

**REAL ESTATE APPRAISER BOARD
TENTATIVE AGENDA**

**Tuesday, July 30, 2019 - 10:00 AM
2nd Floor – Board Room 4**

**Department of Professional and Occupational Regulation
Perimeter Center, Suite 200
9960 Mayland Drive
Richmond, Virginia 23233**

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. May 1, 2019, Board Meeting

III. PUBLIC COMMENT PERIOD**

IV. CASES

1. File Number 2019-02120 – Home Base Appraisal Management, LC
IFF by James – Licensing
2. File Number 2019-00787 – Ashley Stanley Hodges
IFF by Stuchell & Miller – Disciplinary
3. File Number 2019-01062 – Michael E. Boyer, Sr.
Pre-IFF Consent Order by Bratton – Disciplinary
4. File Number 2019-02575 – Scott Anthony Wiseman
Pre-IFF Consent Order by Rochester – Disciplinary
5. File Number 2018-03224 – CoesterVMS.com, Inc.
Pre-IFF Consent Order by King - Disciplinary

V. ADMINISTRATIVE ISSUES

- ASC Compliance review

VI. OLD BUSINESS

VII. NEW BUSINESS

NEXT MEETING SCHEDULED FOR TUESDAY, OCTOBER 8, 2019

**** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.** Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2039 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

May 1, 2019

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:

Robert Rochester, Chair
Rickey Stuchell, Vice-Chair
Michael Miller
Rex McCarty
Janel Hofler
Edythe Kelleher
Kelvin Bratton
H. Glenn James

Board members absent from the meeting: Fay B. Silverman
Chris King

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

Christine Martine, Executive Director
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant

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

Mr. Rochester called the meeting to order at 10:12 A.M.

Call to Order

A motion was made by Mr. McCarty and seconded by Ms. Hofler to approve the agenda. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty, Miller, Rochester and Stuchell.

Approval of Agenda

A motion was made by Mr. McCarty and seconded by Mr. Bratton to approve the February 12, 2019, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty, Miller, Rochester and Stuchell.

Approval of Minutes

Jayne Allen stated she was asked to perform a hybrid

Public Comment

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appraisal and the Mueller Group stated she had no liability for information provided. No action was taken by the Board.

Mark Chapin, representing REVAA and the banking industry, thanked the Board for its hard work and job well done on the Guidance Document. No action was taken by the Board.

Pat Turner advised the Board that the state of New York recently passed a law regarding appraisals and provided information. He further stated a large AMC recently went out of business which harms the public. No action was taken by the Board.

Tim O'Brien addressed the Board stating that the Guidance document was well written. He stated there are a lot of non-AMCs trying to get into the industry and feels there is a lot of bad information out there. No action was taken by the Board.

Mack Strickland addressed the Board stating hybrid appraisals are bad for the state and the consumer. No action was taken by the Board.

Mr. Rochester turned the position of Chair over to Mr. Stuchell and recused himself from the meeting.

In the matter of **File Number 2019-00549, William Lee Byers, III**, 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. William Lee Byers, III, respondent, was present and addressed the Board. A motion was made by Mr. McCarty and seconded by Mr. Bratton to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty and Stuchell.

A motion was made by Mr. James and seconded by Ms.

Transfer of Chair

File Number 2019-00549,
William Lee Byers, III

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Kelleher to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$250.00 for the violation contained in Count 1, for a total of \$250.00. In addition, for the violation of Count 1, Byers' license shall be placed on probation for a period of six (6) months. Terms of probation include that Byers is required to complete a minimum of 15 hours of Board-approved education pertaining to residential sales comparison. Each course shall include an examination. Upon successful course completion, Byers shall provide the Board with proof of passing the examination(s). If, within six (6) months, Byers does not provide evidence of successful course completion and proof of passing the examination(s), his license shall be suspended until he provides such evidence. Satisfactory completion of this coursework will not count towards any continuing or pre-licensing education requirements for Byers' license renewal, reinstatement or upgrade. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty and Stuchell.

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

In the matter of **File Number 2019-00713, James M. Snyder**, 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. James M. Snyder, respondent, was present and addressed the Board. A motion was made by Mr. Miller and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, Kelleher, McCarty, Miller and Stuchell.

File Number 2019-00713,
James M. Snyder

A motion was made by Mr. McCarty and seconded by Mr. Bratton to amend the recommendation contained in the

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Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, for a total of \$1,000.00. In addition, for the violations of Counts 1 and 2, Snyder's license shall be placed on probation for a period of six (6) months. Terms of probation include that Snyder is required to complete a minimum of 15 hours of Board-approved education pertaining to USPAP. Each course shall include an examination. Upon successful course completion, Snyder shall provide the Board with proof of passing the examination(s). If, within six (6) months, Snyder does not provide evidence of successful course completion and proof of passing the examination(s), his license shall be suspended until he provides such evidence. Satisfactory completion of this coursework will not count towards any continuing or pre-licensing education requirements for Snyder's license renewal, reinstatement or upgrade. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, Kelleher, McCarty, Miller and Stuchell.

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

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

In the matter of **File Number 2019-00621, Sean B. McCoy**, 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. Sean B. McCoy, respondent, and Cathy Ferencsik, complainant, were present and addressed the Board. A motion was made by Mr. James and seconded by Mr. McCarty to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, and 18 VAC 130-20-180.E (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton,

Transfer of Chair

File Number 2019-00621,
Sean B. McCoy

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Hofler, James, Kelleher, McCarty and Miller.

A motion was made by Mr. James and seconded by Mr. McCarty to find no violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty and Miller.

A motion was made by Mr. McCarty and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference. A substitute motion was made by Mr. James and seconded by Ms. Kelleher to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, and \$2,500.00 for the violation contained in Count 3, for a total of \$5,000.00. The motion passed by majority vote. Members voting "Yes" were Bratton, James, Kelleher and Miller. Member voting "No" was McCarty. Hofler abstained from voting in this matter.

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

Mr. Rochester returned and assumed the position of Chair.

Ms. Martine advised the Board that the exempt regulatory action to amend 18 VAC 130-30-60 - Fee schedule, and 18 VAC 130-30-70 – Renewal required, was filed and the amended regulations will be effective July 1, 2019. No action was taken by the Board.

The Board discussed the proposed Guidance Document regarding Hybrid Appraisals. A motion was made by Mr. Bratton and seconded by Mr. Miller to accept the proposed Guidance Document: Hybrid Appraisals. The motion passed by majority vote. Members voting "Yes" were Bratton, Hofler, Kelleher, Miller, Rochester and Stuchell. Members voting "No" were James and McCarty.

The Board discussed the proposed Disciplinary action in

Transfer of Chair

Administrative Issues

Old Business

New Business

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another state review matrix. A motion was made by Mr. Stuchell and seconded by Mr. McCarty to adopt the matrix as presented. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, McCarty, Miller, Rochester and Stuchell.

There being no further business, the meeting adjourned at **Adjourn**
12:16 P.M.

Robert Rochester, Chair

Mary Broz-Vaughan, Acting Secretary

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PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.