

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 4/18/2016

BOARD MEMBERS PRESENT: Paul J Morgan – Vice-Chair
Eric J Brinton
Douglas D Vollmer
H Scott Calhoun

BOARD MEMBERS ABSENT: Brad Janoush - Chair

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Eric Nelson, Prosecuting Attorney
Cherie Simpson, Management Assistant
Deborah Sexton, Management Assistant

OTHERS PRESENT: Katie Quinn, Registered Trainee

The meeting was called to order at 8:30 AM MDT by Paul Morgan.

APPROVAL OF MINUTES

Mr. Vollmer made a motion to approve the minutes of 2/9/2016. It was seconded by Mr. Brinton. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the proposed rules had been approved and were updated on the web and the law changes were approved and would go into effect July 1. The deadline to submit proposed law changes to the Governor's Office is August 1 and the deadline to submit proposed rule changes to the Governor's Office is the third week in August.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$205,513.52 as of 3/31/2016.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case numbers REA-2016-7, and REA-2016-5. After discussion, the Board gave recommendations for appropriate discipline. Mr. Brinton was recused from discussion in REA-2016-7.

Mr. Nelson presented a Stipulation and Consent Order in case REA-2016-3. Mr. Vollmer made a motion to approve the Consent Order and allow the Vice-Chair to sign on behalf of the Board. It was seconded by Mr. Calhoun. Motion carried.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Mr. Calhoun made a motion to approve the Bureau's recommendation and authorize closure in case I-REA-2016-6. It was seconded by Mr. Brinton. Motion carried.

Mr. Vollmer made a motion to approve the Bureau's recommendation and authorize closure in case I-REA-2016-12. It was seconded by Mr. Calhoun. Motion carried. Mr. Brinton was recused from discussion and voting.

The Board reviewed the probation log.

The Board discussed the role of the cognizant member. No action was taken.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

Ms. Sexton gave the Board an update on the Appraisal Subcommittee website. ASC was able to delete the duplicate license numbers that were listed on the site. The Board also had concerns regarding the structure, primarily with the discipline that is not listed on the first page. ASC is currently developing a new site and will take the Board's suggestions into consideration.

NEW BUSINESS

AMC

Legislation passed this year to regulate AMCs. AMCs are required to be registered in Idaho by July 1st, 2017. The Board will be drafting rules to be reviewed by the 2017 Legislature. Once these rules are drafted (usually completed by fall) they will be posted to the Board's website.

The Board reviewed an Appraisal Management Companies (AMC) worksheet from ASC. The Board discussed forming a committee to begin to drafting rules. Mr. Vollmer made a motion to appoint Mr. Janoush and Mr. Calhoun to the committee along with Bureau staff to draft rules for review at the June 20, 2016 meeting. It was seconded by Mr. Brinton. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Nancy Luckey requesting an exception be granted in upgrading to a Licensed Certified Residential. The Board said they cannot make exceptions to the rules and requested Ms. Sexton draft a letter to Ms. Luckey directing her to the laws and rules. Mr. Morgan will review and sign the letter to Ms. Luckey.

The Board reviewed correspondence from Paul Lorenzen regarding trainees and supervision. The Board reviewed the specific questions and requested Ms. Sexton draft a response to Mr. Lorenzen.

The Board reviewed correspondence from Justin Slack regarding the new AMC law and how it addresses “appraisal review.”

The Board discussed the fact that the current appraisal laws and rules require review appraisers to be licensed or certified in the State of Idaho if completing appraisals or appraisal reviews of properties located in Idaho. If one is performing standard three reviews of appraisals of properties located in Idaho, they are required to have a license or certification of a scope appropriate for the property.

The new AMC law allows for standard three reviews of appraisals on Idaho properties that do not provide an opinion of value to be completed by appraisers who are licensed or certified in Idaho or another state. If the standard three reviews include an opinion of value by the reviewer then they are required to be credentialed in Idaho. This applies only to reviews completed by or for a registered AMC. This law does not take effect until July 1, 2017.

The Board recognizes that this presents an inconsistency, and will be addressing this through the rule writing and the amendment process to implement the AMC law and ensure consistency. The current rules remain in place, and any changes would not take effect until July 1, 2017, which is the same date that the new AMC law will take effect.

AARO Conference

Mr. Calhoun and Mr. Brinton gave an update on the Association of Appraiser Regulatory Officials (AARO) conference they attended. They both thanked the Board for allowing them to attend and thought it was a great opportunity and

learning experience. Discussion regarding AMCs, USPAP possibly going from a two year update to a five year update, and reinstating CGA's after they expire were a few of the topics.

EXECUTIVE SESSION

Mr. Calhoun made a motion that the Board go into executive session under Idaho Code § 74-206(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. Calhoun, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

Mr. Calhoun made a motion to come out of executive session. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to table applicant # 901095407 until additional information has been submitted for the Board to review. It was seconded by Mr. Brinton. Motion carried.

Mr. Vollmer made a motion to approve the following for temporary permits:

Brian A. Nicholson	TCGA-4122
Jeffrey Walker	TCGA-4149

It was seconded by Mr. Calhoun. Motion carried.

Mr. Brinton made a motion to approve Katie Quinn for the Licensed Residential Appraiser exam. It was seconded by Mr. Calhoun. Motion carried.

Mr. Brinton made a motion to approve Larry Foltz for a temporary permit # TCGA-4138. It was seconded by Mr. Calhoun. Mr. Vollmer recused himself in this matter.

Continuing Education Provider Applications Approved:

Southern Idaho Chapter Appraisal Institute:

NEW RESIDENTIAL CONSTRUCTION ISSUES
INTRODUCTION TO ANSI-CALCULATING SQUARE FOOTAGE

Allterra Group LLC:

2016 KEYNOTE/FRAUD/REGULATORY UPDATE
2016 APPRAISER TRAINING

ASFMRA – American Society of Farm Managers and Rural Appraisers

APPRAISING NATURAL RESOURCES
WIND POWERED ELECTRIC GENERATORS
APPRAISING AG FACILITIES: POULTRY SEMINAR
APPRAISING RURAL RESIDENTIAL PROPERTIES

NEXT MEETING was scheduled for June 20, 2016 at 8:30 AM.

ADJOURNMENT

Mr. Vollmer made a motion to adjourn the meeting at 12:00 PM. It was seconded by Mr. Brinton. Motion carried.

Brad Janoush, Chair

Eric J Brinton

Douglas D Vollmer

Paul J Morgan

H Scott Calhoun

Tana Cory, Bureau Chief