

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 23, 2005

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

**John C. Harry, III, Chairman
Gina Burgin
Janet Fuller
Harry O Lewis, Jr.
Douglas Mullins, Jr.
Richard Pruitt
Diane Quigley
Fay Silverman
Pat Turner, Jr.**

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

**Louise Fontaine Ware, Director
Brian Hannigan, Chief Deputy Director
Karen W. O'Neal, Deputy Director
Nick Christner, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Doug Schroder, Director of Adjudication
Carol Mitchell, Director of ADR
Linda Jackson, Legal Assistant Supervisor
Tammie Hall, Regulatory Board Administrator
Earlyne Perkins, Legal Assistant
Kera Woodard, Legal Assistant
Chris Olson, Administrative Assistant**

No member from the Attorney General's office was present

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

Call to Order

Louise Ware, Director, introduced Brian Hannigan as the new Chief Deputy Director for the Agency. Chairman Harry introduced new Board members Pat Turner, Jr., Richard Pruitt, and Diane Quigley.

Introductions

A motion was made by Ms. Silverman and seconded by Mr. Turner to approve the agenda. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

Approval of Agenda

A motion was made by Mr. Lewis and seconded by Mr. Mullins to approve the following minutes: May 3, 2005 Board Meeting, May 12, 2005 Informal Fact Finding Conferences, May 26, 2005 Informal Fact Finding Conferences, June 23, 2005 Informal Fact Finding Conferences, July 21, 2005 Informal Fact Finding Conferences, and August 11, 2005 Informal Fact Finding Conferences. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

Approval of Minutes

A motion was made by Mr. Turner and seconded by Ms. Silverman to nominate Harry Lewis as the Vice Chairman. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

Election of Officers

No one addressed the Board during the Public Comment Period.

Public Comment

In the matter of File Number 2005-04986 Maria Barry, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Barry was present and addressed the Board. A motion was made by Mr. Mullins and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54-1-204.B of the Code of Virginia, approve Ms. Barry's application for a Licensed Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

File Number 2005-04986
Maria Barry

In the matter of File Number 2005-04795 Kenneth Jenkins, Jr., the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Jenkins was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Ms. Silverman to accept the recommendation contained in the Summary of the Informal Fact-

File Number 2005-04795
Kenneth Jenkins, Jr.

Finding Conference and approve Mr. Jenkins' application for a Certified Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

In the matter of File Number 2005-03464 Steve Cavin, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Cavin was present and addressed the Board. A motion was made by Ms. Silverman and seconded by Mr Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Cavin's application for a Certified Residential Real Estate Appraiser license. The motion passed by majority vote. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, and Silverman Member voting "No" was Turner

File Number 2005-03464
Steve Cavin

In the matter of File Number 2004-04194 W. Justin Drinkwater, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Mr. Drinkwater. Mr. Drinkwater was not present. A motion was made by Mr Turner and seconded by Ms. Quigley to reject the Consent Order as offered and instead re-offer a Consent Order wherein Mr. Drinkwater admits to violations of 18 VAC 130-20-180.D (Counts 1 and 2) and 18 VAC 130-20-180.E (Count 3) of the Board's 1998 Regulations and agrees to a monetary penalty of \$1,500 for the violations. In addition, Mr. Drinkwater agrees to probation of his license for a period of one (1) year from the execution of the Order. Also, Mr. Drinkwater agrees to provide to the Board ten (10) appraisal reports per quarter during the one (1) year probation period, to run concurrent with File Numbers 2003-03140 and 2003-02843. In addition, Mr. Drinkwater is required to take an upper level Residential Appraisal Course offered by a member provider of the Appraisal Foundation. Such course shall be a minimum of 45 classroom hours (no on-line courses). Upon successful completion of the course, Drinkwater shall provide the Board with proof of passing of the exam. Drinkwater must provide proof of the course completion within 180 days of the execution of the Order. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and

File Number 2004-04194
W. Justin Drinkwater

Turner

In the matter of **File Number 2005-01018 Phillip Muncie**, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Mr. Muncie. Mr. Muncie was not present. A motion was made by Mr. Pruitt and seconded by Ms. Quigley to reject the Consent Order as offered and instead close the case with a finding of no violation. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

**File Number 2005-01018
Phillip Muncie**

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

In the matter of **File Number 2004-04195 Sarah Smith**, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Ms. Smith. Ms. Smith was not present. A motion was made by Mr. Turner and seconded by Ms. Fuller to reject the Consent Order as offered and instead re-offer a Consent Order wherein Ms. Smith admits to a violation of 18 VAC 130-20-180 D of the Board's 1998 Regulations to wit: 2002 Uniform Standards of Professional Appraisal Practice Standard Rule 1-5.a and agrees to take an upper level Residential Appraisal Course offered by a member provider of the Appraisal Foundation. Such course shall be a minimum of 45 classroom hours (no on-line courses). Upon successful completion of the course, Ms. Smith shall provide the Board with proof of passing of the exam. Ms. Smith must provide proof of the course completion within 180 days of the execution of the Order. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

**File Number 2004-04195
Sarah Smith**

Tammie Hall updated the Board on the reciprocity request from Louisiana. Ms. Hall stated that the residency status cannot be removed from Louisiana's requirements. The Board agreed without dissent to have staff request the full requirements for licensure from Louisiana.

Louisiana Reciprocity

The Board recessed from 11:25 a.m. to 11:40 a.m.

Break

Karen O'Neal, Deputy Director of Licensing and Regulation gave Board Member training on Regulatory Board Roles and

Board Member Training

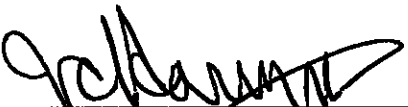
Responsibilities. Doug Schroder, Director of Adjudication, and Liz Hayes, Fair Housing Administrator, gave Board Member training on the Compliance and Investigations Division.

A motion was made by Mr. Turner and seconded by Mr. Lewis to have staff draft resolutions for the former Board Members to present to them at the next Board meeting. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.


Other Business

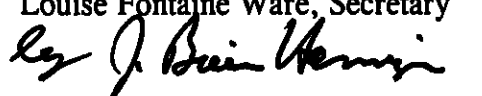
A motion was made by Ms. Silverman and seconded by Ms. Burgin to adjourn at 12.57 p.m. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Mullins, Pruitt, Quigley, Silverman and Turner.

Adjourn



John C. Narry, III, Chairman



Louise Fontaine Ware, Secretary


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

TRANSACTIONAL DISCLOSURE STATEMENT

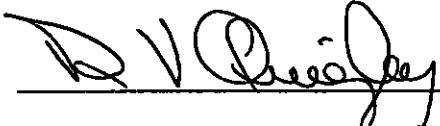
1. Name: Diane Quigley
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____
-

6. I declare that:

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

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

Dated: ~~May 3, 2005~~ August 23, 2005

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT

- 1 Name: Perry Turner, Jr.
- 2 Title: Member - Real Estate Appraiser Board
- 3 Agency: Department of Professional and Occupational Regulation
- 4 Transaction: Board Meeting
- 5 Nature of Personal Interest Affected by Transaction: _____
-

6. I declare that:

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

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

Dated:

May 3, 2005 → 8/23/05

Signature:



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name. Harry O. Lewis, Jr.
2. Title. Member - Real Estate Appraiser Board
3. Agency. Department of Professional and Occupational Regulation
4. Transaction. Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____
-

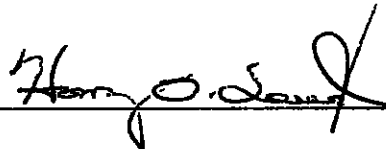
6. I declare that:

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

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

Dated: May 3, 2005

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name. Gina M. Burgin
2. Title: Member - Real Estate Appraiser Board
3. Agency. Department of Professional and Occupational Regulation
4. Transaction. Board Meeting
5. Nature of Personal Interest Affected by Transaction: none
-

6. I declare that:

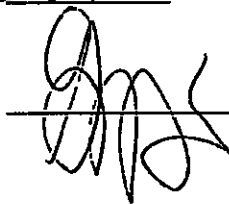
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

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

Dated

August 23, 2005
~~May 3, 2005~~

Signature:



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Douglas Mullins, Jr
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction _____

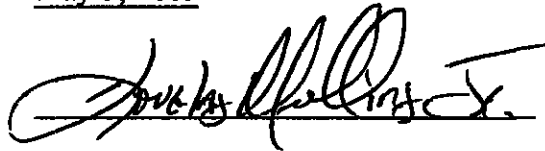
6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated: May 3, 2005

Signature



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Fay B. Silverman
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction. Justin Drinkwater

6. I declare that:

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

Mortgage Lending

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

Dated. May 3, 2005

Signature

Fay B. Silverman

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Janet W. Fuller
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____
-

6. I declare that:

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

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

Dated. ~~May 3, 2005~~ August 23, 2005

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Richard Pruitt
 2. Title: Member - Real Estate Appraiser Board
 3. Agency: Department of Professional and Occupational Regulation
 4. Transaction: Board Meeting
 5. Nature of Personal Interest Affected by Transaction: NONE
-

6 I declare that

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

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

Dated: May 3, 2005

Signature. 