

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

March 27, 2013

MINUTES

STAFF MEMEBERS PRESENT:

Jonathan Stewart, Division Director
Jeffery Nielsen, Enforcement Director
Mark Fagergren, Education and Licensing Manager
Ben Jensen, Hearing Officer
Judith Jensen, Assistant Attorney General
Amber Nielsen, Acting Board Secretary
Craig Livingston, Appraiser Investigator
Theron Case, Appraiser Investigator
Carla Westbroek, Appraiser Licensing

BOARD MEMBERS PRESENT:

Daniel Brammer, Chair
Paul Throndsen, Vice Chair
Jeanette Payne, Board Member
John Ulibarri, Board Member
James Bringhurst, Board Member

GUESTS:

Kristin Coleman	Jake Parkinson
Joel Frost	Vern Meyer
Thayle Wilkins	Kevin Ewell

The March 27, 2013 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Brammer conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes - A motion was made to approve the minutes from the February 27, 2013 meeting as written. Vote: Chair Brammer, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries. Vice Chair Throndsen was not present at the last meeting and was excused from the vote.

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported the Appraisal Subcommittee (“ASC”) was here last month. The Division has received the Final Report from the ASC. The Division was found to be in compliance in every category except enforcement. Director Stewart noted the Division already had steps in place to get the enforcement into compliance.

Director Stewart mentioned the ASC hotline, the Appraisal Complaint National Hotline, will go live at 9:00 a.m. Friday March 15, 2013. The hotline will refer complainants to appropriate state and/or federal agencies to handle complaints of alleged violations.

Director Stewart presented two exposure drafts released earlier this week from the Appraiser Foundation. One draft proposed modifying the continuing education criteria to allow states to grant a deferral of up to 90 days to those impacted by state or federal disaster. The current criterion only allows deferral to those in military service. The second draft pertains to identifying comparable properties. The public comment period on these drafts will close on April 30, 2013.

INVESTIGATIONS REPORT – Jeffery Nielsen

Mr. Nielsen reported in February the Division received 4 complaints; opened 12 cases; has 0 cases with the Attorney General’s office; closed 5 cases; leaving the total number of appraisal cases at 74.

Mr. Nielsen has no stipulations to present to the Board for review at this time.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported the number of Appraiser Trainees have increased from 79 to 93.

Mr. Fagergren mentioned that Director Stewart and he went to the Appraisal Institute to speak last week at the Annual Spring Symposium. Mr. Fagergren briefly reviewed what they presented at that symposium.

Mr. Fagergren has no stipulations to present to the Board for review at this time.

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:

Spencer Cook, LA Candidate

Allen K. Hammer, LA Candidate
Kevin E. Jacobs, LA Candidate
Carla White, LA Candidate

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

Michael W. Cole, LA Candidate

Discipline List for Board's Consideration

Alan Plush, Temporary CG from Florida

Mr. Fagergren mentioned the Supervisor Trainer Course. The Division will present a proposed outline for the course next month.

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Ben Jensen

Mr. Jensen presented to the Board proposed rule changes to R162-2e-401, which deals with AMC Unprofessional Conduct with regard to AMC employees. A motion was made to table this proposal to a later date. Vote: Chair Brammer, yes; Vice Chair Thronsdon, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries.

Mr. Jensen presented to the Board proposed rule changes to R162-2g-102, R162-2g-307a, R162-2g-307b, R162-2g-307d, R162-2g-502a, R162-2g-502b. The proposed rule changes would define “non-certified education,” and change school requirements, pre-licensing course requirements, instructor requirements, a school’s affirmative duties, and change the prohibited conduct for schools and instructors. The Board approved the proposed administrative rules and motioned that they be submitted to the Division of Administrative Rules for publication in the Utah State Bulletin. Vote: Chair Brammer, yes; Vice Chair Thronsdon, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries.

A break was held from 10:17 a.m. to 10:27 p.m.

INFORMAL HEARING:

10:27 a.m. Thayle Wilkins – Experience Review
 Kevin Ewell

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 Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries. An Executive Session was held from 11:27 a.m. to 12:54 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

Thayle Wilkins is denied to sit for the Certified Residential Appraiser Exam

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

Spencer Cook, LA Candidate – Approved
Allen K. Hammer, LA Candidate – Approved
Kevin E. Jacobs, LA Candidate – Approved
Carla White, LA Candidate – Approved

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

Michael W. Cole, LA Candidate – Accept Recommendation to Deny

Discipline List for Board's Consideration

Alan Plush, Temporary CG from Florida – Approved

A motion was made to adjourn the meeting. Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Payne, yes; Board Member Ulibarri, yes; Board Member Bringhurst, yes. Motion carries.

The meeting was adjourned at 11:55 a.m.