

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

April 23, 2014

Telephonic Meeting

MINUTES

DIVISION STAFF

Jonathan Stewart, Division Director

Jeffery Nielsen, Chief Investigator

Justin Barney, Hearing Officer

Elizabeth Harris, Assistant Attorney General

Renda Christensen, Board Secretary

Carla Westbroek, Appraiser Education Coordinator

Craig Livingston, Investigator

Theron Case, Investigator

BOARD MEMBERS

Daniel Brammer, Chair

Paul Throndsen, Vice Chair

John Ulibarri, Board Member

James Bringhurst, Board Member

GUESTS

Vern Meyer

Joes Frost

Bob Danehy

Terry Coon

Board Member Coleman is excused from the meeting this month.

The meeting on April 23, 2014 of the Utah Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Brammer conducting.

PLANNING AND ADMINISTRATIVE MATTERS

A motion was made to approve the minutes from the March 26, 2014. There were two corrections made to clarify two sentences. Vote to approve as amended: Chair Brammer, yes; Vice Chair Throndsen, yes; John Ulibarri, yes. The motion carries.

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported the Division has sent out the first email for the Customary and Reasonable Fee Survey that has been discussed in Board meetings over the past few months. Director Stewart said he heard from Barrett Slade yesterday saying that he has already received 250 responses from appraisers, and 250 responses from lenders.

The Appraiser Qualification Board (“AQB”) has recently come out with an exposure draft that will change the January 1, 2015 criteria. The exposure draft basically made changes to two things: to delay the background check requirement to January 1, 2017; secondly, to remove the requirement from the regulatory agency and put it on the individual licensee. The Division submitted a public comment where we disagreed with changing the deadline because we already have a statute that passed, and we already have a system in place to collect fingerprints and background checks. The Division believes there will be problems if the background check burden is placed on the licensee. Director Stewart said there are comments from 27 other states listed on the AQB’s website, and he shared several with the Board.

INVESTIGATIONS REPORT – Jeffery Nielsen

Mr. Nielsen reported in the month of March the Division received 6 complaints; opened no new cases; closed one case from the Attorney General’s list; closed no cases from the Division; leaving the total number of cases at 39.

Further discussion on potential rule changes will wait until there is a live meeting, which will be next month.

There are no stipulations for review this month.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren said there are no substantive changes in statistics for the last few months.

Mr. Fagergren received a phone call and had several conversations with an appraiser who is concerned with confusion, not so much by appraisers, but by real estate licensees. His concern is that the real estate community has a misunderstanding regarding the condos, townhouses, and PUDs. After discussion with the Board, it was decided that there should not be a problem with this issue.

Mr. Fagergren said the Division's Caravan spent yesterday in Park City. This was the first stop out of the nine locations scheduled this year. There were approximately 20 appraisers that attended the meeting, which was a good representation. Mr. Fagergren checked to see how long the Division has been doing Caravan. David Johnson and Karen Post started this in 1983, which makes it 31 years of traveling around the state to visit other areas where licensees live.

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

Brandon Bess, LA Candidate

Discipline List

James Gregg Hawthorne, CG Reciprocity Application

Jeffrey H. Walker, CG Temporary Practice Reciprocity Application

There are no stipulations to review this month.

Chair Brammer mentioned an email from Jake Parkinson regarding the appraisal experience hours. Additional information has been gathered, and Chair Brammer suggested there be some discussion on the topic. The Division received an email from Board Member Coleman asking to postpone any discussion on this topic, because she would like to be present to participate in the discussion. Chair Brammer asked Board Member Ulibarri and Board Member Coleman to respond to this topic next month with their findings. Ms. Christensen will add it to the agenda for next month.

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney said an amendment to rule R304(b), (c), (d) (DAR #38389), is in process to clarify the AQB criteria education requirements for real property appraisers. This has been published for public comment until May 15, 2014. No comments have been received as of yet. The earliest this rule can be made effective will be May 22, 2014. The Division's statute changes will be made effective on May 15, 2014, so the Board held discussion on this rule. A motion was made to make rule (DAR# 38389) effective on May 22, 2014, if no public comments have been received. Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. The motion passes.

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; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. The motion carries. An Executive Session was held from 9:50 a.m. to 10:25 a.m.

OPEN TO PUBLIC

Results of Lists:

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

Brandon Bess, LA Candidate - Approved

Discipline List

James Gregg Hawthorne, CG Reciprocity Application – Approved with Conditions

Jeffrey H. Walker, CG Temporary Practice Reciprocity Application - Approved

A motion was made to adjourn the meeting. Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. The motion carries. The meeting was adjourned at 10:25 a.m.