

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 8/15/2016

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

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals Hearing Technician
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Roger Hales, Naylor and Hales
Eric Nelson, Prosecuting Attorney
Cherie Simpson, Management Assistant
Deborah Sexton, Management Assistant

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

APPROVAL OF MINUTES

Mr. Vollmer made a motion to approve the minutes of 6/20/2016. It was seconded by Mr. Calhoun. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board would be reviewing the proposed laws and rules that included regulating Appraisal Management Companies (AMCs) during the meeting. Proposed law changes are due to the Governor's Office by August 1, and proposed rule changes are due to the Governor's Office by the third week in August for the 2017 Legislature.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$227,290.02 as of 7/31/2016.

FY 2017 CONTRACT

Ms. Hall reviewed the FY 2017 contract with the Board. Mr. Calhoun made a motion to approve the contract and authorize the Chair to sign on behalf of the Board. It was seconded by Mr. Brinton. Motion carried.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number REA-2016-8. Mr. Calhoun made a motion to close case number REA-2016-8. It was seconded by Mr. Vollmer. Motion carried. Mr. Brinton was recused from discussion and voting.

Mr. Nelson presented a Stipulation and Consent Order in case REA-2016-5. Mr. Vollmer made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Brinton. Motion carried.

INVESTIGATIVE REPORT

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

The Board reviewed the probation log.

FOR BOARD DETERMINATION

Mr. Morgan made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-REA-2016-13 and I-REA-2017-2. It was seconded by Mr. Vollmer. Motion carried. Mr. Brinton was recused from discussion and voting.

The Board discussed case number I-REA-2016-19 and made recommendations.

OLD BUSINESS

To Do List – The Board reviewed the to do list.

The Board requested Mr. Hales draft language for the frequently asked questions page regarding appraisal reviews and when an Idaho credential is needed.

PROPOSED LAWS AND RULES

The Board reviewed a proposed law change to Idaho Code 54-4106 that would add an additional appraiser to the Board. Mr. Vollmer made a motion to approve the language and submit it to the Governor's Office. It was seconded by Mr. Morgan. Motion carried.

The Board reviewed the draft of the proposed rules with the Board which includes the following:

Rule 10.16 – Adding a definition of Appraisal Management Companies (AMCs)

Rule 150 – Include fees to regulate AMCs
Rule 200 – Application process for AMCs
Rule 225 – Requirements for AMCs
Rule 275.04 - Adding a renewal and reinstatement process for the registered trainees and limiting the length of time you can hold a registered trainee permit
Rule 276 – Supervisor Requirements
Rules 300, 350, and 400 – delete old language in the rules to reflect current requirements
Delete Rules 600 and 800.

Mr. Vollmer made a motion to approve the final version and submit the proposal to the Governor's Office. It was seconded by Mr. Morgan. Motion carried.

NEW BUSINESS

ASC

The Board had a lengthy discussion regarding the fees that are submitted to the Appraisal Subcommittee (ASC). Mr. Hales stepped out to draft a proposed law change for the Board to review.

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. Janoush, aye; Mr. Morgan, aye; Mr. Vollmer, aye; Mr. Calhoun, aye; and Mr. Brinton, aye. Motion carried.

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

PROPOSED LAW

Mr. Hales reviewed a proposed law change to Idaho Code 54-4113 with members of the Board. The Board made suggestions and Mr. Hales stepped out to make the additional changes.

APPLICATIONS

Mr. Morgan made a motion to approve the following continuing education courses:

The Appraisal Institute – Seattle Chapter, Fall Conference 2016
ASFMRA – Technology Applications in Appraisal – Google Earth

ASFMRA – Introduction to statistical Analysis for Appraisers
ASFMRA – Best in Business Ethics

It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to approve applicant # 901132892 to sit for the Certified General Appraiser exam pending completion of the review. It was seconded by Mr. Morgan. Motion carried.

Mr. Calhoun made a motion for Derek Newton to sit for the Certified General Exam. It was seconded by Mr. Morgan. Motion carried.

ELECTION OF OFFICERS

Mr. Vollmer made a motion to keep the current slate of officers. Motion dies for lack of a second.

Mr. Vollmer made a motion to elect Mr. Morgan as Chairman and Mr. Calhoun as Vice-Chairman. It was seconded by Mr. Brinton. Motion carried.

LAW CHANGE

The Board reviewed a proposed law change to Idaho Code 54-4113. Mr. Calhoun made a motion to add 54-4113(3) *In addition to those fees described in this chapter, the board may collect from an applicant for AMC registration and from a registered AMC and remit to the appropriate agency or instrumentality of the federal government, any additional fees required to provide appraisal management services in connection with federally-related transactions.* It was seconded by Mr. Vollmer. Motion carried.

NEXT MEETING was scheduled for October 17, 2016 at 8:30 AM.

ADJOURNMENT

Mr. Vollmer made a motion to adjourn the meeting at 12:10 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