

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

January 28, 2015

Telephone Meeting

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Jeffery Nielsen, Chief Investigator
Justin Barney, Hearing Officer
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. Thronsen, Board Member
Jim Bringham, Board Member

GUESTS:

Kevin Swenson
Jake Parkinson
Bob Danehy

The January 28, 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 December 19, 2014 meeting as written. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicoll, yes; Board Member Brammer, yes; Board Member Thronsen, yes; Board Member Bringham, yes. The motion carries.

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported the legislative session started on Monday, and the Division's bill has not yet been numbered. The first draft of the Division's bill came out on Friday

and the Division is working on the edits for that draft. There are two appraiser related changes. For the first change we are copying the language that is currently in rule about the bonding requirement into statute, and the second is the requirement that the Board requested for an AMC to retain their files on any review they performed for at least five years. There was also a comment on the definition of “review”, so rather than define “review” the Division tied this requirement back to section 61-2e-302 which is the requirement for an Appraisal Management Company to do a periodic review of their files. Those are the files that would be required to be retained. Director Stewart is hopeful the bill will get numbered this week.

ENFORCEMENT REPORT – Jeffery Nielsen

Mr. Nielsen reported in December the Division received 7 complaints; opened 2 cases; closed one case on the Attorney General’s list; 15 cases with the Attorney General’s office; closed 4 cases; leaving 35 open appraiser cases.

Stipulation for Review

Jerry A. Skaggs

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren commented the statistics are currently calm.

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:

Edwin B. Benson, CR candidate

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney reported the amendments to the rule on unprofessional conduct for an AMC not to not pay an appraiser within 45 days has been out for public comments, and has not received any public comments. The Board made a motion to approve the amendments to the unprofessional conduct section for an AMC not to pay an appraiser within 45 days. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicoll, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion carries. Mr. Barney will make the rule effective today.

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 Throndsen, yes; Board Member Bringhurst, yes. The motion passes. An Executive Session was held from 9:15 a.m. to 9:22 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

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

Edwin B. Benson, CR candidate – Approved with the concurrence of the Director

The Stipulation & Order for Jerry A. Skaggs was approved with concurrence of the Director.

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 9:23 a.m.