

**APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M. WELLS BUILDING
ROOM 2B
July 22, 2009
9:00 a.m.
TELEPHONIC MEETING**

MINUTES

STAFF MEMBERS PRESENT

Thad Levar, Acting Division Director
Mark Fagergren, Education and Licensing Director
Traci Gundersen, Assistant Attorney General
Jennie Jonsson, Hearing Officer
Dave Mecham, Chief Investigator
Craig Livingston, Investigator
Ken Wamsley, Investigator
Renda Christensen, Board Secretary
Carla Westbroek, Appraisal Education/Licensing Specialist

BOARD MEMBERS PRESENT

Ron Smith, Chair
Craig Morley, Vice Chair
Debra Sjoblom, Board Member
Paul Throndsen, Board Member
Jeanette Payne, Board Member

GUESTS

Debbie Coburn
Darrin Liddell

The July 22, 2009 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Smith conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes

The Minutes from the June 10, 2009 meeting were discussed and found to have one correction. On page one, under Discussion on Industry Issues, the Rule Chair Smith made reference to should be R162-150. With this correction, the Minutes were approved.

The Minutes from the June 24, 2009 meeting were approved as written.

DIVISION REPORT

DIRECTOR'S REPORT – Thad Levar

Acting Director Levar introduced Ms. Jonsson to the Board. Ms. Jonsson will be the Hearing Officer and will be drafting orders and decisions for the Division. She is an attorney, and her background experience includes Title and Escrow, English teacher, and technical writing. Chair Smith welcomed Ms. Jonsson to the Division.

Under SB-81, which is the illegal immigration bill that went into effect this month, one change has been made with regard to Appraiser applicants. All applicants for licensure and renewal now have to certify under penalty of perjury that they are either a U.S. citizen or a qualified alien, and as of July 1, 2009 the Division has added that to all applications.

The Division is also required under SB-81 to then verify all those affirmations with the database from the Federal Department of Home Land Security. We are still working with our Department getting access to that database user verification.

Acting Director Levar discussed the Appraisal Management Rule. The Rule was filed and published in the July 1, 2009 State Bulletin. The public comment period runs through the end of July, and there have been two comments received which will be forwarded on to the Board for review. Once the public comment period closes, the Board will need to address two issues; one, making the rule effective which could happen as soon as August 7, 2009; and secondly, at some point in the future filing this additional amendment from Vice Chair Morley that was sent out to the Board yesterday.

Board Member Payne expressed concern that many people have not had a chance to review this rule. Acting Director Levar said the Division can add a link to the State Bulletin on the website for anyone interested in reviewing the proposed rule.

A motion was made and passed unanimously to hold a telephonic meeting on Tuesday, August 4, 2009 at 1:00 p.m. to discuss any public comments before the end of the month.

INVESTIGATIONS REPORT – Dave Mecham

Mr. Mecham reported in the month of June the Division received 16 complaints; screened 2 complaints; opened 12 cases; closed 11 cases; total number of cases is 91.

Mr. Mecham said there were three Stipulations to present today for the Board's review. All of the people were informed they could appear today, but all have chosen not to appear.

Stipulations for Review

Kenny A. Hardy

Jeffrey D. Wood – Chair Smith and Vice Chair Morley have recused themselves.

J. Martell Bodell

Vice Chair Morley gave a report on the BPO Committee meeting. Those in attendance also included the UAA legislative committee. The Committee is basically satisfied with the new changes that are in process with the Appraisal Management Company rule. They would like to clarify the role of Brokers and BPO's in legislation before the upcoming legislative year. Once the proposed changes are made to the statute, the Committee will then give the information back to the Division, Real Estate Commission, and the Appraisal Board to review for additional comments. Vice Chair Morley said he will report back to this Board with the proposed changes for the Board's consideration and review.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren said that Vice Chair Morley did a marvelous job in negotiating the very delicate issue of BPO's, and presenting his arguments to correct statutory language regarding real estate licensee exemptions from appraisal statutes. The current interpretation is that real estate licensees have a broad authority to do an opinion of value. This legislative rule change is essentially asking them to be willing to give up some options currently available to them.

Acting Director Levar previously brought up SB-81 and the changes that have been made. Mr. Fagergren noted that there may be many who are nervous about giving out their social security number on applications. According to the new legislation, we must have the person attest to who he/she is by writing the social security number on the renewals and applications.

The monthly statistics show a small drop in licensing numbers of all three of our licensed appraisers, certified residenceals, and certified general appraisers. It may just be that there have been some who did not renew on time.

Mr. Fagergren mentioned the annual Instructor Development Workshop to be held on October 19-20, 2009, at the Sheraton Hotel. There will be an outstanding instructor on technology in putting courses together. All those in attendance will leave with smart ideas and innovative ways to present material. The Board is invited as guests to attend.

Mr. Fagergren brought up a trainee registration issue. Ms. Jonsson has been helping out in cases where people have criminal histories. One of her tasks will be rulemaking, and she will attend a State training class on rulemaking. The Division has been granted authority under the statute to start the renewal of trainee registrations. Some trainees have been with us since 2004 and haven't had to do anything up until now. They will now be asked to renew every two years and take the required continuing education.

Mr. Fagergren presented these lists to the Board for their consideration:

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

- | | |
|----------------------------------|-----------------------------------|
| Dwight Anjewierden, LA Candidate | Aaron Henderson, CG Candidate |
| Matthew Hurst, LA Candidate | Adelmarie B. Murphy, CR Candidate |
| Julie Narramore, LA Candidate | Cindy Parry, CG Candidate |
| Kami Rasband, CR Candidate | Michelle Smoot, LA Candidate |
| Sam Ung, CR Candidate | |

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

- James B. Hickman, LA Candidate
- Kelby Wegwitz, LA Candidate
- Jason Mark Olson, CR Candidate

Discipline List:

- Michael A. Perkins, CR Appraiser Renewal

COMMISSION AND INDUSTRY ISSUES

Vice Chair Morley asked Mr. Fagergren what the number is for Appraisal Management Companies that have registered with the state. Ms. Westbrook answered there are now seven

companies registered. Next month the Division will prepare a list showing the companies that have applied, as well as those who are registered.

Ms. Coburn mentioned the UAA Summer Symposium being held on Wednesday, August 12th at the Grand America Hotel. There will be three hours of CE given, and the fee is \$90.00. There will be legislative and economic updates.

A motion was made and approved to go into Executive Session at 10:26 to 10:50 a.m.

The Board made and approved a motion to allow Acting Director Levar sign the Stipulations on behalf of the Board.

Results of Executive Session

Stipulations for Review

Kenny A. Hardy - Approved

Jeffrey D. Wood – Approved. Chair Smith and Vice Chair Morley have recused themselves.

J. Martell Bodell - Approved

The Board reviewed the lists presented by the Division and their decision is as follows:

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees: The Board has agreed with the recommendations presented.

Dwight Anjewierden, LA Candidate

Aaron Henderson, CG Candidate

*Matthew Hurst, LA Candidate

Adelmarie B. Murphy, CR Candidate

Julie Narramore, LA Candidate

Cindy Parry, CG Candidate

Kami Rasband, CR Candidate

Michelle Smoot, LA Candidate

Sam Ung, CR Candidate

*Chair Smith has recused himself on Mr. Hurst

Certified and Licensed Appraiser Applicants Approved by Education Review Committee and Denied by Experience Review Committees: The Board has agreed to deny these candidates as presented.

James B. Hickman, LA Candidate

Kelby Wegwitz, LA Candidate

Jason Mark Olson, CR Candidate

Discipline List:

Michael A. Perkins, CR Appraiser Renewal – Schedule for Hearing

The Board passed a motion to authorize the Division to publish the draft rule R162-150 for public comment.

There was a motion and unanimously approved to adjourn at 10:59 a.m.