

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**

Heber M. Wells Building

Room 210

9:00 a.m.

February 25, 2015

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Mark Fagergren, Education and Licensing Director  
Jeffery Nielsen, Chief Investigator  
Justin Barney, Hearing Officer  
Che Arguello, Assistant Attorney General  
Jennie Jonsson, Administrative Law Judge  
Judith Jensen, Assistant Attorney General  
Renda Christensen, Board Secretary  
Kendelle Christiansen, Appraisal Licensing/Education  
Theron Case, Investigator  
Jim Bolton, Investigator

**BOARD MEMBERS PRESENT:**

John E. Ulibarri, Chair  
Kristin Coleman-Nicholl, Vice Chair  
Daniel Brammer, Board Member  
Paul W. Throndsen, Board Member  
Jim Bringhurst, Board Member

**GUESTS:**

Jake Parkinson  
Austin Christensen  
Nathan Hallows

The February 25, 2015 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Ulibarri conducting.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes - A motion was made and seconded to approve the minutes from January 28, 2014 meeting as written. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Throndsen, yes; Board Member Brammer, yes; Board Member Bringhurst, yes. The motion carries.

**DIVISION REPORT**

**DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart reported the Division's bill, HB227, has passed the House and Senate Committee last Friday, and should pass the Senate floor today. The bill will become effective 90 days after the end of the session.

**ENFORCEMENT REPORT – Jeffery Nielsen**

Mr. Nielsen reported that there are no enforcement statistics to review this month. The enforcement secretary, Allyn Stutsman, was injured in an accident and has been out of the office for the month. Hopefully, she will return before the next meeting and we will have some numbers to review.

Mr. Nielsen and Mr. Case will be speaking at the appraiser symposium in St. George on March 20-21, 2015.

There are no stipulations for review.

**EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren said last May the Division was authorized under the statute to require fingerprinting. There were some complications in the programming with the vendor, and it has finally been resolved. Now when someone applies for a license, or changes certifications, they will be fingerprinted. Reciprocal applications will have this same process.

The Division had hoped to have the Excel spreadsheet for the logs for the fee and mass appraisers on their website. Prior to doing this, Ron Smith got a class approved by the Division, to instruct these logs. He wanted to go through this class with students before it was published on the Division's website. Lisa Manning, Chief Deputy Director of Davis County, is the programmer who did a lot of work on these spreadsheets. Mr. Smith would like to make some changes to the spreadsheets before the Division posts them on our website. Mr. Fagergren will ask Mr. Smith to make a presentation to the Board of these changes and answer any questions they may have.

Mr. Fagergren reminded those in attendance that as of the first of the year there is a requirement that candidates submit a log for pre-2015 experience and then post-2015 experience. It will be somewhat confusing, but the numbers are relatively small, so hopefully it will work itself out. There will be an article in the upcoming newsletter to discuss these spreadsheets.

Mr. Fagergren announced the dates of the upcoming Division's 2015 Caravan:

April 21 – Vernal	May 07 – Park City
April 23 – Provo	May 12 - Moab
April 28 – Logan	May 13 - Richfield
April 30 – Layton	May 14 – Cedar City
	May 15 – St. George

Mr. Fagergren said the trend has been to see more mass appraisers attending the Caravan meetings, even though they can't receive continuing education credit.

Mr. Fagergren said the Division is in an awkward position of reviewing applications that have minor criminal offenses. Technically, if an application is submitted tomorrow they must wait a month for the Board to meet again and review the application. The Division has been bothered by this delay, and in some instances, we have licensed the applicant anyway and reported it to the Board after the fact.

The other two Commissions have authorized the Division to review these applications and approve the applications. Mr. Fagergren presented this option to the Board to consider as a convenience factor. After some discussion on this issue, the Board asked Mr. Barney to write a draft rule on this matter for discussion in the next month's meeting.

Mr. Fagergren submitted the following lists to the Board for their review:

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Devin S. Wilkins, LA candidate  
Joel H. Thompson, LA candidate

Discipline List for Board's Consideration:

Jacqueline M. Fitzgerald, Temporary CG  
Eric Wolf, CR  
Daniel Polityka, TR  
Dustin Hughes, CR

**COMMISSION AND INDUSTRY ISSUES**

**Rule Updates – Justin Barney**

Mr. Barney reported the rule amendment regarding the 45-days in which an AMC has to pay for a completed appraisal was made effective the same day of the Board's approval last month.

There are no other proposed rule amendments to discuss this month.

**CLOSED TO PUBLIC**

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicoll, yes; Board Member Brammer, yes; Board Member Thronsen, yes; Board Member Bringhurst, yes. The motion passes. An Executive Session was held from 9:30 a.m. to 9:48 a.m.

**OPEN TO PUBLIC**

**RESULTS OF DELIBERATIONS**

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Devin S. Wilkins, LA candidate - Approved  
Joel H. Thompson, LA candidate - Approved

Discipline List for Board's Consideration:

Jacqueline M. Fitzgerald, Temporary CG - Approved

Eric Wolf, CR - Approved

Daniel Polityka, TR - Approved

Dustin Hughes, CR - Approved

9:50 Training by Assistant Attorney General Che Arguello and Administrative Law Judge Jennie Jonsson on Administrative/Hearing Procedures

A motion was made to adjourn the meeting. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Thronsen, yes; Board Member Bringhurst, yes. The motion passes. The meeting adjourned at 11:23 a.m.