

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

May 16, 2017

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Michael Miller, Chair  
Robert Rochester  
Edythe Kelleher  
Chris King  
Rex McCarty  
Rickey Stuchell  
Janel Hofler  
Jean Gannon  
Fay B. Silverman

Board members absent from the meeting: Mack Strickland

DPOR Staff present for all or part of the meeting included:

Jay DeBoer, Director  
Christine Martine, Executive Director  
Jim Chapman, Board Administrator  
Jessica Eldridge, Presiding Officer  
Doug Schroder, Director of Adjudication  
Bonnie Rhea Adams, Director of Complaint  
Analysis & Resolution  
Emily Trent, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

Mr. Miller called the meeting to order at 10:03 A.M.

**Call to Order**

A motion was made by Ms. Gannon and seconded by Mr. McCarty to approve the agenda. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

**Approval of Agenda**

A motion was made by Mr. Rochester and seconded by Mr.

**Approval of Minutes**

McCarty to approve the February 14, 2017, Real Estate Appraiser Board minutes as corrected removing Ms. Gannon from attendance. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

Brian Gordineer, with the Virginia Association of Assessing Officers, addressed the Board concerning continuing education acceptance procedures. No action was taken by the Board.

**Public Comment**

Alex Uminski spoke about evaluations. No action was taken by the Board.

In the matter of **File Number 2017-01621, Gregory Richardson**, the Board reviewed the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. McCarty and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Richardson's application for a Licensed Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

**File Number 2017-01621, Gregory Richardson**

In the matter of **File Number 2017-01999, Residential Valuation Services, LLC**, the Board reviewed the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Rochester and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Residential Valuation Services, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

**File Number 2017-01999, Residential Valuation Services, LLC**

In the matter of **File Number 2017-00942, Jeffrey Scot Phillips**, the Board reviewed the record which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation. A motion was made by Mr. Rochester and seconded by Mr. McCarty to accept the recommendation to find a violation of 18 VAC 130-20-180.M.7 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

**File Number 2017-00942, Jeffrey Scot Phillips**

A motion was made by Mr. Stuchell and seconded by Mr. Rochester to accept the recommendation and impose no monetary penalty for the violation contained in Count 1. The Board also imposes license revocation for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Silverman and Stuchell.

In the matter of **File Number 2017-00084, Karin Dommel Lauer**, the Board reviewed the record which consisted of the investigative file, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Kelleher and seconded by Mr. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell. A motion was made by Ms. Kelleher and seconded by Mr. Stuchell to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$250.00 for the violation contained in Count 1. The Board also imposes the following sanctions: For violation of Count 1, Lauer shall be placed on probation and be required to complete a minimum of 15 hours of Qualifying Education ("QE") coursework on Residential Report Writing, such as the Appraisal Institute's 15 hour online course on Residential Report Writing and Case Studies, within six months of the Board's decision in the

**File Number 2017-00084, Karin Dommel Lauer**

matter. The coursework shall include an examination. Upon successful completion of the coursework, Lauer shall provide the Board with proof of passing any examinations associated with her coursework. Satisfactory completion of the coursework shall not count towards any continuing or pre-license education requirements for Lauer's license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Mr. Stuchell and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Ms. Gannon and seconded by Mr. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose no monetary penalty, for the violation contained in Count 2. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

As the presiding Board member, Mr. Rochester did not vote or participate in the discussion in this matter.

In the matter of **File Number 2017-00211, Kimberly E. Napier**, the Board reviewed the record which consisted of the investigative file, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Kimberly Napier, respondent, was present and addressed the Board. A motion was made by Mr. McCarty and seconded by Mr. Stuchell to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and

**File Number 2017-00211, Kimberly E. Napier**

Stuchell. A motion was made by Mr. McCarty and seconded by Mr. Stuchell to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$250.00 for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Mr. McCarty and seconded by Ms. Kellerher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.H.1 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Ms. Silverman and seconded by Mr. McCarty to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose no monetary penalty, for the violation contained in Count 2. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

As the presiding Board member, Mr. Rochester did not vote or participate in the discussion in this matter.

In the matter of **File Number 2017-00714, SettlementOne Valuation Corporation**, the Board reviewed the record which consisted of the investigative file, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Stuchell and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-30-160.4 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

**File Number 2017-00714, SettlementOne Valuation Corporation**

A motion was made by Ms. Gannon and seconded by Mr.

McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose no monetary penalty for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Ms. Gannon and seconded by Mr. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-30-160.5 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

A motion was made by Ms. Gannon and seconded by Ms. Silverman to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00, for a total of \$2,500.00. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

As the presiding Board member, Mr. Rochester did not vote or participate in the discussion in this matter.

In the matter of **File Number 2017-01296, Dart Appraisal.Com, Inc.**, the Board reviewed the Consent Order as seen and agreed to by Dart Appraisal.Com, Inc. A motion was made by Mr. Stuchell and seconded by Ms. Gannon to accept the proposed Consent Order offer wherein Dart Appraisal.Com, Inc. admits to a violation of 18 VAC 130-30-160.4 (Count 1) of the Board's 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. The motion passed unanimously Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell.

**File Number 2017-01296, Dart Appraisal.Com, Inc.**

As the Board member who reviewed the file, Mr. Rochester did not vote or participate in the discussion in this matter.

Mr. Miller turned the position of Chair over to Mr. Rochester and recused himself from the meeting.

**Transfer of Chair**

In the matter of **File Number 2017-01153, Randy Alan Bohon**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bohon. A motion was made by Ms. Silverman and seconded by Ms. Gannon to accept the proposed Consent Order offer wherein Mr. Bohon admits to a violation of 18 VAC 130-20-180.M.1 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$2,500.00, as well as \$150.00 in Board costs, for a total of \$2,650.00. In addition, for violation of Count 1, Bohon agrees to revocation of his license. Further, the Board shall waive imposition of the \$2,500.00 monetary penalty for Count 1. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Rochester, Silverman and Stuchell.

**File Number 2017-01153, Randy Alan Bohon**

As the Board member who reviewed the file, Mr. Miller did not vote or participate in the discussion in this matter.

Mr. Miller returned and assumed the position of Chair.

**Transfer of Chair**

Mr. Rochester left the meeting at 11:25 A.M.

**Departure of Board Member**

The Board recessed from 11:25 A.M. to 11:35 A.M.

**Break**

Ms. Martine gave the Board a legislative update. The Board agreed that staff will work with the Office of the Attorney General to draft a Guidance Document concerning the amendment made to §54.1-2010.A.5 of the *Code of Virginia*. No further action was taken by the Board.

**Administrative Issues**

Ms. Adams and Mr. Schroder presented the Board with training on DPOR's compliance and resolution (CAR), and adjudication procedures. No action was taken by the Board.

The Board discussed AMC's hiring and using staff appraisers to perform appraisals for the company. The Board took no action.

**New Business**

There being no further business, the meeting adjourned at **Adjourn**  
12:27 P.M.

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Michael Miller, Chair

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Jay W. DeBoer, Secretary

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