

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

May 4, 2011

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  
H. Glenn James, Vice-Chair  
Richard Pruitt  
John C. Harry  
Ryan A. Myers  
Michael Miller  
Sandra Johnson

Board member not present:

Betsy Critzer  
Laura Sanchez del Solar

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

Gordon Dixon, Director  
Nick Christner, Deputy Director  
Mark Courtney, 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

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

Chair Diane Quigley called the meeting to order at 10:26 AM.

**Call to Order**

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

**Approval of Agenda**

A motion was made by Mr. Myers and seconded by Ms. Johnson to

**Approval of Minutes**

approve the following minutes: February 23, 2011, Board Meeting; March 16, 2011, Informal Fact-Finding Conference; and April 21, 2011, Regulatory Review Committee Meeting. The motion passed unanimously. Members voting "Yes" were Harry, James, Johnson, Miller, Myers, Pruitt, and Quigley.

Pat Turner addressed the Board concerning intellectual property. No action was taken by the Board.

**Public Comment**

Jayne Allen addressed the Board concerning a letter from ASB regarding new FNMA data requirements. No action was taken by the Board.

In the matter of **File Number 2011-03861, Ronald Owens, Jr.**, 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. Quigley and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Owens' application for a Certified General Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Harry, Johnson, Miller, Myers, Pruitt, and Quigley.

**File Number 2011-03861,**  
**Ronald Owens, Jr.**

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

In the matter of **File Number 2011-01858, Penny S. Bailey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Bailey. A motion was made by Mr. Harry and seconded by Mr. Myers to accept the proposed Consent Order wherein Ms. Bailey admits a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, \$750.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Counts 1 and 2, Bailey 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 ("*distance education*" means an educational process based on the geographical separation of provider and student, i.e., CD-ROM,

**File Number 2011-01858,**  
**Penny S. Bailey**

on-line learning, correspondence courses, etc.). Upon successful course completion, Bailey 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 requirements needed for license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting "Yes" were Harry, James, Johnson, Miller, Myers, Pruitt, and Quigley.

In the matter of **File Number 2010-05500, Catherine L. Coates**, the Board reviewed the Consent Order as seen and agreed to by Ms. Coates. A motion was made by Ms. Quigley and seconded by Mr. Myers to reject the proposed Consent Order and extend a counter-offer wherein Ms. Coates admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2008 Regulations, and agrees to revocation of license for the violations contained in Counts 1-3, as well as \$150.00 in Board costs for a total of \$150.00. If Ms. Coates does not accept the counter-offer within 10 days, the case will proceed to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Harry, James, Johnson, Miller, Myers, Pruitt, and Quigley.

**File Number 2010-05500,**  
**Catherine L. Coates**

In the matter of **File Number 2011-02157, Anne Alderson Powell**, the Board reviewed the Consent Order as seen and agreed to by Ms. Powell. A motion was made by Mr. Harry and seconded by Mr. Miller to accept the proposed Consent Order wherein Ms. Powell admits a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violations contained in Count 1, as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, Powell 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 ("*distance education*" means an educational process based on the geographical separation of provider and student, i.e., CD-ROM, on-line learning, correspondence courses, etc.). Upon successful course completion, Powell 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 requirements needed for license renewal, reinstatement, or upgrade. The

**File Number 2011-02157,**  
**Anne Alderson Powell**

motion passed unanimously. Members voting “Yes” were Harry, James, Johnson, Miller, Myers and Quigley.

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

Ms. Quigley turned the position of Chair over to Mr. James and recused herself from the meeting.

**Transfer of Chair**

In the matter of **File Number 2011-00170, Angela M. Leaton**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leaton. A motion was made by Mr. Pruitt and seconded by Mr. Miller to accept the proposed Consent Order wherein Ms. Leaton admits a violation of 18 VAC 130-20-180.D (Count 1) of the Board’s 2008 Regulations, a violation of 18 VAC 130-20-180.E (Count 2) of the Board’s 2008 Regulations and agrees to a monetary penalty of \$150.00 for the violation contained in Count 1, \$150.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$450.00. In addition, for violation of Count 1, Leaton 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 (“*distance education*” means an educational process based on the geographical separation of provider and student, i.e., CD-ROM, on-line learning, correspondence courses, etc.). Upon successful course completion, Leaton shall provide the Board with proof of passing the exam. Further, for violation of Count 2, Leaton is required to complete a classroom Residential Appraisal Course pertaining to the “Sales Comparison Approach and Income Approach” approved by The Appraisal Foundation or the Board within six (6) months of the execution of this Order. Such course shall be a minimum of 30 classroom hours and shall not be a distance education course (“*distance education*” means an educational process based on the geographical separation of provider and student, i.e., CD-ROM, on-line learning, correspondence courses, etc.). Upon successful course completion, Leaton shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the above-referenced courses will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting “Yes” were Harry, James, Johnson, Miller, Myers and Pruitt.

**File Number 2011-00170,  
Angela M. Leaton**

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

Ms. Quigley returned and assumed the position of Chair.

**Transfer of Chair**

Vicki Metcalf, Appraisal Policy Manager, for the Appraisal Subcommittee, gave a Report to the Board on its field review. No action was taken by the Board.

**Appraisal Subcommittee  
Field Review Report**

Mr. James gave a report on the Regulatory Review Committee. No action was taken by the Board.

**Old Business**

The Board discussed concerns about new data set requirements being put forth by FNMA which are scheduled to go into effect September, 2011. No action was taken by the Board.

**New Business**

There being no further business, the meeting adjourned at 11:30 A.M.

**Adjourn**

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Diane Quigley, Chair

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Gordon Dixon, Secretary