

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 6, 2002

The Real Estate Appraiser Board met on August 6, 2002 at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following Board members were present:

David N. Castle, Chairman
Christopher S. Call
John C. Harry, III
Harry O. Lewis, Jr
Michael G. Miller
Fay B. Silverman
Donald G. Quinby
Robert A. Whaley

Douglas Mullins, Jr. was not present for the meeting.

Also present were:

Louise Fontaine Ware, Director
Karen W. O'Neal, Assistant Director
Werner Versch, Board Administrator
Bonnie Rhea, Assistant Director, Post Adjudication
Susan Garbini, Legal Assistant
Camille C. Palmer, Administrative Assistant

Present for a portion of the meeting was:

Sandra Whitley Ryals, Chief Deputy Director

Chairman Castle called the meeting to order at 10:03 a.m.

Mr. Charles Don Clark addressed the Board during the **Public Comment Period** regarding the USPAP National Certification Course. This certification is intended to qualify an adequate number of instructors to teach any and all courses, updates, seminars, or other educational offerings where the Uniform Standards of Professional Appraisal Practice will be taught.

Public Comment Period

Upon a properly seconded motion by Mr. Harry, the **agenda** was approved. Voting for this action were Castle, Call, Harry, Lewis,

Agenda

Miller, Silverman, Quinby and Whaley.

Upon a properly seconded motion by Mr. Quinby, the **minutes of the May 7, 2002** meeting were approved with the correction of the date February 5, 2002, in the page header and replacing Mr. Quinby with Mr. Lewis on page two and paragraph three of New Business. Voting for this action were Castle, Call, Harry, Lewis, Miller, Silverman, Quinby and Whaley.

Minutes

In the matter of **Charles L. Holloway, File Number 2001-01093**, upon a properly seconded motion by Mr. Harry, the Board voted to adopt the recommendation contained in the Informal Fact Finding Conference Summary finding violation of the Board's 1998 Regulation 18 VAC 130-20-180(D) to wit: 2000 USPAP Standard Rule 1-1(a), (b) and (c), Count I; the Board's 1998 Regulation 18 VAC 130-20-180(E) to wit: 2000 USPAP Standard Rule 2-1(a) and (b), Count II; the Board's 1998 Regulation 18 VAC 130-20-180 (J) to wit: 2000 USPAP C Rule, Count III. The Board imposes the sanction of revocation of Mr. Holloway's license for the violation of the above cited regulations. Voting for this action were Castle, Call, Harry, Lewis, Miller, Silverman and Quinby.

Charles L. Holloway
File Number 2001-01093

Mr. Whaley, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter.

In the matter of **Wendy F. Coates, File Number 2002-00525**, upon a properly seconded motion by Mr. Miller, the Board voted to ratify the Consent Order with violations of the Board's 1998 Regulation 18 VAC 130-20-170(3) with the following sanctions: a requirement to complete, a 15 hour course in the Uniform Standards of Professional Appraisal Practice; and a requirement to refund the Complainant, Ms. Angela D. Thorne, \$450.00 for the cost of the appraisal and provide proof of this payment to the Board within 30 days of entry of this Order. Voting for this action were Castle, Call, Harry, Lewis, Miller, Silverman and Quinby.

Wendy F. Coates
File Number 2002-00525

Mr. Whaley, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter.

The Board considered the matter of **Angela M. Johnson, File**

Angela M. Johnson

Number 2002-03786. Ms. Johnson was present to answer questions. Mr. Harry moved that the Board reject the recommendation contained in the Informal Fact Finding Conference Summary to approve Ms. Johnson's application for Residential Real Estate Appraiser License because the conviction was recent, thought through, planned and monies were involved, as it relates to the value of appraisals. Voting "YES" for this action were Castle and Harry. Voting "NO" were Call, Lewis, Miller, Silverman and Quinby. The motion failed.

File Number 2002-03786

Upon a properly seconded motion, Mr. Call recommended the approval of Ms. Johnson's application for Residential Real Estate Appraiser License with the stipulation that Ms. Johnson is required to enter into an Agreement for Licensure for a two year period and provide the Board with one Appraisal sample per month.

Upon a properly seconded motion, Mr. Call amended the previous motion and recommended approval of Ms. Johnson's application for Residential Real Estate Appraiser License with the stipulation that Ms. Johnson is required to enter into an Agreement for Licensure reporting monthly to the Board for two years, provide a list of addresses of all properties appraised during the month and a copy of one appraisal report prepared during the month. Voting "YES" were Call, Lewis, Miller, Silverman and Quinby. Voting "NO" were Harry and Castle. The motion passed.

Mr. Whaley, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter.

Ms. O'Neal gave an update regarding the reciprocity with North Carolina.

Reciprocity with North Carolina

Chairman Castle mentioned the issuance of Commonwealth of Virginia Identification Badges for Board members. At the conclusion of the meeting, Board members will take photographs for their badges, which will be mailed to them.

Administrative Matters

Chairman Castle mentioned that DMV has license plates designated for Commonwealth of Virginia Board members for an annual fee of \$35.00.

Ms. O'Neal gave an update regarding her former position, Assistant

Director of Regulatory Programs. Ms. O'Neal stated that the interviewing and hiring process will begin in the near future. Ms. O'Neal also announced that Werner Versch, Board Administrator, will be assisting the new Assistant Director with the Real Estate Appraiser Board business.

There will be an upcoming AARO Meeting on October 18, 2002 in Washington, D.C.

New Business

Ms. Silverman announced that the Department of Housing and Urban Development is requesting comments on issues related to the implementation of the Federal Housing Administration (FHA) Appraiser Watch Initiative. Through the Appraiser Watch Initiative, HUD plans to establish and monitor a performance standard that appraisers must meet to maintain their status on the FHA Appraiser Roster.

North Carolina is offering a new course for instructors through the Appraisal Foundation. The course is limited to 45 people and the duration is 2.5 days. The possibility of offering the course in Virginia will be explored.

There was no old Business.


Old Business

The Board adjourned at 11:20 a.m.

Adjourn



David N. Castle, C



Louise Fontaine Ware, Secretary

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..Custodian of the Record