

Minutes of the
Idaho Real Estate Appraiser Board
September 18, 2000

The Idaho Real Estate Appraiser Board meeting was called to order at 8:05 a.m., Monday, September 18, 2000 at the Bureau of Occupational Licenses, Owyhee Plaza, 1109 Main Street, Suite 220, Boise, Idaho.

Roll Call: Doyle Pugmire, Chairman
Ruby Stroschein, Vice Chairman
Stanley Moe, Board Member
Paul Morgan, Board Member

Bureau Staff: Thomas E. Limbaugh, Bureau Chief
Budd Hetrick, Deputy Bureau Chief
Roger Hales, Administrative Attorney
John Kersey, Chief Investigator
Roger Gabel, Deputy Attorney General
Kirsten Wallace, Deputy Attorney General

Gordean Briggs, absent, excused.

Minutes

Moved by Ruby Stroschein, seconded by Paul Morgan and carried that the minutes of the July 24, 2000 board meeting be approved with the amendment under distance education add USPAP courses must still be actual on site classroom hours.

Doyle Pugmire reviewed the letter he sent to board members and bureau staff and asked for their cooperation in conducting more efficient, organized and professional board meetings.

Financial Report

The FY2001 budget appropriation for the Real Estate Appraiser Board is \$140,550. As of September 15, 2000 the current balance is \$95,866. Tom Limbaugh reported to the Board that he has been informed by the Governor's office that they cannot submit a supplemental this year for mailing USPAP to licensees. It will be part of the budget for next year.

USPAP

Moved by Stanley Moe, seconded by Ruby Stroschein and carried that it be added to the 2001 renewal form that licensees can order USPAP through the Bureau office by sending an additional \$15.00 along with their renewal fee.

Proposed Law Change

Tom Limbaugh provided the Board with a copy of the proposed wording for a law change in Section 54-4106 by adding 2.i. "To adopt rules governing the registration of real estate appraiser trainees and their limitations." The Board approved the proposed wording.

File Review

The Board discussed the procedure followed for review of appraisal reports submitted by applicants being very time consuming. Tom Limbaugh informed the Board that honorarium could be paid for this review, however, this would require an increase in the budget to cover the costs incurred. It was the decision of the Board to continue as they are doing and to review this issue again later.

Complaint Report

John Kersey expressed his thanks to the Board for their help in reviewing complaint files and that this has helped relieve the workload a great deal. He also recommended that they consider spending two or three days each reviewing complaint files. Each board member agreed to take six complaint files with them to review.

Kirsten Wallace, Deputy Attorney General, presented a Consent Order to the Board for their consideration regarding Larry Taylor, LRA-124. Moved by Stanley Moe, seconded by Ruby Stroschein and carried that the Board accepts the Consent Order for Larry Taylor, LRA-124 wherein Mr. Taylor voluntarily surrenders his license and this license is suspended indefinitely. Consent Order is for the following cases: REA-L3-02-96-016, REA-L3-02-96-040, REA-L3-02-97-10, REA-P2C-02-98-004 and REA-L3-02-96-042.

Roger Gabel, Deputy Attorney General, presented a Stipulation and Consent Order to the Board for their consideration regarding Thomas Osborn, CGA-45. Moved by Ruby Stroschein, seconded by Paul Morgan and carried that the Board accepts the Stipulation and Consent Order for Thomas Osborn, CGA-45 wherein Mr. Osborn will pay a total of \$6300 in fines and be placed on probation for a period of two years. Stipulation and Consent Order is for the following cases: REA-B2C-01-97-021 and REA-L1C-01-99-003.

Executive Session

Moved by Paul Morgan, seconded by Ruby Stroschein and carried the Board goes into executive session to discuss possible litigation. The time being 9:25 a.m.

Moved by Ruby Stroschein, seconded by Paul Morgan and carried the Board comes out of executive session at 10:03 a.m.

Moved by Ruby Stroschein, seconded by Paul Morgan and carried regarding case number REA-L1A-01-00-005, that the Board requests Kirsten Wallace to send a letter advising that there is a clear violation of the law at the time of the complaint and that the complaint is being referred to the prosecutory attorney. Copy of the letter is to be sent to the executive director of the Real Estate Commission, the Commissioners and Idaho Department of Transportation. Stanley Moe recused from this motion.

John Kersey reported that to date twenty-three (23) complaints have been received. All are under investigation. Forty-six (46) complaints were received for 1999. Twenty-six (26) remain under investigation and/or legal review.

Thirty-seven (37) complaints were received during 1998. Twenty-three (23) remain under investigation or legal review.

Regarding 1997 thirty-two (32) complaints were received, fifteen (15) remain under investigation or legal review.

Regarding 1996 a total of forty-four (44) complaints were received. Four (40) complaints are under legal review pending formal action.

Roger Hales

Roger Hales, Administrative Attorney, advised the Board that the reciprocity agreements with Oregon and Utah have been signed by Idaho and sent to these states for signatures. They have not been returned as of this date. Mr. Hales contacted the state of Nevada, reciprocity will be discussed at their board meeting on October 25, 2000.

The Board asked Mr. Hales if they could request licensees list their business name and address on their renewal applications. Mr. Hales stated the Board could do this without it being required by law or rule.

Moved by Stanley Moe, seconded by Paul Morgan and carried that the Board requires on the application for licensure and the renewal application their businesses name and address be listed.

Board/Bureau 2001 Contract

Budd Hetrick distributed copies of the 2001 contract between the Board and the Bureau. Moved by Paul Morgan, seconded by Stanley Moe and carried that the Board authorizes the Board Chairman to sign the Board/Bureau 2001 contract.

Proposed Rule Change

Discussion of Rule 350.02.a. was held. Moved by Stanley Moe, seconded by Ruby Stroschein and carried that the Board change this rule from “equivalent of three years appraisal experience” to “2500 hours of appraisal experience”. Officially this is how the Board interprets this rule.

Moved by Stanley Moe, seconded by Ruby Stroschein and carried that this motion be amended to be that the Board will proceed for adoption to amend Rule 350.02.a. to read “2500 hours of experience” and omit the three years.

AARO Meeting

Moved by Ruby Stroschein, seconded by Stanley Moe and carried that Doyle Pugmire and Tom Limbaugh attend the AARO Meeting in Washington D.C. October 28 – 31, 2000.

Appraisal Subcommittee On Site Audit

Dee Ann Randall informed the Board that she had talked to Dennis Green of the Appraisal Subcommittee regarding Idaho’s on site audit. Mr. Green asked if the on site audit could be scheduled for July 23 & 24, 2001. July 23rd will be spent in the bureau office with bureau staff and July 24th board meeting day will be spent in the meeting with the Board. The Board agreed these dates will be set as stated.

Newsletter

The Board anticipates sending out the newsletter by December 1, 2000. The board members will send their articles to Ruby Stroschein. A final review will be done at the November 20, 2000 board meeting.

Continuing Education

Marcie McGinty, Bureau Secretary for continuing education met with the Board and discussed the Chicopee Group USPAP Course approval. The Board had previously notified the Chicopee Group that their USPAP course would not be approved until a complete course curriculum had been submitted and approved. The Board requested that Ms. McGinty request submission of their curriculum and if they are teaching the Appraisal Institute module the course is approved. If not, they will be required to submit their course curriculum to the Board for review before being approved.

Robert Morrison, Idaho Falls, is presenting a winter meeting seminar for the American Society of Farm Managers & Rural Appraisers and requests continuing education credit for this course. Moved by Paul Morgan, seconded by Stanley Moe and carried that Robert Morrison’s continuing education course for the American Society of Farm Managers & Rural Appraisers be approved for eleven (11) hours of continuing education credit.

Applications Reviewed

The Board approved nine (9) applications for examination and deferred two (2) applications.

The Board authorized the issuance of the following certificates/licenses to these individuals having met the educational and experience requirements and passing an examination required by the Board.

Licensed Residential

Chad J. Aicher LRA-369
Gregory J. Smith LRA-381

Certified Residential

Michael A. Rudd CRA-374
Bryce E. Berg – Reciprocity with Washington CRA-375

Certified General

Thomas Salvatore – Reciprocity with Washington CGA-377
Thomas Meenach III – Reciprocity with Washington CGA-378

Meeting adjourned at 3:50 p.m.

R. Doyle Pugmire, Chairman

Ruby Stroschein, Vice Chairman

Gordean Briggs, Secretary

Stanley Moe

Paul Morgan

Thomas E. Limbaugh, Chief
Bureau of Occupational Licenses

Approved 11/20/00