

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

June 28, 2023

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:

Kelvin Bratton, Vice-Chair
Mark Chapin
Jean Gannon
H. Glenn James
Jason Inge

Board members Rickey Stuchell, Heather Placer Mull, Boyd Allison and Todd Canterbury were not present for the meeting.

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

Demetrios J. Melis, Director
Kishore Thota, Chief Deputy Director
Stephen Kirschner, Deputy Director
Emily Trent, Administrative Coordinator

Mr. Bratton called the meeting to order at 10:07 A.M.

Call to Order

A motion was made by Ms. Gannon and seconded by Mr. Inge to approve the agenda. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

Approval of Agenda

A motion was made by Mr. Chapin and seconded by Mr. Inge to approve the February 7, 2023, Real Estate Appraiser Board meeting minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge. A motion was made by Mr. Inge and seconded by Mr. Chapin to approve the February 27, 2023, Real Estate Appraiser Board meeting minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

Approval of Minutes

Perry 'Pat' Turner addressed the board regarding USPAP assurance, property data collectors, geographical

Public Comment

competence, and Appraisal Management Company's (AMC) disclosure of fees practices. Mr. Turner requested additional time for public comment after the 5-minute public comment period expired. A motion was made by Mr. Bratton and seconded by Mr. Chapin to extend the public comment period by two minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge. Mr. Turner continued addressing the Board regarding AMC's disclosure of fees practices. No action was taken by the Board.

James Damer, Regional Manager, Virginia Department of Transportation, addressed the Board regarding a request to increase the number of permissible experience hours from eminent domain appraisals. No action was taken by the Board.

H. Daniel Salomonsky addressed the Board regarding AMC's disclosure of fees practices. No action was taken by the Board.

Frank Wright addressed the Board regarding AMC's disclosure of fees practices. No action was taken by the Board

Mack Strickland addressed the Board regarding the Uniform Standards of Professional Appraisal Practice fees included in real estate appraiser licensing, renewal and reinstatement fees. Mr. Strickland requested a refund of the USPAP fee as the 2020-21 USPAP booklets were voted effective through December 31, 2023. Mr. Kirschner advised the Board that the fees have been suspended until such time as USPAP is updated.

James Loizou addressed the Board regarding false narratives against the appraisal industry. No action was taken by the Board.

In the matter of **File Number 2023-01292, Consolidated Analytics, 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 board member. The case was

File Number 2023-01292, Consolidated Analytics, LLC

deferred to the next board meeting due to lack of quorum.

In the matter of **File Number 2022-02085, Adam Hendricks Roberts**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. The case was deferred to the next board meeting due to lack of quorum.

File Number 2022-02085, Adam Hendricks Roberts

In the matter of **File Number 2023-00519, Thomas P. Hundley**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. The case was deferred to the next board meeting due to lack of quorum.

File Number 2023-00519, Thomas P. Hundley

Mr. Kirschner gave the Board a regulatory update. No action was taken by the Board.

Administrative Issues

Mr. Kirschner updated the board regarding the regulatory language adopted by the Board in February 2023 to implement 2022 HB 284. Mr. Kirschner presented staff recommended amendments, which would provide staff with clearer direction on how to approve bias courses.

A motion was made by Mr. Chapin and seconded by Ms. Gannon to adopt the proposed amendments to the existing regulatory action implementing 2022 HB 284 as presented. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

A motion was made by Mr. Inge to include the nine protected classes of Virginia's Fair Housing Law in the definition of "Appraisal bias" in 18 VAC 130-20.10. Definitions. The motion was withdrawn by Mr. Inge. A motion was made by Ms. Gannon and seconded by Mr. Inge to request staff obtain additional information on how appraisal bias is defined by the United States Department of Housing and Urban Development, the Appraiser Qualifications Board, federal and state laws to present at the next Board meeting for further discussion. The motion

passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

The Board recessed from 11:11 AM to 11:24 AM.

Break

Mr. Kirschner gave the Board a Regulatory Review presentation. A motion was made by Ms. Gannon and Mr. Inge to create a Regulatory Review Committee. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge. The Real Estate Appraiser Regulatory Review Committee members are Jean Gannon, Glenn James, Rickey Stuchell and Jason Inge.

Administrative Issues

Mr. Kirschner requested the Board establish a formal election policy to govern Board elections for Chair and Vice Chair of the Real Estate Appraiser Board. A motion was made by Ms. Gannon and seconded by Mr. Inge to hold an election for Chair and Vice Chair at the first Real Estate Appraiser Board meeting following July or the first meeting after the Governor makes appointments to the Board. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

The Board reviewed the Board financial statement as presented. No action was taken by the Board.

James Damer, Regional Manager, Virginia Department of Transportation, addressed the Board requesting to increase the number of permissible experience hours from eminent domain appraisals. Mr. Damer explained trainee appraisers would benefit by reducing the amount of time to obtain qualifying experience if the Board increased the number of experience hours for eminent domain appraisals considering the volume and scope of work required by eminent domain appraisals. A motion was made by Mr. Inge and seconded by Ms. Gannon to accept the revised Real Estate Appraiser Board experience chart fee/staff appraisal form as presented increasing hours of experience in several categories of eminent domain appraisals. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

New Business

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

Chapin to accept the Licensed Residential PAREA Program and Certified Residential PAREA Program to satisfy the experience requirements established in regulations as a condition of licensure as a licensed residential real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Gannon, James and Inge.

The Board discussed the Appraisal Management Company regulations and §54.1-2022.B of the *Code of Virginia* stating the appraisal management company shall not prohibit an appraiser from disclosing in the appraisal report the actual fees charged by an appraiser for appraisal services and shall otherwise comply with any applicable requirements of the federal law including the requirements of the United States Department of Housing and Urban Development. Further, the Board discussed the Real Estate Appraiser regulations and §54.1-2011.f. of the *Code of Virginia* stating an appraiser engaged by an appraisal management company to perform appraisal services shall disclose the actual fee paid to the appraiser by the appraisal management company as part of the appraisal report. The disclosure of such fee shall not be prohibited by the appraisal management company as otherwise provided in §54.1-2022. After further discussion, the Board directed staff to send notice with a restatement of the referenced laws to all licensed Appraisal Management Companies by mail and electronically.

There being no further business, the meeting adjourned at 12:24 P.M.

Adjourn



Richard 'Rickey' Stuchell, Chair



Kishore Thota, Secretary

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

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

1. Name Jean Gannon
(Name of Board Member/Presiding Officer)

2. Title: Board Member

3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)

4. Transaction: Meeting/ Informal Fact-Finding Conferences held on: _____

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting/conference.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member/Presiding Officer:


Signature

06/28/2023

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Mark Chapin
(Name of Board Member/Presiding Officer)

2. Title: Board Member

3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)

4. Transaction: Meeting/ Informal Fact Finding Conferences held on: _____

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting/conference.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

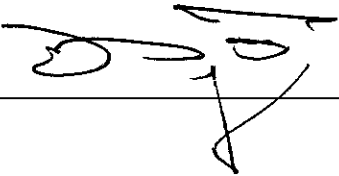
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member/Presiding Officer:



Signature

06/28/2023 MC/23
Date

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

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

1. Name H. Glenn James
(Name of Board Member/Presiding Officer)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Transaction: Meeting/ Informal Fact-Finding Conferences held on: _____

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting/conference.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

Certified General Real Estate Appraiser

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

I did not participate in the transaction.

6. Signature of Board Member/Presiding Officer:

H. Glenn James
Signature

06/28/2023

Date

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

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

1. Name Jason Inge
(Name of Board Member/Presiding Officer)

2. Title: Board Member

3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)

4. Transaction: Meeting/ Informal Fact-Finding Conferences held on: _____

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting/conference.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)


B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member/Presiding Officer:

 _____

Signature

06/28/2023

Date

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

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

1. Name Kelvin 'KC' Bratton
(Name of Board Member/Presiding Officer)

2. Title: Board Member

3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)

4. Transaction: Meeting/ Informal Fact-Finding Conferences held on: _____

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting/conference.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member/Presiding Officer:


Signature

06/28/2023

Date