

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 17, 2010

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:

Diane Quigley, Chair  
Richard Pruitt  
John C. Harry  
H. Glenn James  
Ryan A. Myers (arrived 10:04 a.m.)  
Betsy Critzer  
Douglas Mullins, Jr.  
Sandra Johnson (arrived 10:04 a.m.)

Board member not present: Harry Lewis, Jr.

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

Gordon Dixon, Director  
Nick Christner, Deputy Director  
Christine Martine, Executive Director  
Kevin Hoeft, Board Administrator  
Bonnie Rhea Adams, Director of Complaint  
Analysis, & Resolution  
Earlyne Perkins, Legal Analyst  
Emily Trent, Administrative Assistant

Steven Jack from the Office of the Attorney General was present.

Chair Diane Quigley called the meeting to order at 10:03 AM.

**Call to Order**

A motion was made by Mr. Harry and seconded by Mr. Mullins to approve the agenda. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, James, Mullins, Pruitt and Quigley.

**Approval of Agenda**

A motion was made by Mr. Pruitt and seconded by Mr. James to approve the following minutes: May 4, 2010, Board Meeting; June 23, 2010, Informal Fact-Finding Conference; June 30, 2010, Informal Fact-

**Approval of Minutes**

Finding Conference; and July 1, 2010, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, James, Mullins, Pruitt and Quigley.

Board members Ryan Myers and Sandra Johnson arrived at 10:04 a.m.

**Arrival of Board Members**

Don Clark addressed the Board concerning continuing education. No action was taken by the Board.

**Public Comment**

Pat Turner addressed the Board concerning AMC's and the new federal financial reform law.

Jayne Allen addressed the Board concerning AMC's. No action was taken by the Board.

In the matter of **File Number 2010-05198, Christopher Holt**, 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. Mr. Holt, applicant, was present and addressed the Board. A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Holt's application for a Certified Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, Johnson, Myers, Mullins, Pruitt and Quigley.

**File Number 2010-05198,  
Christopher Holt**

As the presiding officer, Mr. James did not vote or participate in this matter.

In the matter of **File Number 2010-05618, Julius Haynie**, 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. Mr. Haynie, applicant, was present and addressed the Board. A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Haynie's application for a Certified General Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, Johnson, Myers, Mullins, Pruitt and Quigley.

**File Number 2010-05618,  
Julius Haynie**

As the presiding officer, Mr. James did not vote or participate in this matter.

In the matter of **File Number 2010-04500, Carol Reynolds**, 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. Harry and seconded by Ms. Critzer to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Reynolds' application for a Certified General Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, Johnson, Myers, Mullins, Pruitt and Quigley.

**File Number 2010-04500,**  
**Carol Reynolds**

As the presiding officer, Mr. James did not vote or participate in this matter.

In the matter of **File Number 2010-04846, Labby Akinsanmi**, 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. Pruitt and seconded by Ms. Critzer to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Akinsanmi's application for a Certified Residential Real Estate Appraiser license with a correction to the Summary of the Informal Fact-Finding Conference noting in the first paragraph that Mr. Akinsanmi is requesting a Certified Residential Appraiser license instead of a Certified General Appraiser license. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, Johnson, Myers, Mullins, Pruitt and Quigley.

**File Number 2010-04846,**  
**Labby Akinsanmi**

As the presiding officer, Mr. James did not vote or participate in this matter.

In the matter of **File Number 2010-01174, Dennis Gruelle**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gruelle. A motion was made by Mr. Mullins and seconded by Mr. Myers to accept the proposed Consent Order wherein Mr. Gruelle neither admits nor denies a violation of 18 VAC 130-20-180.K.4 (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.K.5 (Count 2) of the Board's 2008 Regulations, and agrees to no monetary penalty for the violation contained in Count 1, \$500.00 for the violation contained

**File Number 2010-01174,**  
**Dennis Gruelle**

in Count 2, as well as \$150.00 in Board costs for a total of \$650.00. It is noted that the North Carolina Appraisal Board ordered Gruelle to complete a class in "highest and best use" and a 15 hour National USPAP course with the examination by December 31, 2009. Gruelle's license is currently in good standing with the North Carolina Appraisal Board. In addition, Gruelle agrees to complete an appraisal course in Ethics and Standards of Professional Practice, approved by the Appraisal Foundation or Board by December 31, 2010. Such course shall be a minimum of eight (8) classroom hours and shall not be a distance education course. Upon successful completion of the course, Gruelle shall provide the Board with proof of passing the exam. Failure to complete the course by December 31, 2010, will result in suspension of Gruelle's license until said course is completed. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. Also, Gruelle agrees to the publication of the terms of the Consent Order in a forthcoming edition of the Board's periodical, The Virginia Appraiser (or comparable publication). Gruelle acknowledges his understanding that the Consent Order will be published to the DPOR website upon acceptance by the Board. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, Johnson, Mullins, Myers, Pruitt and Quigley.

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

In the matter of **File Number 2010-03092, Debra S. Ward**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ward. A motion was made by Mr. Myers and seconded by Mr. Pruitt to accept the proposed Consent Order wherein Ms. Ward admits to a violation of 18 VAC 130-20-180.K.1 (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$500.00. In addition, for the violation of Count 1, Ward is required to complete a classroom 15-hour USPAP course approved by the Appraisal Foundation or the Board within six (6) months of the execution of the Order. Such course shall not be a distance education course. Upon successful course completion, Ward shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing or pre-license education requirement needed for license renewal,

**File Number 2010-03092,**  
**Debra S. Ward**

reinstatement, or upgrade. The motion passed unanimously. Members voting “Yes” were Critzer, Harry, Johnson, Mullins, Myers, Pruitt and Quigley.

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

In the matter of **File Number 2010-04981, Dennis Bunker, III**, 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. Mr. Bunker, applicant, was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Mr. Mullins to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead approve Mr. Bunker’s application for a Certified General Real Estate Appraiser license with the following conditions: Mr. Bunker will be subject to an Agreement for Licensure for 2 years from the date of license issuance wherein he will provide the Board with two commercial appraisal reports per quarter for a period of two years, and work under the supervision of a Certified General Appraiser who will sign the reports provided to the Board. In addition, Mr. Bunker is required to successfully complete a 15 hour USPAP course in the classroom and provide proof of passing the examination prior to licensure. The motion passed unanimously. Members voting “Yes” were Critzer, Harry, Johnson, Myers, Mullins, Pruitt and Quigley.

**File Number 2010-04981,**  
**Dennis Bunker, III**

As the presiding officer, Mr. James did not vote or participate in this matter.

In the matter of **File Number 2010-00057, Charles D. Martin, Jr.**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Mr. Martin, respondent, and his attorney, Sean Tluchak, appeared and addressed the Board. A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and close Count 1 with a finding of no violation of 18 VAC 130-20-180.D of the Board’s 2003 Regulations. The motion passed unanimously. Members voting “Yes” were Harry, James, Johnson, Mullins, Myers, Pruitt and Quigley.

**File Number 2010-00057,**  
**Charles D. Martin, Jr.**

A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and close Count 2 with a finding of no violation of 18 VAC 130-20-180.D of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Harry, James, Johnson, Mullins, Myers, Pruitt and Quigley.

As the Board member who reviewed the file, Ms. Critzer did not participate in the discussion or vote on this matter.

In the matter of **File Number 2010-03090, Diarra K. Hall**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hall. A motion was made by Mr. Harry and seconded by Mr. Mullins to accept the proposed Consent Order wherein Mr. Hall admits to *3 violations* of 18 VAC 130-20-180.K.4 (Count 1) of the Board's 2008 Regulations, and *3 violations* of 18 VAC 130-20-180.K.5 (Count 2) of the Board's 2008 Regulations, and agrees to no monetary penalty for the violations contained in Count 1, \$500.00 for the violations contained in Count 2, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for the violation of Count 1, Hall agrees to suspension of his Virginia real estate appraiser license to run concurrently with the suspension of his real estate appraiser license in Maryland. Hall's Virginia real estate appraiser's license will remain suspended until Hall provides proof to the Board that his Maryland real estate appraiser's license is in good standing. The motion passed unanimously. Members voting "Yes" were Harry, James, Johnson, Mullins, Myers, Pruitt and Quigley.

**File Number 2010-03090,**  
**Diarra K. Hall**

As the Board member who reviewed the file, Ms. Critzer did not participate in the discussion or vote on this matter.

The Board recessed from 11:33 a.m. to 11:53 a.m.

**Break**

A motion was made by Mr. Harry and seconded by Ms. Quigley to authorize Board staff to initiate the process to promulgate emergency regulations to implement HB792. The motion passed unanimously. Members voting "Yes" were Critzer, Harry, James, Johnson, Myers, Mullins, Pruitt and Quigley.

**Administrative Issues**

The Board discussed reviewing its current regulations. The regulatory review committee will be comprised of Mr. James as Chair, Ms. Critzer, Mr. Pruitt and Ms. Johnson.

**New Business**

Ms. Martine apprised the Board of an exam incident. No action was taken by the Board.

Mr. Hoeft provided the Board with the Appraiser license population. No action was taken by the Board.

There being no further business, the meeting adjourned at 12:13 P.M.

**Adjourn**

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Diane Quigley, Chair

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Gordon Dixon, Secretary

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