

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**

Heber M. Wells Building

Room 210

9:00 a.m.

February 27, 2013

**MINUTES**

STAFF MEMEBERS PRESENT:

Jonathan Stewart, Division Director  
Jeffery Nielsen, Enforcement Director  
Mark Fagergren, Education and Licensing Manager  
Ben Jensen, Hearing Officer  
Judith Jensen, Assistant Attorney General  
Jennie Jonsson, Administrative Law Judge  
Amber Nielsen, Acting Board Secretary  
Carla Westbroek, Appraiser Licensing

BOARD MEMBERS PRESENT:

Daniel Brammer, Chair  
Jeanette Payne, Board Member  
John Ulibarri, Board Member  
James Bringhurst, Board Member

APPRAISAL SUBCOMMITTEE:

Jenny Tidwell, Appraisal Policy Manager  
Kristi Klamet, Appraisal Policy Manager

GUESTS:

Terry Coon	Jake Parkinson
Ann Barcellona	Kristin Coleman
Joel Frost	Neil Jensen
Vern Meyer	Cory Larsen
Darrel Clark	

The February 27, 2013 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Brammer conducting.

## **PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes -. A motion was made to approve the minutes from the January 23, 2013 meeting as written. Vote: Chair Brammer, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries.

## **DIVISION REPORT**

### **DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart presented to the Board copies provided by the Appraisal Subcommittee (“ASC”) of the 2011 Annual Report and the Real Property Appraiser Qualification Criteria.

Director Stewart updated the Board on the legislative progress of House Bill 290. An amendment to the Bill not relating to appraisers has been introduced to the Bill but not yet adopted.

Director Stewart discussed the proposed changes to the Disclosure Questions on Division Licensure Applications. The Disclosure Questions with proposed changes are questions 3, 5, 7, 11, and 14.

### **INVESTIGATIONS REPORT – Jeffery Nielsen**

Mr. Nielsen reported in January the Division received 7 complaints; opened 0 cases; 0 cases with the Attorney General’s office; closed 3 cases; leaving the total number of appraisal cases at 67.

#### **Stipulations for Review:**

Daniel Brent Tarr  
Jeff Wood  
Joshua Haire

All respondents were offered the opportunity to appear today, but have declined.

Mr. Nielsen also reported on findings regarding Daniel Dixon’s appraisal experience. This led to a discussion on the appraiser trainee experience documentation requirements.

Mr. Nielsen discussed the Voluntary Disciplinary Action Matrix.

**EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren continued the discussion on Daniel Dixon’s appraisal experience.

Mr. Fagergren reported there has been a loss of 26 trainees and some other subtle differences to the other licensing statistics.

There are no stipulations for review today.

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:**

Kesia Horner, LA Candidate

**Certified and Licensed Appraiser Applicants Approved by Education Review Committee and Denied by Experience Review Committee:**

Scott Craner, LA Candidate

**Discipline List for Board’s Consideration**

John M. Hillman, Temporary CG from Texas

Dax Gurr, CR Renewal

Mr. Fagergren presented the application for an Appraisal Management Company for Guideline Real Estate Services with main control person of Curtis D. Hansen. This application had previously been denied for failure to disclose a criminal background of main control person.

**COMMISSION AND INDUSTRY ISSUES**

**Rule Updates – Ben Jensen**

Mr. Jensen presented to the Board proposed rule changes to R162-2g-307c, R162-2g-306a, R162-2g-304, R162-2g-102. Some changes proposed are expanding continuing education topics, continuing education requirements for appraisers while on active military duty, and updating the definitions.

Mr. Jensen drafted a proposed statutory change regarding background checks which could be added to next year’s legislative session.

Mr. Jensen also presented updates to the requirements for appraiser's acting as a Supervisory Appraiser. A new section of rules will be drafted to address these changes.

Ms. Jonsson reported the August 2012 Order of Richard D. Perkins was appealed and requires the Board as constituted at that time to review and amend that order. This review will happen at a later date.

**APPRAISAL SUBCOMMITTEE REPORT:**

Ms. Tidwell introduced herself and Ms. Klamet, as well as briefly discussing the history and function of the Appraisal Subcommittee. Ms. Tidwell also briefly discussed upcoming changes to the Dodd Frank Act.

Ms. Tidwell presented the report on the Division to the Board. The Division was reviewed in seven areas: Statutes, regulations, policies, and procedures; temporary practice; national registry; applications; reciprocity; education; and enforcement.

**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 Brammer, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. An Executive Session was held from 11:43 a.m. to 12:54 p.m.

**OPEN TO PUBLIC**

**RESULTS OF DELIBERATIONS**

**Stipulations for Review:**

Daniel Brent Tarr - Approve

Jeff Wood - Approve

Joshua Haire - Approve

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

Kesia Horner, LA Candidate - Approve

Certified and Licensed Appraiser Applicants Approved by Education Review Committee and Denied by Experience Review Committee:

Scott Craner, LA Candidate – Accept Recommendation to Deny

Discipline List for Board's Consideration

John M. Hillman, Temporary CG from Texas - Approve

Dax Gurr, CR Renewal - Conditionally Approve

A motion was made to adjourn the meeting. Vote: Chair Brammer, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. The meeting was adjourned at 12:57 p.m.