

**APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M. WELLS BUILDING
ROOM 210
December 10, 2008
9:00 a.m.**

MINUTES

STAFF MEMBERS PRESENT

Mark B. Steinagel, Division Director
Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Traci Gundersen, Assistant Attorney General
Blaine Ferguson, Assistant Attorney General
Laurie Noda, Assistant Attorney General
Renda Christensen, Board Secretary
Carla Westbroek, Appraiser Licensing
Jim Bolton, Investigator
Ken Wamsley, Investigator

BOARD MEMBERS PRESENT

Ron Smith, Chair
Craig Morley, Vice Chair
Debra Sjoblom, Board Member

GUESTS

Darrin Liddell

The December 10, 2008 meeting of the Appraiser Licensing and Certification Board began at 9:10 a.m. with Chair Smith conducting.

Board Member Throndsen was excused because he was out ill.

Board Member Spencer was excused because she has a previous engagement.

The Minutes from the November 12, 2008 meeting were found to have two corrections. Page 4, the language needs to be changed to read “He also taught two USPAP classes (Ogden and St. George),” and the correction on “Assistants Attorney General.” A motion was made to accept the minutes with these corrections, and was passed unanimously.

DIVISION REPORTS

DIRECTOR’S REPORT – Mark B. Steinagel

Director Steinagel addressed the Commission’s 2009 Calendar. The suggested meeting date on November 11th was changed to Thursday, November 12th, and will be a phone meeting. Ms. Christensen will amend the calendar and distribute updated copies.

Director Steinagel discussed the Utah Appraiser Experience Log and turned the time over to Mr. Fagergren to address the changes. A small group (Chair Smith, Vice Chair Morley, Board Member Throndsen, and Mr. Fagergren) was assigned to recommend some changes on

the form to the Board. The corrections suggested on the existing rule will bring it into line with the experience point schedule. There are nine areas where trainees can receive experience points and the form will be revised to break down those areas.

The question was addressed if more than one trainee can get points on the same inspection. Mr. Fagergren said the supervisor is responsible for the integrity of supervision of the trainees to ensure they have individually performed, understand, and are learning the appraisal processes and procedures.

A motion was made to press ahead with the rulemaking process by Vice Chair Morley. The vote was unanimously approved.

Board Member Sjoblom brought up the subject of Broker Price Opinions versus an appraisal report. Director Steinagel has asked to have this topic addressed on a future agenda.

Director Steinagel discussed the Summary of Provisions on the Division's bill. The changes asked for are the following: requiring criminal background checks and addresses other requirements for trainees registered under appraisal provisions; provides for conditional registration of a trainee pending the criminal background check; modifies renewal requirements for a license or certificate under appraisal provisions; addresses rulemaking of appraisal board related to USPAP; requires notification of the division of certain events by a person licensed, certified, or registered under appraisal provisions, provides for the modification of sanctions under appraisal provisions for a person complying with court ordered restitution; clarifies criminal penalties against a person required to be licensed, certified, or registered under appraisal provisions; and allowing an additional six months to reinstate their license after expiration with additional continuing education and fine.

ENFORCEMENT REPORT – Dee Johnson

Mr. Johnson said there are three stipulations for the Board's review. Each of those individuals was offered the opportunity to appear and have chosen not to appear before the Board.

Review of Stipulations:

Steven W. Hansen
Thomas R. Gray
Steve W. Cloward

The statistics for November show the Division received 10 complaints; screened 0; opened 3 cases; closed 6 cases; leaving 89 open appraisal cases. The three stipulations today will close several cases.

Director Steinagel asked how many open cases were one year or over, and Mr. Johnson said it will be under 13 cases.

EDUCATION/LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported the Appraiser industry is in a growth period. The statistics show this year there were 97 new appraisers.

A motion was made and passed unanimously to close the meeting to the public for hearings.

CLOSED TO PUBLIC

INFORMAL HEARINGS

- 10:03 Pamela Johnson – Application for Renewal of License
Kathleen Arnovick, Attorney
- 11:15 Kevin Weed – Application for Renewal of License
Steven Call, Attorney
- 12:00 Craig Smith – Application for Renewal of License
Mr. Smith did not appear for his hearing.

EDUCATION/LICENSING REPORT – Continued

Mr. Fagergren submitted the following lists to the Board for their review:

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

Justin Brammer, LA Candidate	Don Chavis, LA Candidate
Heather Fox, CR Candidate	Weston Lemon, LA Candidate
Matt Morley, LA Candidate	John Wesley Parry, CR Candidate
Dena Pelca, LA Candidate	Joseph VanDenBerghe, LA Candidate
Holly Yergensen, CR Candidate	Lail Chavez, CR Candidate
Lori Windorski, LA Candidate	

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

Amy Beckstead, CR Candidate	Michel Renee Coles, LA Candidate
Robert S. Patterson, LA Candidate	

Review of Discipline List for Boards Consideration

Jean-Pierre Lomonaco, CG Renewal
Tamara Malan Cottle, LA Reciprocity application

CLOSED TO PUBLIC

A motion was made and passed unanimously to go into an Executive Session from 12:33 p.m. to 1:45 p.m.

OPEN TO PUBLIC

RESULTS OF EXECUTIVE SESSION

Review of Stipulations:

Steven W. Hansen - Approved
Thomas R. Gray - Approved
Steve W. Cloward - Approved

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

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

Justin Brammer, LA Candidate
Heather Fox, CR Candidate
*Matt Morley, LA Candidate
Dena Pelca, LA Candidate
Holly Yergensen, CR Candidate
Lori Windorski, LA Candidate

Don Chavis, LA Candidate
Weston Lemon, LA Candidate
John Wesley Parry, CR Candidate
Joseph VanDenBerghe, LA Candidate
Lail Chavez, CR Candidate

Vice Chair Morley has recused on the vote for Matt Morley. The Board called Board Member Thronsen at home and had him fill in to form a quorum.

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

Amy Beckstead, CR Candidate
*Robert S. Patterson, LA Candidate

Michel Renee Coles, LA Candidate

Chair Smith has recused himself on the vote for Robert S. Patterson. The Board called Board Member Thronsen at home and had him fill in to form a quorum.

Review of Discipline List for Boards Consideration

Jean-Pierre Lomonaco, CG Renewal - Approved
Tamara Malan Cottle, LA Reciprocity application - Approved

Chair Smith said a committee was formed to look over Appraisal Management Companies and consider legislation for this session.

CLOSED TO PUBLIC

Strategy Session to discuss pending litigation – Blaine Ferguson and Laurie Noda, Assistants Attorney General

OPEN TO PUBLIC

2:00 Training by Attorney General on Administrative/Hearing Procedures – Blaine Ferguson, Assistant Attorney General

A motion was made and unanimously passed to adjourn the meeting at 2:10 p.m.