

APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

January 28, 2009

MINUTES

STAFF MEMEBERS PRESENT:

Mark B. Steinagel, Division Director
Mark Fagergren, Education/Licensing Director
Dee Johnson, Enforcement Director
Traci Gundersen, Assistant Attorney General
Julie Price, Assistant Board Secretary
Carla Westbroek, Education/Licensing Coordinator
Ken Wamsley, Investigator
Craig Livingston, Investigator
Jim Bolton, Investigator

COMMISSION MEMBERS PRESENT:

Ronald M. Smith, Chair
Craig Morley, Vice Chair
Ambria L. Spencer, Board Member
Paul W. Throndsen, Board Member
Debra Sjoblom, Board Member

GUESTS:

Dane Johnson	Gary Free
Gordon Strickland	Brenda Pierce

The January 28, 2009 meeting of the Appraiser Licensing and Certification Board began at 9:03 a.m. with Chair Smith conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes

No minutes received by Commissioners. To approve at next meeting.

DIVISION REPORT

DIRECTOR'S REPORT - Mark B. Steinagel

Director Steinagel gave the Board an update on the Experience Point Credit rule. This rule was approved last month and has been submitted to the Department for feedback.

The Division's Substitute bill passed out committee unanimously.

Director Steinagel asked Board Member Morley to give the Board an update on the Appraiser Management Company Bill. Board Member Morley stated that there was a modification of the draft that was sent out for industry feedback to various individuals at

the UAA. They would like to add language to the bill that deals with disclosing compensation. The main issue being that the fee the appraisal management company is charging needs to be disclosed separately from the fee being paid to the appraiser. Director Steinagel said that the biggest issue and concern is still that people in the industry want the bill to include some sort of business regulation of fees.

Chairman Smith asked Director Steinagel to discuss a proposed bill that would affect trainees. This bill would give the Board the authority to set into rule continuing education requirements for trainees. It would also include renewal requirements and background checks.

Director Steinagel gave the Board an update on the upcoming visit from the Appraiser Sub-Committee field review scheduled for February. The Division is in the process of sending everything they have requested this week.

Director Steinagel stated that he was not ready to discuss broker's price opinion issue. The state will prepare a legal opinion on this.

INVESTIGATIONS REPORT – Dee Johnson

Mr. Johnson reported that there were no stipulations to approve.

The statistics for January show the Division received 22 complaints; closed 10 cases.

Chairman Smith asked how many open cases were one year or over, and Mr. Johnson said it was 13; two matters that are being wrapped up will take care of half of them.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported that trainees were down six; licensed appraisers down eight; certified residential appraisers up 27; certified general appraisers up 12.

Director Steinagel stated that he had recently visited with former Division Director Ted Boyer, and had asked him what challenges he faced when he was Division Director. Discussion followed.

February 23rd – 25th the Appraiser Sub-Committee will conduct their field review. They will be reviewing files from February 2007 through current and will be attending the February Board Meeting.

Mr. Fagergren brought up an issue to the Board for their consideration. There have been several test candidates who have taken the test between 14 and 18 times. Should there be restrictions placed on the amount of times candidates can take the test? Should there be a waiting period between taking the test? Discussion followed.

Brent Anderson, a certified appraiser, and his partner approached Mr. Fagergren with a Market Conditions Report. Mr. Anderson's concern is that there are declines in market value and many appraisers aren't indicating that information. Mr. Fagergren asked the Board to review the information and advise him.

The issue of Certified Advalorum Appraisers was brought up by Mr. Fagergren. He stated that he had a reviewer who was frustrated that advalorum appraisers don't speak

the same language. He requested that the Board consider the issue of common terms and conformance with AQB guidelines.

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

George Allen, LA Candidate	Quinn J. Biesinger, CR Candidate
Seph Hammer, CR Candidate	*Michael Junkins, LA Candidate
Charles R. Kirton Jr., CG Candidate	Beaux Murphy, CR Candidate
Barbara Simper, LA Candidate	Charles Lynn Tucker, CR Candidate

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

Kyle Briathwaite, LA Candidate	Julie Crocco, CR Candidate
Julie Ann Narramore, LA Candidate	Curtis Williams, LA Candidate

Review of Discipline List for Boards Consideration

Steven A. Zenker, CG Renewal

A motion was made and accepted to close the meeting to the public for hearings.

CLOSED TO PUBLIC

INFORMAL HEARINGS

10:17	Ryan Bishop – Experience Review Walter T. Keane, Attorney Roland Robison, Witness Anthony Duncan, Witness
12:05	Kamyar Samimi – Reciprocity Review Mark Fagergren, Witness Ken Wamsley, Witness

A motion was made and accepted to go into Executive Session & Strategy Session to discuss pending litigation – Blaine Ferguson, Assistant Attorney General from 12:30 p.m. to 2:07 p.m.

OPEN TO PUBLIC

A motion was made to and accepted open the public portion of meeting at 2:07 p.m.

2:07	Training by Attorney General on Administrative/Hearing Procedures – Blaine Ferguson, Assistant Attorney General
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RESULTS OF EXECUTIVE SESSION

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

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Review of Discipline List for Boards Consideration

Steven A. Zenker, CG Renewal, Approved but if something is brought against him in Oregon, he has ten days to notify the Division and provide the outcome of the action.

A motion was made and accepted to adjourn the meeting at 4:45 p.m.