

**APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M. WELLS BUILDING
ROOM 210
October 22, 2008
9:00 a.m.**

MINUTES

STAFF MEMBERS PRESENT

Mark B. Steinagel, Division Director
Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Traci Gundersen, Assistant Attorney General
Renda Christensen, Board Secretary
Carla Westbroek, Appraiser Licensing
Craig Livingston, Investigator
Ken Wamsley, Investigator

BOARD MEMBERS PRESENT

Ron Smith, Chair
Craig Morley, Vice Chair
Ambria Spencer, Board Member
Paul Throndsen, Board Member

GUESTS

Darrin Liddell
Debbie Coburn

The October 22, 2008 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Smith conducting. Board Member Sjoblom was excused from the meeting today.

There were a few corrections to the Minutes for the September 24, 2008 meeting. Under the Education/Licensing Report there were three references to the "AQB." These should be changed to "ASC." On page 4 there needs to be a correction on the time to show the time of the Executive Session ending at 11:57 p.m. should be 11:57 a.m. On page 5 under the hearing for Adelmari B. Murphy the note should read that Chair Smith is familiar with her as a student, but not familiar with her work. There also needs to be the line item added that there was an Executive Session from 6:30 p.m. until 7:00 p.m. A Motion was made and passed unanimously to approve the Minutes with these corrections as written.

DIVISION REPORTS

DIRECTOR'S REPORT – Mark B. Steinagel

Director Steinagel reminded the Board that this Monday, October 27, 2008, at 8:30 a.m. the AARO trainers (Tom Lewis and Dennis Badger), will be here. The first day will be about USPAP and Director Steinagel encouraged the Board to attend. The training will continue on for two more days in which all investigators from the Division will attend.

The Commission calendar will change for the next two months because of the holidays. In November the meeting will change to the second Wednesday (Nov. 12th), and in December the meeting will be changed to December 10th. The meeting in November will include training done by the Attorney General's office.

Director Steinagel made a comment regarding the Amended Agenda that had been sent out. Under the Executive Session section the last item was a strategy session on pending litigation by Blaine Ferguson and Laurie Noda from the Attorney General's office.

Director Steinagel was at a conference this weekend regarding real estate, and Denise Graves, Deputy Director of ASC, was there as well. He had a chance to talk with her at their dinner break about some of the things the Division was doing in Utah (i.e., recent orders, increased enforcement actions, etc.). He said that we will be ready for their audit in February, and Ms. Graves said that it sounds like the Board and Enforcement are in good shape.

Mr. Johnson said that Enforcement is working hard on the backlog of cases. The last count was approximately 57 open investigations over one year, and it now is under 10 open investigations by this January. Those cases are because the matter is pending, a hearing planned, or something equivalent.

Director Steinagel said he has submitted the reports for on-line renewal, and technically, if he doesn't get any comments they could be effective as early as December 8, 2008.

Director Steinagel turned some time over to Mr. Fagergren and Vice-Chair Morley to report on the Association of Appraiser Regulatory Officials (AARO) and State Regulatory Advisory Group (SHRAG) convention. Mr. Fagergren said he thought the convention was enlightening. Some topics discussed were having a uniform state investigatory form; providing disciplinary guidelines; search for a new temporary Executive Director of the Appraisal Subcommittee; suggestion to make disciplined appraisers pay for a certain number of Standard Three USPAP desk reviews; trainees not being on the registry; FHA requiring certified appraisers rather than licensed appraisers to perform appraisal assignments as of November 1, 2008; there will be three different exam forms for each of the three different types of licenses; challenges for multiple test takers; a study showing that traditional education (live) vs. distance education show no significant difference; segmented individuals who go beyond two years to test; and, federal regulators emphasizing that when trainees work experience is evaluated, if their work does not comply with USPAP, their supervising appraiser should receive at minimum a letter of reprimand. Greater discipline could be required based on the fact specific circumstances.

CLOSED TO PUBLIC

INFORMAL HEARINGS:

- 10:00 Tyler Free – Experience Review
Walter Keene, Attorney
Roland Robison, Certified General Appraiser, Supervisor
Gary Free
- 11:00 Kamyar Samimi – Reciprocity Application
Mr. Samimi did not appear nor did he contact the Division to reschedule.

ENFORCEMENT REPORT – Dee Johnson

Mr. Johnson reported in the September the Division received 10 complaints; screened 4 complaints; opened 13 cases; closed 16 cases; leaving 101 total appraisal cases.

There is one Stipulation for the Board to review today. The respondent was given the opportunity to attend today and has chosen not to appear.

Review of Stipulations:

David M. Lutz

EDUCATION/LICENSING REPORT – Mark Fagergren

Mr. Fagergren said the recent Instructor Development Workshop was successful. The Division's newsletter will be delayed because of recent changes in the mortgage industry and information updates. Vice Chair Morley has submitted an excellent article to be included in this newsletter.

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

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

Nick Clayson, LA Candidate
Glenn Jackson, LA Candidate
Exilda Serrano, LA Candidate
Scott Hallows, LA Candidate
Michelle Kimball, CR Candidate
Linda Sheeran, LA Candidate

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

Ryan Bishop

Review of Discipline List for Boards Consideration

Kevin Weed
Benjamin Tatton

Appraiser Continuing Education Instructor Applicant Denied by Division

Leslie Strange

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12:00 Experience Reviewers Recognition and Training Luncheon
First Floor Hearing Room

Director Francine Giani spoke to those in attendance today and commended them on their service to the industry. Certificates signed by the Governor were awarded to the Experience Reviewers. Their names are as follows:

Valli Smouse	Alan Thornton
Marlo Edwards	Eric VanDrimmelen
Allan Payne	Kip (Wallace) Myers
Troy Lunt	Darrin Liddell

Michele Jakob
Lewis Clark
Theron Case
Linda Campbell
Cindy Bullock
Trenholm Bartlett
Randy Kelley
Jim Telford
Mark Stevens
Brook Nipko
Brad Mullen
Bambi McConnell
Steve Kartchner
Peter Jensen
Chris Horne
Randy Devereaux

Bryce Clinger
Brent Clark
Vicki Campbell
Dale Cameron
Jim Bolton
Shinji Ichida
Tim Noyce
Steve Tanner
Chad Pehrson
Brian Musso
Tom Mulcock
Brad Lindley
Rand Johnson
Blake Ingram
John Draper

Chair Smith and Vice Chair Morley thanked all of the Experience Reviewers and passed out a new 2008-2009 USPAP Checklist Worksheet.

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INFORMAL HEARINGS (Continued)

2:30 Richard Christenson – Experience Review
Blake Anderson, Certified General Appraiser/Principal Broker, Supervisor
Chair Smith knows Mr. Christenson as a student, but he is not familiar
with Mr. Christenson’s work.

CLOSED TO PUBLIC

A motion was made and passed unanimously to go into an Executive Session from 3:39 p.m. p.m. to 5:15 p.m.

Strategy Session to discuss pending litigation – Blaine Ferguson and Laurie Noda, Assistant Attorney Generals

OPEN TO PUBLIC

RESULTS OF EXECUTIVE SESSION

Results of Stipulation:

David M. Lutz – Approved

The Board has agreed with the recommendations on the following lists:

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

Nick Clayson, LA Candidate – Board Member Thronsen recused himself.
Glenn Jackson, LA Candidate – Board Member Thronsen recused himself.
Exilda Serrano, LA Candidate
Scott Hallows, LA Candidate
Michelle Kimball, CR Candidate

Linda Sheeran, LA Candidate – Vice Chair Morley recused himself.

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

Ryan Bishop – Chair Morley recused himself

Review of Discipline List for Boards Consideration

Kevin Weed – Application denied. Vice Chair Morley has recused himself.

Benjamin Tatton

Appraiser Continuing Education Instructor Applicant Denied by Division

Leslie Strange – Application denied.

A motion was made and unanimously passed to adjourn the meeting at 5:17 p.m.