

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**

Heber M. Wells Building

Room 210

9:00 a.m.

December 27, 2017

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Mark Fagergren, Education and Licensing Director  
Justin Barney, Hearing Officer  
Allen McNeil, Real Estate Analyst  
Elizabeth Harris, Assistant Attorney General  
Tiffany Brown, Assistant Attorney General  
Amber Nielsen, Board Secretary  
Kendelle Christiansen, Education Coordinator  
Jim Bolton, Investigator  
Craig Livingston, Investigator  
Faruk Halilovic, Division Staff

**BOARD MEMBERS PRESENT:**

Jeffrey T. Morley, Vice Chair  
Jim Bringhurst, Board Member  
Richard Sloan, Board Member  
Keven Ewell, Board Member

**PUBLIC MEMBERS PRESENT:**

Megan McKenna  
Marty Bodell

The December 27, 2017 meeting of the Appraiser Licensing and Certification Board began at 9:01 a.m. with Vice Chair Morley conducting. Chair Ulibarri was excused from today's meeting.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes – A motion was made and seconded to approve the November 29, 2017 minutes as written. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

Public Comment Period – No public comment was given.

## **DIVISION REPORTS**

### **DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart announced that Tiffany Brown has joined the AGs office and will be working with the Division. He noted the Division now has three dedicated AGs and the Real Estate Analyst; when he started there were only 1.5 AGs. Ms. Brown introduced herself and discussed her background.

Director Stewart reported on the Bill draft. He mentioned a big portion of the Bill deals with AMC minimum standards. He stated the Board had previously discussed commercial transactions not being included in the minimum standards; however, the minimum standards also do not cover second homes and vacation homes, it only includes a principal dwelling. He asked if the Board would like to exceed the minimum requirement to include something outside of the primary residence. There was some discussion regarding this. The Board recommends expanding the requirement to include any transaction for a dwelling, not only for a principal dwelling.

### **ENFORCEMENT REPORT**

In Ms. Wright's stead, Director Stewart reported in November the Division received 2 complaints; opened 1 new cases; closed 0 cases; leaving 35 appraisal cases open with the Division. There are a total of 7 cases now with the AG's office.

Ms. Harris presented a stipulation for review.

#### **Stipulation for Review**

Mark D. Peterson

### **EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren presented lists of individuals who were approved for licensing by the Division since the last meeting. Vice Chair Morley stated he felt the system of delegating approval of applications to the Division has been going well. There was some discussion on this system.

### **BOARD AND INDUSTRY ISSUES**

Mr. Barney presented a rule amendment regarding transfer fees to include individuals transitioning from a Trainee to the Licensed Appraiser and Certified Residential to a Certified General.

Mr. Barney briefly discussed the history of the AMC rules committee which has been meeting for nearly two years has had several meetings and has met with members of the industry and received their input. He mentioned Mark Schiffman from REVAA has requested another opportunity to discuss broadcasting assignments before another

draft is presented. He anticipates the draft language will be presented after that meeting is held and Mr. Schiffman's comments have been considered.

Mr. Barney reported the rule amendment that has been in the works for several months' public comment period ended December 1 with no public comments received. A motion was made and seconded to make the rule effective today. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. Director Stewart concurred. The motion passes.

The new rule amendment regarding the additional transfer fee language which was discussed earlier in the meeting was brought up again for consideration. A motion was made and seconded to move forward with the rule amendment. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. Director Stewart concurred. The motion passes.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

### **CLOSED TO PUBLIC**

An Executive Session was held from approximately 9:27 a.m. to 9:40 a.m.

### **OPEN TO PUBLIC**

A brief recess was held from 9:40 a.m. to 9:57 a.m.

The meeting resumed at 9:57 a.m. for the Experience Review of Megan McKenna.

#### **EXPERIENCE REVIEW HEARING**

9:57 Megan McKenna – Applicant  
Marty Bodell, witness for Ms. McKenna

The hearing for Ms. McKenna concluded at 11:08 a.m.

A motion was made and seconded 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 Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

### **CLOSED TO PUBLIC**

An Executive Session was held from approximately 11:10 a.m. to 11:25 a.m.

**OPEN TO PUBLIC**

**RESULTS OF EXECUTIVE SESSION**

Stipulation for Review

Mark D. Peterson – Approved with Division Concurrence

Ms. McKenna will be notified by mail of the results of her hearing.

A motion was made and seconded to adjourn the meeting. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes. The meeting adjourned at approximately 11:26 a.m.