

**REAL ESTATE APPRAISER BOARD
TENTATIVE AGENDA**

**Tuesday, October 8, 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. July 30, 2019, Board Meeting

III. PUBLIC COMMENT PERIOD**

IV. CASES

1. File Number 2019-03138 – Andrew James Bryant
IFF by Eldridge – Licensing
Appointment – Andrew James Bryant, applicant

V. ADMINISTRATIVE ISSUES

- Periodic Review of Regulations
- Board Financial Statements
- 2020 Board Meeting dates
- Resolution

VI. OLD BUSINESS

VII. NEW BUSINESS

- Exempt Regulation Action
- Regulatory Review

NEXT MEETING SCHEDULED FOR TUESDAY, FEBRUARY 11, 2020

**** 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) 367-8552 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

July 30, 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
Chris King
Rex McCarty
Janel Hofler
Edythe Kelleher
Kelvin Bratton (arrived at 10:22 A.M.)
H. Glenn James

Board members absent from the meeting: Fay B. Silverman
Michael Miller

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

Mary Broz-Vaughan, Acting Director
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 10:15 A.M.

Call to Order

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

Approval of Agenda

A motion was made by Mr. Stuchell and seconded by Mr. McCarty to approve the May 1, 2019, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Hofler, James, Kelleher, King, McCarty, Rochester and Stuchell.

Approval of Minutes

Michael Small advised the Board that the hybrid appraisal document has 151 comments saying hybrid appraisals are bad for the public. No action was taken by the Board.

Public Comment

Mack Strickland addressed the Board stating the guidance document fails to address significant appraisal assistance. He stated only an appraiser can provide significant appraisal assistance. He also stated the guidance document gives no guidance on what a third party inspector can do. No action was taken by the Board.

Bernie Bugg agreed with Mr. Strickland's statement and wants further clarification of significant appraisal assistance. He stated an appraisal inspection involves not only gathering facts but also drawing conclusions. No action was taken by the Board.

Pat Turner advised the Board on the current disposition of the Louisiana case. He further stated Fannie Mae may be backing off use of third party inspections. He also spoke about the Board granting CoesterAMC.com, Inc. a license and its negative impact on citizens. No action was taken by the Board.

Board Member Kelvin Bratton arrived at 10:22 A.M.

Arrival of Board Member

In the matter of **File Number 2019-02120, Home Base Appraisal Management, LC**, 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. McCarty and seconded by Mr. Stuchell to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Home Base Appraisal Management, LC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, Kelleher, King, McCarty, Rochester and Stuchell.

File Number 2019-02120, Home Base Appraisal Management, LC

As the presiding Board member, Mr. James did not vote or

participate in the discussion in this matter.

In the matter of **File Number 2019-00787, Ashley Stanley Hodges**, 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. James 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, and a 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, King, McCarty and Rochester.

A motion was made by Mr. James and seconded by Mr. Bratton to accept 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, and \$250.00 for the violation contained in Count 2, for a total of \$500.00. In addition, for the violations of Counts 1 and 2, Hodges' license shall be placed on probation for a period of six (6) months. Terms of probation include that Hodges is required to complete a minimum of 30 hours of Board-approved upper-level education. Each course shall include an examination. Upon successful course completion, Hodges shall provide the Board with proof of passing the examination(s). If, within six (6) months, Hodges does not provide evidence of successful course completion and proof of passing the examination(s), her license shall be suspended until she provides such evidence. Satisfactory completion of this coursework will not count towards any continuing or pre-licensing education requirements for Hodges' license renewal, reinstatement or upgrade. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, King, McCarty and Rochester.

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

File Number 2019-00787,
Ashley Stanley Hodges

In the matter of **File Number 2019-01062, Michael E. Boyer, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Boyer. A motion was made by Mr. McCarty and seconded by Mr. Stuchell to accept the proposed Consent Order offer wherein Mr. Boyer admits to a violation of 18 VAC 130-20-180.J (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, and \$750.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Counts 1 and 2, Boyer agrees to an eighteen (18) month probation of license as of the effective date of the Order. During the eighteen (18) month probation, Boyer agrees to: (1) Complete a 15 hour Board approved course pertaining to Advanced Residential Applications and Case Studies within six (6) months of the effective date of the Order. Upon successful completion, Boyer shall provide the Board with proof of passing the exam; (2) Comply with the regulations of the Real Estate Appraiser Board; and (3) Not be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance. In addition, for violation of Count 1, Boyer agrees to revocation of his license. The Board shall waive the imposition of license revocation for violation of Count 1 provided the above conditions of probation are met within the specified timeframe. If Boyer fails to comply with these conditions, license revocation will be automatically imposed. The motion passed unanimously. Members voting "Yes" were Hofler, James, Kelleher, King, McCarty, Rochester and Stuchell.

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

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

In the matter of **File Number 2019-02575, Scott Anthony Wiseman**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wiseman. A motion was made by Mr. McCarty and seconded by Mr. James to accept the proposed

File Number 2019-01062, Michael E. Boyer, Sr.

Transfer of Chair

File Number 2019-02575, Scott Anthony Wiseman

Consent Order offer wherein Mr. Wiseman admits to a violation of 18 VAC 130-20-180.M.5 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$400.00. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, King, McCarty and Stuchell.

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

Mr. Rochester returned and assumed the position of Chair.

In the matter of **File Number 2018-03224, CoesterVMS.com, Inc.**, the Board reviewed the Consent Order as seen and agreed to by CoesterVMS.com, Inc. A motion was made by Mr. Stuchell and seconded by Mr. Bratton to accept the proposed Consent Order offer wherein CoesterVMS.com, Inc. admits to seventeen (17) violations of §54.1-2022.1 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$75.00 for each violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,425.00. In addition, for violation of Count 1, the Board shall waive imposition of the \$1,275.00 monetary penalty and the Board costs of \$150.00, and in exchange CoesterVMS.com, Inc. agrees to voluntarily surrender its license on the effective date of the Order. The motion passed by majority. Members voting "Yes" were Bratton, Hofler, Kelleher, McCarty, Rochester and Stuchell. Member voting "No" was James.

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

Ms. Martine and Mr. Chapman updated the Board regarding the ASC compliance review. No action was taken by the Board.

Board member Chris King departed the meeting at 12:34 P.M.

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

Transfer of Chair

File Number 2018-03224,

CoesterVMS.com, Inc.

Administrative Issues

Departure of Board Member

New Business

DRAFT AGENDA
Materials contained in this agenda are proposed for public review and are not to be construed as regulation or official Board position.
DRAFT AGENDA

Hofler to have staff request the Administration consider putting forth legislation to grant the board authority to regulate persons who perform inspections related to appraisals or appraisal services. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, King, McCarty, Rochester and Stuchell.

After Board discussion, staff will send correspondence to Real Estate Appraiser licensees with information and reminders regarding regulations and Board updates.

New Business

A motion was made by Mr. Stuchell and seconded by Mr. McCarty to form a regulatory review committee. Board member Rickey Stuchell will chair the committee, and Rocky Rochester, Rex McCarty, the AMC board member, and Janel Hofler will serve as committee members. The motion passed unanimously. Members voting "Yes" were Bratton, Hofler, James, Kelleher, King, McCarty, Rochester and Stuchell.

There being no further business, the meeting adjourned at 12:45 P.M.

Adjourn

Robert Rochester, Chair

Mary Broz-Vaughan, Acting Secretary

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Materials contained in this agenda are not to be construed as regulation or official Board position.
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Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

2020 Appraiser Board Meeting Dates
10:00 A.M.
<i>Board Room 4</i>
February 11
June 30
October 13

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.