

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**

Heber M. Wells Building

Room 210

9:00 a.m.

August 27, 2014

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Jeffery Nielsen, Chief Investigator  
Justin Barney, Hearing Officer  
Elizabeth Harris, Assistant Attorney General  
Amber Nielsen, Acting Board Secretary  
Carla Westbroek, Appraisal Licensing Coordinator  
Craig Livingston, Division Staff  
James Bolton, Division Staff  
Theron Case, Division Staff

**BOARD MEMBERS PRESENT:**

John E. Ulibarri, Chair  
Kristin Coleman-Nicholl, Vice Chair  
Daniel Brammer, Board Member  
Paul W. Throndsen, Board Member  
Jim Bringhurst, Board Member

**GUESTS:**

Roger Barth  
Craig Jolley  
Vern Meyer

The August 27, 2014 meeting of the Appraiser Licensing and Certification Board began at 9:01 a.m. with Chair Ulibarri conducting.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes - A motion was made and seconded to approve the minutes from July 23, 2014 meeting. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Bringhurst, yes. The motion passes.

**DIVISION REPORT**

**DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart reported the results of the Utah Residential Real Estate Appraisal Fee Study for the Customary and Reasonable Fees survey were sent out last Friday. Director Stewart did not report the specific results today as it is quite lengthy and will likely be discussed in the coming months.

Director Stewart announced the Association of Real Estate License Law Officials (ARELLO) has notified the Division that the Division's annual Caravan Education Course will receive an education award in September. Caravan has been around for 30 years. This award is for past and current employees who have helped make Caravan a success.

**INVESTIGATIONS REPORT – Jeffery Nielsen**

Mr. Nielsen reported in June the Division received 4 complaints; opened 14 cases; submitted 1 new case to the Attorney General's office; closed 4 cases; leaving a total of 41 open cases.

There are no stipulations for review this month.

**EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren announced the Instructor Development Workshop will be held on October 22 and 23, 2014 in Park City. Carol Murray will be speaking. Mr. Fagergren wanted to remind the Board the Appraisal Subcommittee prohibits Appraiser Instructors from receiving continuing education credit for attending.

It was noted that the October Appraiser Board meeting is was also scheduled for October 22, 2014. Subsequently, the October Board meeting was changed to October 29, 2014 to avoid conflict with the Instructor Development Workshop.

Mr. Fagergren spoke about the proposed rule change which was discussed in last month's meeting when Mr. Fagergren was absent; the proposed rule will prohibit the advertisement of a course by individual education providers prior to the course receiving approval from the Division. Mr. Fagergren also mentioned this rule states that students may not earn more than eight credit hours in one day. Mr. Fagergren noted that some providers have questioned the restriction; however, Mr. Fagergren feels that retention and comprehension decrease significantly after eight hours.

Mr. Fagergren noted the licensing statistics do not seem to have gone through a lot of change.

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:**

Julie Dibble, CR Candidate  
Jill McKinney, LA Candidate

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

Caleb Dooley, CR Candidate  
Bessy Nielson, CR Candidate

Discipline List:

Jake A Burningham, CR License Renewal  
Kenneth L Davis Sr., Reciprocity Application from WA  
Matthew J Frentheway, CR License Renewal  
Mark Pomykacz, Reciprocity Application from NJ

There are no stipulations for review this month.

**COMMISSION AND INDUSTRY ISSUES**

**Rule Updates – Justin Barney**

Mr. Barney discussed the amendments to R162-g. Mr. Barney noted that all changes were made to incorporate what was discussed by the Board and the public at the last meeting and what Mr. Fagergren mentioned in his report. The rule amendments will take place on January 1, 2015. The Board said their review of the amendments all looked correct. A motion was made and seconded to submit the rules as written for public comment. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

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-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

**CLOSED TO PUBLIC**

An Executive Session was held from 9:27 a.m. to 9:54 a.m.

**OPEN TO PUBLIC**

**RESULTS OF DELIBERATIONS**

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

Julie Dibble - Approved  
Jill McKinney - Approved

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

Caleb Dooley - Denied  
Bessy Nielson - Denied

The other applicants will be notified by the Division in writing of the Board's decision.

A motion was made to adjourn the meeting. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes. The meeting adjourned at 9:55 a.m.