

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/19/2013

BOARD MEMBERS PRESENT: Brad Janoush - Chair
Darin D Krier
Douglas D Vollmer
Paul J. Morgan
Nancy Sommerwerck

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Prosecuting Attorney
Roger Hales, Administrative Attorney
Mary Miles, Technical Records Specialist
Maria Brown, Technical Records Specialist

OTHERS PRESENT: June Gregg
James Black
Domenic Barone

The meeting was called to order at 8:30 AM MDT by Brad Janoush.

APPROVAL OF MINUTES

The Board reviewed the 6/10/2013 and 7/25/2013 minutes. It was moved by Ms. Sommerwerck to approve the 6/10/2013 minutes as written. Seconded by Mr. Morgan, motion carried. It was moved by Mr. Krier to approve the 7/25/2013 minutes as written. It was seconded by Ms. Sommerwerck. Motion carried.

LEGISLATIVE REPORT

Ms. Hall gave the legislative report. Mr. Janoush gave an update on the work being done by stakeholders drafting Appraisal Management Company (AMC) Legislation. He stated that a final draft from the subcommittee working on the AMC Legislation is

expected to be presented to the Board soon. Staff was directed that once the Legislation arrives, to forward it to the Board. The Chair will then decide if a conference call is necessary.

FINANCIAL REPORT

Ms. Hall presented the financial report, which indicates a cash balance of (\$41,037.39) as of 7/31/2013.

CONTRACT RENEWAL

Ms. Hall presented the contract renewal for FY 2014. It was moved by Mr. Morgan to approve the FY 2014 contract renewal and authorize the Board Chair to sign on behalf of the Board. It was seconded by Ms. Sommerwerck. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel presented the investigative report, which is linked above.

For Board Determination:

Case number I-REA-2012-33. Mr. Janoush recused himself from discussion and voting on case I-REA-2012-33. Following review, it was moved by Mr. Morgan to accept the Bureau's recommendation for closure for case I-REA-2012-33. It was seconded by Mr. Krier. Motion carried.

Ms. Peel presented a Notice of Violation and Settlement Order for case REA-2014-1. It was moved by Ms. Sommerwerck to accept the Notice of Violation and Settlement Order for REA-2014-1 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Morgan. Motion carried.

Ms. Peel presented the Board with a collections report and explained the collections process. No action was taken by the Board.

PROBATION REPORT

Ms. Peel presented the probation report.

STANDARD 3 REVIEWER FORM

Ms. Peel presented the Board with a copy of the form titled, 2012-2013 USPAP Standard 3 Compliance Review Report, used by the State of Nebraska. The Board liked the concept, but didn't want the guideline to be the only thing that pro-reviewers relied on. The Board directed Ms. Peel to revise the guidelines and send it to the Board Chair for review.

FORMAL DISCIPLINARY ACTION

Mr. Nelson presented the Board with an update for case REA-2008-41.

Mr. Nelson presented a memorandum for case REA-2013-14. Mr. Krier recused himself from discussion and voting on case REA-2013-14. Following review, it was moved by Mr. Morgan to close case REA-2013-14 with a warning letter. It was seconded by Ms. Sommerwerck. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order for case REA-2013-3. It was moved by Mr. Morgan to approve the Consent Order for case REA-2013-3 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

Mr. Nelson presented the Findings of Fact, Conclusions of Law and Final Order for cases REA-2013-4. It was moved by Mr. Morgan to accept the Findings of Fact, Conclusions of Law and Final Order for cases REA-2013-4 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Ms. Sommerwerck. Motion carried.

Mr. Nelson presented the Findings of Fact, Conclusions of Law and Final Order for cases REA-2013-7. It was moved by Ms. Sommerwerck to accept the Findings of Fact, Conclusions of Law and Final Order for cases REA-2013-7 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Krier. Motion carried.

OLD BUSINESS

TO DO LIST

The Board reviewed the to do list. No action was taken by the Board.

FREQUENTLY ASKED QUESTIONS

The Board reviewed its frequently asked questions page located on its website and approved adding two additional questions regarding AMC registration and the experience requirement. Mr. Krier suggested adding fines verses revenue, to clarify that the Board does not impose fines as a source of revenue. Although the Board agreed that this would be a good topic, no action was taken.

NEW BUSINESS

EXECUTIVE SESSION

A motion was made by Ms. Sommerwerck that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the

executive session was to consider license application materials. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

It was moved by Ms. Sommerwerck that the Board enter regular session. It was seconded by Mr. Krier. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

CORRESPONDENCE

The Board reviewed a letter from Domenic J. Barone regarding his continuing education audit. It was moved by Mr. Krier to approve the request and direct Ms. Brown to respond to Mr. Barone with the Board's decision and to explain that the change came about due to an overwhelming number of requests from Idaho appraisers for a two year continuing education cycle. The letter should also note that continuing education requirements are periodically reviewed and revised by the Board. It is the licensee's responsibility to remain informed of the renewal requirements. It was seconded by Mr. Vollmer. Motion carried.

The Board reviewed a letter from David Pascua regarding a request to reinstate his Registered Trainee Permit. Mr. Janoush recused himself from recused himself from discussion and voting on the request. It was moved by Mr. Morgan to approve the request and directed Ms. Brown to respond to Mr. Pascua. It was seconded by Mr. Krier. Motion carried.

APPRAISAL SUBCOMMITTEE

The Board reviewed correspondence from the ASC regarding its recent review. No action was taken by the Board.

The Board reviewed the ASC's Sample National Registry Access Policy and directed Ms. Brown to draft its National Registry Access policy and to forward to the Board Chair for review.

VIRGINIA COMMONWEALTH UNIVERSITY

The Board reviewed correspondence from VCU regarding its request for the Board to recognize the approval by the Appraisal Foundation for its real estate curriculum and allow applicants seeking licensure in Idaho to receive credit for the program. The Board directed Ms. Brown to respond to the Virginia Commonwealth University and explain that it does recognize real estate appraisal programs approved by the Appraisal Foundation as approved education for applicants seeking licensure as an appraiser in Idaho.

LICENSURE COUNT

The Board discussed the current licensee count.

ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

The Board discussed the fall AARO conference. It was moved by Ms. Sommerwerck to send Mr. Janoush and Ms. Brown to the upcoming AARO conference and pay their registration and expenses. It was seconded by Mr. Vollmer. Motion carried.

EDUCATION APPROVAL APPLICATION

Ms. Brown presented the Board with a revision to its current education approval application. It was moved by Ms. Sommerwerck to approve the suggested revision. It was seconded by Mr. Vollmer. Motion carried.

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APPLICATIONS

Approved for licensure by examination

It was moved by Mr. Morgan to approve the following applicants for licensure by examination:

BLACK JAMES H	CGA
BREWER MICHAEL J	LRA

It was seconded by Mr. Vollmer. Motion carried.

Approved for a temporary practice permit

It was moved by Mr. Morgan to approve the following applicants for a temporary practice permit:

AARON MARTIN H	TCGA-3582
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It was seconded by Mr. Vollmer. Motion carried.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

The Board discussed the election of the Chairman and Vice Chairman. It was moved by Mr. Krier to elect Mr. Janoush as the Board's Chairman. Seconded by Mr. Vollmer, motion carried. It was moved by Mr. Krier to elect Mr. Morgan as the Board's Vice Chairman. It was seconded by Mr. Vollmer. Motion carried.

NEXT MEETING 10/15/2013

ADJOURNMENT

It was moved by Mr. Vollmer that the meeting adjourn at 11:10 AM MDT. It was seconded by Ms. Sommerwerck. Motion carried.