitted additional documentation for the Board's review. After reviewing the documentation, a motion was made by Ms. Shaw and seconded by Mr. Shields to rescind the Boards previous decision and to approve the application. Motion carried.

### ***Legal Report***

Ms. Ratliff-Washington stated a legal report would be given during Executive Session.

***Executive Session***

At 1:20 pm a motion was made by Mr. Summers and seconded by Mr. Shields that the Board move into Executive Session in accordance with Chapter 6, Article 1, Section 4(4) of the Code of West Virginia for the purpose of discussing Upgrades, Standards, Legal Matters and New Business.

***Regular Session***

At 3:00 pm a motion was made by Mr. Summers and seconded by Mr. Shields that regular session be reconvened. Motion carried.

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A motion was made by Mr. Summers and seconded by Mr. Shields to approve Upgrades numbers 12-047, 12-048, 13-002 for Licensed Residential appraiser. Motion carried.

A motion was made by Mr. Summers and seconded by Mr. Shields to approve Upgrades numbers 12-032, 12-037 and 13-003 for Certified General appraiser. Motion carried.

A motion was made by Mr. Summers and seconded by Mr. Shields that based on the information provided with Upgrades number 13-004, to approve the application for Certified General appraiser. Motion carried.

A motion was made by Mr. Summers and seconded by Mr. Shields to approve Supervisor Review number 12-041 for Supervisor. Motion carried.

An email was received from Mr. Loughry's attorney Mr. C. Paul Estep regarding the Upgrade of Mr. Loughry. A motion was made by Mr. Shields and seconded by The Honorable Judge Julian that Ms. Ratliff-Washington respond to Mr. Estep. Motion carried.

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Complaint Number 08-025            A motion was made by Mr. Summers and seconded by Ms. Shaw to approve the Consent Decree and Order. Motion carried.

Complaint Number 08-026/10-012            A motion was made by Mr. Summers and seconded by Ms. Shaw to approve the Administrative Pre-Hearing Diversion Agreement. Motion carried.

Complaint Number 11-020            A motion was made by Mr. Summers and seconded by Ms. Shaw to approve the Administrative Pre-Charge Diversion Agreement. Motion carried.

Complaint Number 11-023            A motion was made by Mr. Summers and seconded by Ms. Shaw to approve the Administrative Pre-Charge Diversion Agreement. Motion carried.

Complaint Number 12-005            A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation that the Board

upholds its previous decision that further investigation of the complaint appears unwarranted. Motion carried.

Complaint Number 12-011 A Consent Decree and Order was sent to the appraiser. Since that time the Board received a response from the appraiser. After review of the response, a motion was made by Mr. Summers and seconded by The Honorable Judge Julian to proceed with formal charges. Motion carried.

Complaint Number 12-013 The Board reviewed a letter from the complainant asking for an appeal to the Board's decision regarding the complaint. Upon reconsideration the Board found no credible information that would warrant change in their original decision.

Complaint Number 12-018 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation that an educational letter be sent to the appraiser and no further action be taken. Motion carried.

Complaint Number 12-020 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation to dismiss the complaint. Motion carried.

Complaint Number 12-025 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation to dismiss the complaint. Motion carried.

Complaint Number 12-026 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation to dismiss the complaint. Motion carried.

Complaint Number 12-027 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation that the complaint be dismissed. Motion carried.

Complaint Number 12-028 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation that a Consent Decree be sent to the appraiser. Motion carried.

Complaint Number 12-029 A motion was made by Mr. Summers and seconded by The Honorable Judge Julian to accept the Standards Committee recommendation that a Consent Decree be sent to the appraiser. Motion carried.

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A Board meeting was scheduled for April 10, 2013.

Being no further business to be brought before the Board, Mr. Barber declared the meeting adjourned at 3:20 pm.



Scott Barber, Chair Vice Chairman