

**APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M. WELLS BUILDING
ROOM 210
July 23, 2008
9:00 a.m.**

MINUTES

STAFF MEMBERS PRESENT

Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Renda Christensen, Board Secretary
Carla Westbroek, Appraiser Licensing
Jim Bolton, Investigator
Craig Livingston, Investigator
Maraly Frandsen, Division Paralegal
Julie Price, Division Staff

BOARD MEMBERS PRESENT

Lynn Christensen, Chair
Holly Christensen, Vice Chair
Ambria Spencer, Board Member
Ron Smith, Board Member

The July 23, 2008 meeting of the Appraiser Licensing and Certification Board began at 9:05 a.m. with Chair Christensen conducting.

The Minutes for the June 25, 2008 telephonic meeting were approved as written.

DIVISION REPORTS

DIRECTOR'S REPORT and EDUCATION AND LICENSING REPORT – Mark Fagergren
Director Steinagel is out of town and Mr. Fagergren will be giving the Director's report today. Mr. Fagergren requested the next regularly scheduled meeting be held as live instead of by phone. In order to keep hearings on a current schedule it will be necessary to hold the meeting as live instead of by phone. The Board has approved the change.

Mr. Fagergren said currently appraisers are required to renew with a paper renewal. AQB auditing requirements for continuing education lead the Division to initially not include appraisers when on-line license renewal was first introduced. However federal requirements now allow on-line renewal of appraiser licenses. On the recent Division Caravan there were questions asking why appraisers could not renew their licenses on-line. The Division has prepared draft rules that are similar with the current real estate and mortgage on-line rules. The purpose of these rules is to avoid confusion on any policy changes. Currently CE courses for appraisers are not required to be approved in advance by the Division. If this rule is adopted it will require that every CE course to be approved in advance by the Division. All CE providers would also be required to bank the attendance of the course within ten days.

If this draft rule is voted on today it would mean that it will take 90 days for the rule to be in place. It will then take a full two years before all of the courses approved by the Division will be included in the CE banking system. There will be no charge for certification at this point in time. The Division is trying to encourage providers to get their courses certified and will be waiving the \$70 fee currently in place for real estate and mortgage CE courses.

R162-103-7, Continuing Education Course Certification, is the draft rule that covers the new applications for Continuing Education Course Approval and Continuing Education Instructor Application. Mr. Fagergren will add a rule for non-certified CE to the draft being reviewed today. He would also recommend keeping the time limit on the hours being taught for one day would be eight hours. There was some discussion as to make the credit hours given a maximum of ten hours. There are two types of approved education: traditional education and distance education.

Mr. Fagergren introduced Maraly Frandsen to the Board. Ms. Frandsen has completed a nationwide survey on the regulation of trainees and their supervisors. She has created two pamphlets that cover her findings: States' Supervision of Trainee Supervisors and States' Supervision of Trainees. These pamphlets were distributed to the Board for their review.

CLOSED TO PUBLIC

INFORMAL HEARINGS:

10:08 Darren M. Morgan – Experience Review

11:15 Jeffrey Trent Pierson – Experience Review
Cody Alvey, Trainer

CLOSED TO PUBLIC

A motion was made to go into an Executive Session from 12:17 p.m. to 1:14 p.m. This was a working lunch.

CLOSED TO PUBLIC

INFORMAL HEARINGS (Continued)

1:15 Philip Meidell – Experience Review

2:00 Pamela Johnson – Application for Renewal
Ms. Johnson has requested to reschedule her hearing. The Division has granted her request.

OPEN TO PUBLIC

DIVISION REPORTS (Continued)

ENFORCEMENT REPORT – Dee Johnson

Mr. Johnson reported in the month of June the Division received 8 complaints, no cases were screened, opened 6 cases, closed 5 cases, leaving 100 open cases.

Mr. Johnson said that he, Mr. Livingston, and Traci Gundersen attended a course in Colorado last month that AARO put on to train investigators. The course expanded into the area of the Boards as well. The Division was so impressed that we are trying to get the same training to come to Salt Lake City. Director Steinagel has asked for and received permission to bring the process here. It is a three day training class and will be November 10, 11, and 12, 2008. The Board session will be a one day training session. Mr. Johnson said he will confirm which day is for the Board and will let them know.

Mr. Johnson said the investigation by the Mortgage Fraud Task Force will hold the trial for Brad Kitchen and will be holding trials for five or six of his accomplices. Because of the publicity, the United States Attorney has published an advanced plea of Mr. Kitchen

Mr. Johnson said the Division has accepted the surrender of a license from a long term appraiser and the Division had several cases against him. The licensee was Joseph Dunlop.

There are three stipulations for the Board to review today. The respondents were given the opportunity to attend today and have chosen not to appear.

Review of Stipulations:

Ashley Huntington

Leslie Strange

Jeffrey Hayes

EDUCATION/LICENSING REPORT (Continued) – Mark Fagergren

Mr. Fagergren said the question asked previously by the Board on whether appraiser distance education had to be both AQB and IDECC approved. The answer to that question is distance education courses may be acceptable to meet CE requirements provided that the course is approved by the state certification licensing authority, the course is a minimum of two hours and meets the requirements of CE established by the Board, and meets one of the three conditions: 1) the course is presented to an organized group in an instructional setting with a person qualified and available to answer questions, provide information and monitor student attendance; 2) the course has been presented to an accredited commission or colleges on regional accreditation and they have a written proctored exam by an official of the university; or 3) the course has received approval of IDECC for the course design and delivery mechanism.

The rules that the Board would like included in the draft for next month include whether providers can market a course until it has CE approval and must advertise a course certification number in their advertisements; the Division may grant CE for non-certified courses submitted by a renewal applicant in the form required by the Division if the course is not required by these rules to be certified; licensees must retain original course completion certificates for three years following renewal and produce them if audited; give no more than eight credit hours per day to a student; a signed statement agreeing not to market personal sales products; and, CE credit will not be given to a student who fails to provide their course sponsor with an accurate name and license number.

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

Quinn Biesinger, LA Candidate

Olivia Cassity, CR Candidate

Jacob J. Fawson, CG Candidate
Dane Johnson, CR Candidate
Joe Moore, CR Candidate

Mark Heubner, LA Candidate
David King, CR Candidate
Derek White, CR Candidate

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

Tyler Aicher, LA Candidate

Amy Beckstead, CR Candidate

Julie Crocco, CR Candidate

Tyler Free, CG Candidate

Adelmarie B. Murphy, LA Candidate

Justin T. Peterson, LA Candidate

Danny Rager, LA Candidate

Josh Wadsworth, LA Candidate

Review of Discipline List for Boards Consideration

Tina Binkerd

Michael R. Septer

CLOSED TO PUBLIC

INFORMAL HEARINGS (Continued)

2:53 Ron Powell – Experience Review

CLOSED TO PUBLIC

A motion was made to go into an Executive Session from 3:40 p.m. to 4:11 p.m.

OPEN TO PUBLIC

RESULTS OF EXECUTIVE SESSION

Results of Stipulations:

Ashley Huntington - Approved

Leslie Strange - Approved

Jeffrey Hayes - Approved

The Board has agreed with the recommendations on the following lists:

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Quinn Biesinger, LA Candidate

Olivia Cassity, CR Candidate

Jacob J. Fawson, CG Candidate

Mark Heubner, LA Candidate

Dane Johnson, CR Candidate

David King, CR Candidate

Joe Moore, CR Candidate

Derek White, CR Candidate

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A motion was made to adjourn at 4:20 p.m.

