

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

May 19, 2015

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:

H. Glenn James, Chair  
Michael Miller, Vice-Chair  
René Fonseca  
Chris Call  
Mack Strickland  
Robert Rochester  
Jean Gannon  
Fay B. Silverman (arrived 10:14 A.M.)

Board members absent from the meeting: Laura Sanchez del Solar  
Scott Mayausky

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

Jay DeBoer, Director  
Christine Martine, Executive Director  
Mark Courtney, Senior Director  
Kevin Hoelt, Board Administrator  
Emily Trent, Administrative Assistant

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

Mr. James called the meeting to order at 10:12 AM.

**Call to Order**

A motion was made by Ms. Gannon and seconded by Mr. Strickland to approve the agenda. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, James, Miller, Rochester and Strickland.

**Approval of Agenda**

A motion was made by Mr. Strickland and seconded by Ms. Gannon to approve the following minutes: February 24, 2015,

**Approval of Minutes**

Real Estate Appraiser Board Meeting. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, Gannon, James, Miller, Rochester and Strickland.

Faye Silverman arrived at 10:14 A.M.

**Arrival of Board Member**

Pat Turner addressed the Board concerning the AMC registration cut-off date. Mr. Turner also addressed the Board concerning the definition of AMC portals and advised the Board that the 2015 AARO Conference held in Nashville, TN was very informative. No action was taken by the Board.

**Public Comment**

In the matter of **File Number 2015-02042, Bryan M. Franks**, 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. Strickland and seconded by Mr. Miller to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Franks’ application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**File Number 2015-02042, Bryan M. Franks**

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

In the matter of **File Number 2015-02051, Robert Todd Wood**, 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. Strickland and seconded by Mr. Miller to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Wood’s application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, James, Miller, Silverman and Strickland. Ms. Gannon abstained from voting in this matter.

**File Number 2015-02051, Robert Todd Wood**

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

In the matter of **File Number 2015-02128, Patrick T. Craig**, 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. Call and seconded by Mr. Strickland to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Craig's application for a certified general real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**File Number 2015-02128, Patrick T. Craig**

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

In the matter of **File Number 2015-01991, George K. Demopulos**, 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. Strickland and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Demopulos' application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**File Number 2015-01991, George K. Demopulos**

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

In the matter of **File Number 2015-01639, Martin C. Cho**, 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. Miller and seconded by Ms. Silverman to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Cho's application for

**File Number 2015-01639, Martin C. Cho**

a certified residential real estate appraiser license. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

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

In the matter of **File Number 2015-01958, James M. Jendzurski**, 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. Call and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Jendzurski’s application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**File Number 2015-01958, James M. Jendzurski**

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

In the matter of **File Number 2015-02069, Patrick Sean Brown**, 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. Strickland and seconded by Mr. Miller to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Brown’s application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**File Number 2015-02069, Patrick Sean Brown**

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

In the matter of **File Number 2015-02236, Daniel M. Yoder, III**, the Board reviewed the application

**File Number 2015-02236, Daniel M.**

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. Miller and seconded by Mr. Call to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Yoder's application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, James, Miller, Silverman and Strickland.

**Yoder, III**

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

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

**Transfer of Chair**

In the matter of **File Number 2015-02410, Springhouse Appraisal Management, 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 Ms. Silverman and seconded by Mr. Rochester to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Springhouse Appraisal Management, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

**File Number 2015-02410, Springhouse Appraisal Management, LLC**

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

In the matter of **File Number 2015-02419, Corporate Settlement Solutions, 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 Mr. Strickland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to

**File Number 2015-02419, Corporate Settlement Solutions, LLC**

approve Corporate Settlement Solutions, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

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

In the matter of **File Number 2015-02286, Robert Jared Bonner**, 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. Silverman to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Bonner's application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Miller, Rochester, Silverman and Strickland. Ms. Gannon abstained from voting in the matter.

**File Number 2015-02286, Robert Jared Bonner**

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

In the matter of **File Number 2015-02294, Mark Thomas Cassidy**, 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 Ms. Silverman and seconded by Mr. Strickland to accept the recommendation contained in the Summary of the Informal Fact-Finding to approve Mr. Cassidy's application for a certified general real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

**File Number 2015-02294, Mark Thomas Cassidy**

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

In the matter of **File Number 2015-02398, Independent Settlement 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 Independent Settlement Services, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

**File Number 2015-02398, Independent Settlement Services, LLC**

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

In the matter of **File Number 2015-02399, SettlementOne Valuation Corporation**, 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. Strickland and seconded by Mr. Call to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve SettlementOne Valuation Corporation's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

**File Number 2015-02399, SettlementOne Valuation Corporation**

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

In the matter of **File Number 2015-02400, Urban Lending Solutions Appraisals, 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. Strickland and seconded by Mr. Rochester to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to

**File Number 2015-02400, Urban Lending Solutions Appraisals, LLC**

approve Urban Lending Solutions Appraisals, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

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

In the matter of **File Number 2015-02401, MountainSeed Appraisal Management, 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. Nancy Weissgold, attorney for the applicant, was present and addressed the Board. A motion was made by Mr. Strickland and seconded by Mr. Call to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve MountainSeed Appraisal Management, LLC's application for an Appraiser Management Company license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Miller, Rochester and Strickland.

**File Number 2015-02401, MountainSeed Appraisal Management, LLC**

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

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

**Transfer of Chair**

In the matter of **File Number 2015-00987, Christopher M. Breaux**, the Board reviewed the Consent Order as seen and agreed to by Mr. Breaux. A motion was made by Ms. Gannon and seconded by Ms. Silverman to accept the proposed Consent Order wherein Mr. Breaux admits to a violation of 18 VAC 130-20-180.K.5 (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$1,150.00. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Gannon, Mayausky, Rochester and Strickland.

**File Number 2015-00987, Christopher M. Breaux**

As the Board members who reviewed the file, Mr. James and Mr. Miller did not participate in the discussion or vote pertaining to this matter.

Mr. James returned and assumed the position of Chair.

### **Transfer of Chair**

Mr. Hoeft gave the Board an update on the 2012 General Review and the Fee Adjustment changes to the current Real Estate Appraiser Regulations effective August 1, 2015. No action was taken by the Board.

### **Administrative Issues**

Mr. Hoeft also gave the Board an update on Appraisal Management Company (AMC) licensing. The Board set August 18, 2015, as the deadline for AMC applicants to obtain AMC licensure.

Mr. Hoeft addressed the Board concerning the federal Final Rule for AMC Minimum Requirements. No action was taken by the Board.

At 11:35 A.M., Ms. Gannon offered a motion which was seconded by Mr. Strickland, that the Board meeting be recessed and that the Real Estate Appraiser Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Christine Martine, Kevin Hoeft and Elizabeth Peay.

### **Closed Session**

This motion is made with respect to the matter(s) identified as agenda item(s):

#### **Old Business**

-File Number 2013-00547 –Fred Smith appeal

At 11:44 A.M., a motion was made by Mr. Miller and seconded by Ms. Gannon that the Board reconvene in open session.

WHEREAS, the Real Estate Appraiser Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**Certification**

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Real Estate Appraiser Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Real Estate Appraiser Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Real Estate Board.

VOTE: 8-0

AYES: Call, Fonseca, Gannon, James, Miller, Rochester, Silverman and Strickland.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Mayausky and Sanchez del Solar.

A motion was made by Mr. Strickland and seconded by Mr. Miller to amend the Final Opinion and Order in the matter of File Number 2013-00547 – Fred Smith to rescind the three month suspension sanction. The motion passed unanimously. Members voting “Yes” were Call, Fonseca, James, Miller, Gannon, Rochester, Silverman and Strickland.

**Old Business**

The meeting adjourned at 11:46 A.M.

**Adjourn**

---

H. Glenn James, Chair

---

Jay DeBoer, Secretary

DRAFT