

APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M. WELLS BUILDING
ROOM 2B
April 23, 2008
9:00 A.M.
TELEPHONIC MEETING

MINUTES

STAFF MEMBERS PRESENT

Mark B. Steinagel, Division Director
Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Laurie Noda, Assistant Attorney General
Traci Gundersen, Assistant Attorney General
Renda Christensen, Board Secretary
Carla Westbroek, Appraiser Licensing

BOARD MEMBERS PRESENT

Lynn Christensen, Chair
Holly Christensen, Vice Chair
Craig Morley, Board Member
Ambria Spencer, Board Member
Ron Smith, Board Member

GUESTS

Darrin Liddell

The April 23, 2008 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Christensen conducting.

The minutes for March 26, 2008 were reviewed and found to have two corrections. On page four the spelling of Ms. Spencer's name was incorrect, and the notation by Aaron Bjorn Rosqvist name to "schedule for hearing" was removed. With these corrections the minutes were approved as modified.

DIVISION REPORTS

DIRECTOR'S REPORT – Mark B. Steinagel

Director Steinagel said there is a department-wide rule already in effect for telephone meetings so the Division won't have to write a new rule to cover the meetings.

The Division will move forward with the statute automatically denying applicants with felonies within 5 years and misdemeanors within 3 years, as consistent with the other two industries. Director Steinagel will have a draft ready in the fall for the Board to review.

There is an issue on background check for trainees and reciprocity applicants. Both real estate and mortgage licensees have background checks on initial applications. Director Steinagel asked the Board if they would like to implement the procedure for appraiser

trainees. This would mean that if an applicant answered all of the background questions with “No” and the background report came in with a conviction record the Division would then automatically revoke their license. The board discussed the issue and recommended the Division begin the process to begin background checks with the automatic revocation clause to be consistent with the other industries.

Chair Christensen asked Director Steinagel if there was any more information received on the “Alabama” letter written to New York’s Attorney General, Andrew Cuomo. Alabama’s Attorney General had written a letter to Mr. Cuomo with a vote of no confidence from the state’s appraisal board on the agreement with Fannie Mae and Freddie Mac. The biggest concern deals with appraisal management companies and their impact on the manner in which appraisal assignments are distributed in the market place. Experienced and in many cases highly qualified appraisers may be negatively impacted as a result of this agreement. Also, the states will have no authority to regulate the appraisal management companies. In the interest of protecting the public it could potentially have the opposite effect. The fees from the appraiser management companies will be much lower and more qualified appraisers could be cut out of the assignment pool to leaving lesser qualified appraisers to do the work. This would cause harm to the public instead of protecting them. Chair Christensen will draft a letter from the Board to Mr. Cuomo and have it FedEx’d out at the first of next week. He encouraged Board members to fax him their ideas to add in the letter.

Director Seinagel introduced the Division’s new Assistant Attorney General, Traci Gundersen. Ms. Gundersen will be replacing Ms. Noda who will be assigned to another division.

ENFORCEMENT REPORT – Dee Johnson

Mr. Johnson reported in March the Division received 15 complaints, screened 7 complaints, opened 8 cases, closed 12 cases, leaving the total of 86 appraiser cases. The most serious cases were for the appraiser over inflating the value of the property.

Both of the licensees involved in the stipulations today were given the opportunity to appear before the board to answer any questions that might come up. Both of the licensees have chosen not to appear.

Mr. Johnson said the Division would like to submit some additional names for the Technical Advisory panel in the meeting next month.

Review of Stipulations

Richard W. Provolt
Gene C. Jorgensen

EDUCATION/LICENSING REPORT – Mark Fagergren

Mr. Fagergren said that both he and Mr. Johnson enjoyed participating in the Appraiser Institute Symposium in St. George and the presentations done by Chair Christensen and Board Member Morley. He believes it was a constructive effort and was well presented. Chair Christensen said that the presentations done by Mr. Fagergren and Mr. Johnson were the best he had seen.

Mr. Fagergren said the Division's Caravan will begin on Thursday and Friday of this week, and is hoping for a larger number of appraisers in attendance this year than in years past.

Mr. Fagergren addressed the Memo he and Director Steinagel received from Board Member Morley earlier this month regarding a person seeking a certified general license being required to submit residential work experience. This person is wondering if the Division is requiring something that has just been suggested by the Appraisal Subcommittee and being more strict than necessary. Mr. Fagergren said he has been actively trying to fight the new interpretation that he found problematic. His e-mail to Ben Henson in August 2007 expressing his frustrations with the new proposed revisions and Mr. Henson said the new revisions will take place in January 2008.

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

Adam W. Burris, CR Candidate
Grant S. Jones, LA Candidate
Dixie Page, CR Candidate
Robert James Shaw, LA Candidate
K. Marc Dyer, LA Candidate
Todd Orges, LA Candidate
Darren R. Pearce, CR Candidate

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

Philip Meidell, CR Candidate
Cindy C. Parry, CG Candidate
Darren M. Morgan, CR Candidate
Ronald M. Powell, CR Candidate

Review of Discipline List for Boards Consideration:

Tommy A. Dyches, CR Renewal
Kris Hudson, CR Renewal
Pamela M. Johnson, CR Renewal
Allen Larsen, CR Renewal

Board Member Smith wrote a Memo to the Division regarding the March 2008 Newsletter and the listing of licensing actions and disciplinary sanctions. He believes the Division should not publish this information in the newsletter. Both Board Members Smith and Morley suggest that a summary listing of how many appraiser applicants applied; how many were denied, and a list of the problems stating why they were denied would be preferred without publishing individual names. Director Steinagel said the opinions expressed today will be taken under consideration before the next newsletter goes to print.

CLOSED TO PUBLIC

A motion was made to go into Executive Session from 10:22 a.m. to 10:40 a.m.

Results of Executive Session
Review of Stipulations

Richard W. Provolt - Approved
Gene C. Jorgensen - Approved

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

Adam W. Burris, CR Candidate - Approved
Grant S. Jones, LA Candidate - Approved
Dixie Page, CR Candidate - Approved
Robert James Shaw, LA Candidate - Approved
K. Marc Dyer, LA Candidate - Approved
Todd Orges, LA Candidate - Approved
Darren R. Pearce, CR Candidate - Approved

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

Philip Meidell, CR Candidate - Approved
Cindy C. Parry, CG Candidate – Chair Christensen has recused himself - Approved
Darren M. Morgan, CR Candidate - Approved
Ronald M. Powell, CR Candidate - Approved

Review of Discipline List for Boards Consideration:

Tommy A. Dyches, CR Renewal - Approved
Kris Hudson, CR Renewal - Approved
Pamela M. Johnson, CR Renewal – Application Denied
Allen Larsen, CR Renewal - Approved

A motion was made during Executive Session to have Director Steinagel sign the stipulations on behalf of the Board.

Chair Christensen has announced that he will recuse himself for the hearing to be held on May 20, 2008.

A motion was made to adjourn at 10:44 p.m.