

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 15, 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, Vice-Chair
Edythe Kelleher
Chris King
Rex McCarty
Rickey Stuchell
Janel Hofler
Jean Gannon
Mack Strickland

Board members absent from the meeting: Fay B. Silverman

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
Bonnie Rhea Adams, Director of Complaint
Analysis & Resolution
Emily Trent, Administrative Assistant

Joshua Laws 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, Strickland and Stuchell.

Approval of Agenda

A motion was made by Ms. Kelleher and seconded by Ms.

Approval of Minutes

Gannon to approve the May 16, 2017, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester, Strickland and Stuchell.

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

Public Comment

Scott DiBiasio spoke about evaluations. No action was taken by the Board.

Tony Bright, with Coester VMS, thanked the Board for its service.

In the matter of **File Number 2017-02515, Mark Mulligan**, 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. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Mulligan's application for a Certified Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Rochester and Strickland.

File Number 2017-02515, Mark Mulligan

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

In the matter of **File Number 2017-01721, Richard W. Latella**, the Board reviewed the Consent Order as seen and agreed to by Mr. Latella. A motion was made by Mr. McCarty and seconded by Mr. Stuchell to accept the proposed Consent Order offer wherein Mr. Latella admits to a violation of 18 VAC 130-20-180.K.4 (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.K.5 (Count 2) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.K.4 (Count 3) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.K.5 (Count 4) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$250.00 for the violation

File Number 2017-01721, Richard W. Latella

contained in Count 2 and \$250.00 for the violation contained in Count 4, and \$150.00 in Board costs, for a total of \$650.00. In addition, the Board shall waive imposition of the \$250.00 monetary penalty for Counts 2 and 4. The motion passed unanimously Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Miller, Strickland and Stuchell.

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

In the matter of **File Number 2017-02384, Marc S. Dattoma**, the Board reviewed the Consent Order as seen and agreed to by Mr. Dattoma. A motion was made by Mr. Strickland and seconded by Mr. McCarty to accept the proposed Consent Order offer wherein Mr. Dattoma admits to a violation of 18 VAC 130-20-180.M.4 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.M.5 (Count 2) 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, Strickland and Stuchell.

File Number 2017-02384, Marc S. Dattoma

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

In the matter of **File Number 2017-01294, Kathleen Ann Wilson**, 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. McCarty and seconded by Mr. Strickland 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 Hofler, Kelleher, King, McCarty, Miller, Silverman and Stuchell. A motion was made by Mr. Strickland and seconded by Mr. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and to impose the

File Number 2017-01294, Kathleen Ann Wilson

following sanctions: For violation of Count 1, Wilson shall be placed on probation and be required to complete a minimum of 15 hours of Qualifying Education ("QE") coursework on USPAP within six (6) months of the Board's decision in the matter. The coursework shall include an examination. Upon successful completion of the coursework, Wilson 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 Wilson's license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting "Yes" were Hofler, Kelleher, King, McCarty, Miller, Strickland and Stuchell

As the presiding Board member and Board member who reviewed the file, Mr. Rochester and Ms. Gannon 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.

In the matter of **File Number 2017-02127, Michael T. Pagans**, the Board reviewed the Consent Order as seen and agreed to by Mr. Pagans. A motion was made by Mr. McCarty and seconded by Ms. Gannon to accept the proposed Consent Order offer wherein Mr. Pagans 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 \$600.00, as well as \$150.00 in Board costs, for a total of \$750.00. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, Kelleher, King, McCarty, Rochester, Strickland and Stuchell.

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.

Jenny Tidwell, ASC policy manager, gave an overview of the Appraisal Subcommittee (ASC) and their compliance review process. No action was taken by the Board.

Transfer of Chair

File Number 2017-02127, Michael T. Pagans

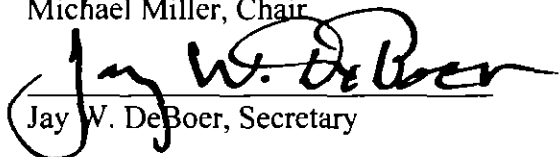
Transfer of Chair

Administrative Issues

There being no further business, the meeting adjourned at **Adjourn**
11:06 A.M.

A handwritten signature in black ink, appearing to read "Michael Miller", written in a cursive style.

Michael Miller, Chair

A handwritten signature in black ink, appearing to read "Jay W. DeBoer", written in a cursive style.

Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Janel E. Hofler
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Janel E. Hofler
Signature

8-15-17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Richard "Rickey" D. Stuchell
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

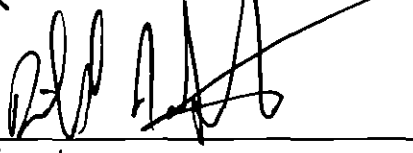
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

8/15/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Rex E. McCarty
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

N/A

(Agenda Item)

Nature of Personal Interest Affected by Transaction: N/A

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

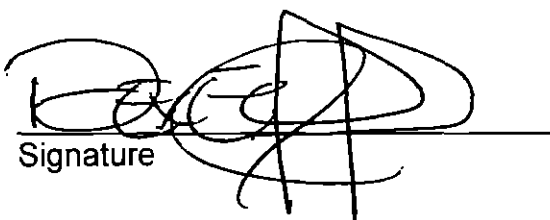
N/A

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

8/15/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Robert Rochester
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

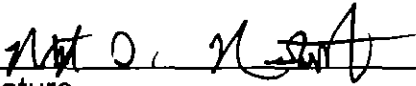
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

8/15/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jean M. Gannon
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Jean M. Gannon
Signature

8/15/17
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Edythe Kelleher
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

8-15-2017
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Thomas "Mack" Strickland, Jr.
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

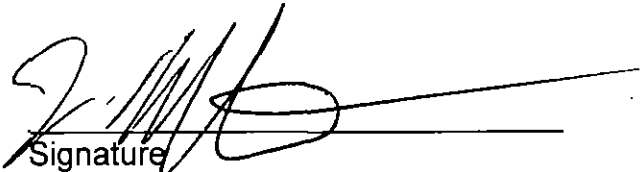
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

8/15/2017
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Chris King
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:


_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

8/15/17

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Michael Miller
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: August 15, 2017
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

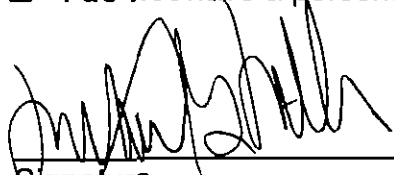
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

8/15/17

Date