

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

February 21, 2018

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
Rex McCarty
Rickey Stuchell
Janel Hofler
Jean Gannon
Mack Strickland
Fay B. Silverman (arrived at 10:18 a.m.)
Chris King

Board members absent from the meeting: Edythe Kelleher

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

Jay DeBoer, 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. Miller called the meeting to order at 10:05 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, King, McCarty, Miller, Rochester, Strickland and Stuchell.

Approval of Agenda

A motion was made by Mr. McCarty and seconded by Ms. Gannon to approve the October 31, 2017, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Rochester, Strickland and Stuchell.

Approval of Minutes

Alex Uminski advised the Board that veteran appraiser Frank Porter passed away.

Public Comment

Pat Turner advised the Board that oral arguments will be held in DC concerning the Louisiana case on February 22, 2018 and he would recommend the Board send a representative to the AARO Conference as the conference is very informative. No action was taken by the Board.

In the matter of **File Number 2018-00338, Carlos Ricardo Vargas**, 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 officer. A motion was made by Mr. Strickland and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Vargas' application for a Certified Residential Real Estate Appraiser license. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Rochester, Strickland and Stuchell.

File Number 2018-00338, Carlos Ricardo Vargas

In the matter of **File Number 2018-01472, Exactus Appraisal Management, LLC**, 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 officer. 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 Exactus Appraisal Management, LLC's application for an Appraisal Management Company license. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Rochester, Strickland and Stuchell.

File Number 2018-01472, Exactus Appraisal Management, LLC

Board member Fay Silverman arrived at 10:18 A.M.

Arrival of Board Member

In the matter of **File Number 2017-02507, Glenn Frank Fisher**, 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. Glenn Frank Fisher, respondent, was present and addressed the Board. 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 finds two violations of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman, Strickland and Stuchell.

File Number 2017-02507,
Glenn Frank Fisher

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 impose the following sanctions: a monetary penalty of \$500.00 for each violation in Count 1, for a total of \$1,000.00. Further, for violation of Count 1, Fisher's license is placed on probation and he shall be required to complete a minimum of 32 hours of Board-approved qualifying education pertaining to residential appraisal. The course or courses shall include an examination, and shall be completed within six (6) months of the execution of the Order. Upon successful course completion, Fisher shall provide the Board with proof of passing any examination(s). The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman, Strickland and Stuchell.

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

In the matter of **File Number 2017-02524, Angel Michael Miller**, 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. Stuchell and seconded by Mr. McCarty to accept the recommendation contained in

File Number 2017-02524,
Angel Michael Miller

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, no violation of 18 VAC 130-20-170.3 (Count 2) of the Board's 2015 Regulations and no violation of 18 VAC 130-20-180.M.8 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman, Strickland and Stuchell.

A motion was made by Mr. McCarty and seconded by Mr. King to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for the violation in Count 1, for a total of \$500.00. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman, Strickland and Stuchell.

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

In the matter of **File Number 2017-02416, Jennifer Anne Ridings**, 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 Ms. Gannon 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, a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.E (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman and Strickland.

File Number 2017-02416,
Jennifer Anne Ridings

A motion was made by Mr. Strickland and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$100.00 for the violation in Count 1, \$100.00 for the violation in Count 2, and \$100.00 for the violation in Count 3, for a total of \$300.00. In

addition, for the violations of Counts 1-3, Ridings' license is placed on probation and she shall be required to complete a minimum of 15 hours of Board-approved qualifying education pertaining to residential appraisal. The course or courses shall include an examination, and shall be completed within six (6) months of the execution of the Order. Upon successful course completion, Ridings shall provide the Board with proof of passing any examination(s). The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, McCarty, Miller, Silverman and Strickland.

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

In the matter of **File Number 2017-02923, Harry Parker**, 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. Harry Parker, respondent, was present and addressed the Board. A motion was made by Mr. Strickland and seconded by Mr. McCarty to accept the recommendation to close the file and find no violation of 18 VAC 130-180.D (Count 1) of the Board's 2015 Regulations and 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 Hofler, King, McCarty, Miller, Silverman, Stuchell and Strickland.

File Number 2017-02923,
Harry Parker

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

In the matter of **File Number 2018-00672, George Konstantine Demopulos**, 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. The Board reviewed a letter submitted from Matthew M. Leland, attorney for the respondent. A motion was made by Ms. Gannon and

File Number 2018-00672,
George Konstantine Demopulos

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.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. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, Miller, Silverman, Stuchell and Strickland.

A motion was made by Mr. Stuchell and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$100.00 for the violation in Count 2, for a total of \$100.00. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, Miller, Silverman, Stuchell and Strickland.

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

In the matter of **File Number 2018-00673, Lincoln Appraisal & Settlement Services, LLC**, 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. The Board reviewed a letter submitted from Matthew M. Leland, attorney for the respondent. A motion was made by Ms. Gannon 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 130-30-160.4 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130-30-160.5 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, Miller, Silverman, Stuchell and Strickland.

File Number 2018-00673,
Lincoln Appraisal & Settlement Services,
LLC

A motion was made by Mr. Strickland and seconded by Ms. Hofler to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$100.00 for the violation in

Count 2, for a total of \$100.00. The motion passed unanimously. Members voting "Yes" were Gannon, Hofler, King, Miller, Silverman, Stuchell and Strickland.

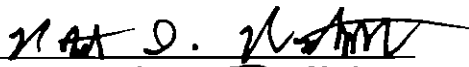
As the presiding Board member and Board member who reviewed the file, Mr. McCarty and Mr. Rochester did not vote or participate in the discussion in this matter.

The Board discussed statutes and regulations related to licensing and compliance. No action was taken by the Board.

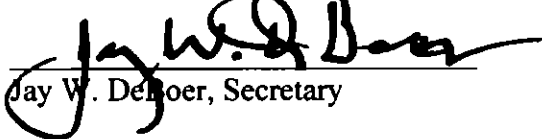
Administrative Issues

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

Adjourn



Robert O. Rochester, Vice-Chair



Jay W. DeBoer, Secretary

**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: February 21, 2018
(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

2/21/18
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: February 21, 2018
(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

2/21/18

Date

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**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: February 21, 2018
(Date)

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

None
(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:

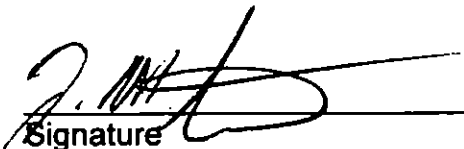
None

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

2/21/2018
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: February 21, 2018
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

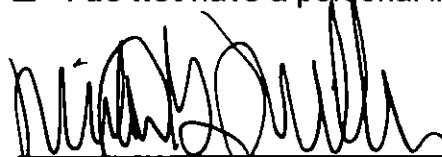
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

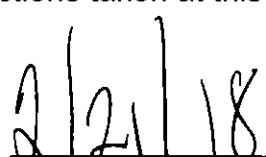
or

I did not participate in the transaction.

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



Signature



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: February 21, 2018
(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.

Robert Rochester
Signature

2/21/2018
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: February 21, 2018
(Date)

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

NA
(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

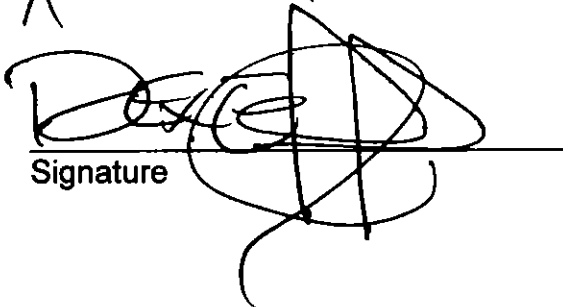
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

2/21/18

**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: February 21, 2018
(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

2-21-18
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: February 21, 2018

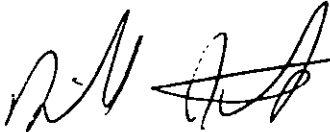
5. I have a personal interest in the following transaction:

(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

2/21/18
Date