

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

February 8, 2022

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:

Rickey Stuchell, Chair
Kelvin Bratton, Vice-Chair
Mark Chapin
H. Glenn James
Jason Inge (arrived at 10:18 a.m.)
Heather Placer Mull
Edythe Kelleher
Fred Levine
Todd Canterbury (arrived at 10:23 a.m.)

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

Demetrios J. Melis, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Emily Trent, Administrative Coordinator

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

Mr. Stuchell called the meeting to order at 10:08 A.M.

Call to Order

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

Approval of Agenda

A motion was made by Mr. Bratton and seconded by Ms. Mull to approve the October 19, 2021, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Kelleher, Levine, Mull and Stuchell.

Approval of Minutes

There was no public comment.

Public Comment

Board Member Jason Inge arrived at 10:18 A.M.

**Arrival of Board
Member**

In the matter of **File Number 2021-02621, Derek Earl Shifflett**, 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. Derek Earl Shifflett, applicant, was present and addressed the Board. A motion was made by Mr. Chapin and seconded by Mr. Bratton 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* to approve Mr. Shifflett's application for a Real Estate Appraiser Trainee license. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell.

**File Number 2021-
02621, Derek Earl
Shifflett**

Board Member Todd Canterbury arrived at 10:23 A.M.

**Arrival of Board
Member**

In the matter of **File Number 2022-00443, Jonathan Kent Crim**, 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. Jonathan Kent Crim, applicant, was present and addressed the Board. A motion was made by Mr. James and seconded by Mr. Inge 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* to deny Mr. Crim's application for a Licensed Residential Real Estate Appraiser license. After reviewing the nature and seriousness of the crimes, the relationship of the crimes to the purpose for requiring a license to engage in the occupation, the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which Crim had previously been involved, the relationship of the crimes to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the occupation or profession, the age of Crim at the time of the commission of

**File Number 2022-
00443, Jonathan Kent
Crim**

the crimes, and the evidence of rehabilitation or rehabilitative effort while incarcerated or following release the board voted to deny the license. The motion passed by majority vote. Members voting "Yes" were Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell. Members voted "No" were Bratton and Canterbury.

In the matter of **File Number 2021-01558, Tony Alan Grubb**, 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. Tony Alan Grubb, respondent, provided a written statement to the Board. Robert F. Hale, complainant, was present and addressed the Board. A motion was made by Mr. Bratton and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Canterbury, Inge, Kelleher, Mull and Stuchell. A motion was made by Mr. Bratton and seconded by Mr. Inge to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$400.00 for the violation contained in Count 1, for a total of \$400.00. Further, for the violation of Count 1, Grubbs' license is placed on probation for a period of one year. The terms of the probation are as follows: 1) Grubb shall submit three (3) appraisal reports per quarter to the Board for review; 2) Grubb shall complete thirty (30) hours of Qualifying Education ("QE") course(s) approved by the Appraisal Foundation or the board within ninety (90) days of the effective date of the Order. The course(s) shall include instruction on the residential sales comparison and income approaches. Each course shall include an examination. Upon successful course completion, Grubb shall provide proof satisfactory to the board that Grubb passed the examination(s). The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license; 3) Grubb shall complete a fifteen (15) hour course approved by the

File Number 2021-01558, Tony Alan Grubb

Appraisal Foundation on the Uniform Standards of Appraisal Practice within ninety (90) days of the effective date of the Order. The course must include an examination. Upon successful course completion, Grubb shall provide proof satisfactory to the Board that Grubb passed the examination. The above-referenced course will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of license. The Board increased the monetary penalty and added additional education requirements and a period of probation and reporting due to Grubb's prior disciplinary history. The motion passed unanimously. Members voting "Yes" were Bratton, Canterbury, Inge, Kelleher, Mull and Stuchell.

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

In the matter of **File Number 2021-02697, Superstition Management, Inc. t/a AppraisalTek**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, the Report of Findings, including exhibits and the Recommendation. A motion was made by Mr. Bratton and seconded by Ms. Mull to accept the recommendation to find a violation of 18 VAC 130-30-160.5 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Canterbury, Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell.

File Number 2021-02697, Superstition Management, Inc. t/a AppraisalTek

A motion was made by Mr. James and seconded by Mr. Levine to accept the recommendation and impose a monetary penalty of \$1,000.00 for the violation contained in Count 1, for a total of \$1,000.00. The motion passed unanimously. Members voting "Yes" were Bratton, Canterbury, Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell.

A motion was made by Mr. Inge and seconded by Ms. Kelleher to adopt the following resolution to honor the memory and years of dedicated Board service by former Board Member **Michael G. Miller**:

Resolution-Michael G. Miller

WHEREAS, **Michael G. Miller**, faithfully and diligently served as a licensed Certified General Real Estate Appraiser in the Commonwealth of Virginia from December 11, 1991 to October 11, 2021; and

WHEREAS, **Michael G. Miller**, served as a member of the Real Estate Appraiser Board for over 12 years having been appointed to the board by three different governors and elected to serve as chair of the Real Estate Appraiser Board four times during his tenure; and

WHEREAS, **Michael G. Miller**, was a Virginia Tech Hokie through and through, helping to build its real estate program, which is one of the top five undergraduate programs in real estate in the United States; and

WHEREAS, **Michael G. Miller** gave generously of his time to staff members of the Real Estate Appraiser Board and the Department of Professional and Occupational Regulation educating them about the real estate appraiser industry while reviewing cases and conducting informal fact-finding conferences; and now, therefore, be it

RESOLVED, this eighth day of February, 2022, that the Real Estate Appraiser Board hereby notes with great sadness the untimely passing of **Michael G. Miller**, which occurred on October 11, 2021; and be it

RESOLVED FURTHER, that this resolution be made a part of the official minutes of the Board and be presented to the family of **Michael G. Miller** as an expression of the high regard in which his memory is held by the Real Estate Appraiser Board and the citizens of the Commonwealth.

The motion passed unanimously. Members voting "Yes" were Bratton, Canterbury, Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell.

A motion was made by Mr. James and seconded by Mr. Levine to adopt the following resolution to honor the memory and years of dedicated Board service by former Board Member **Jack C. Harry, III**:

Resolution-Jack C. Harry, III

WHEREAS, **Jack C. Harry, III**, faithfully and diligently served as a licensed Certified General Real Estate Appraiser in the Commonwealth of Virginia from December 31, 1991 to November 24, 2021; and

WHEREAS, **Jack C. Harry, III**, served as a member of the Real Estate Appraiser Board for 12 years having been appointed to the Real Estate Appraiser Board by three different governors and served as chair of the Real Estate Appraiser Board for four years during his tenure; and

WHEREAS, **Jack C. Harry, III**, gave generously of his time to staff members of the Real Estate Appraiser Board and the Department of Professional and Occupational Regulation educating them about the real estate appraiser industry while reviewing cases and conducting informal fact-finding conferences; and now, therefore, be it

RESOLVED, this eighth day of February, 2022, that the Real Estate Appraiser Board hereby notes with great sadness the passing of **Jack C. Harry, III**, which occurred on November 24, 2021; and be it

RESOLVED FURTHER, that this resolution be made a part of the official minutes of the Board and be presented to the family of **Jack C. Harry, III**, as an expression of the high regard in which his memory is held by the Real Estate Appraiser Board and the citizens of the Commonwealth.

The motion passed unanimously. Members voting “Yes” were Bratton, Canterbury, Chapin, Inge, James, Kelleher, Levine, Mull and Stuchell.

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

Administrative Issues

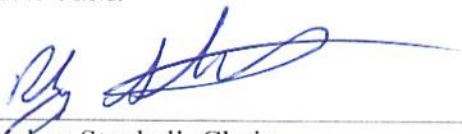
Ms. Martine briefed the Board on pending legislation HB 284 which will require two hours of the required continuing education include a course on fair housing. No action was taken by the Board.

New Business


There being no further business, the meeting adjourned at

Adjourn

11:49 A.M.



Rickey Stuchell, Chair



Demetrios J. Melis, Secretary

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

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

1. Name: Heather Placer Mull
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(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

2/8/2022
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)

2. Title: Board Member

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

4. Meeting/IFF Date: February 8, 2022
(Date)

5. I have a personal interest in the following transaction:
None
(Agenda Item)

Nature of Personal Interest Affected by Transaction: 2/8

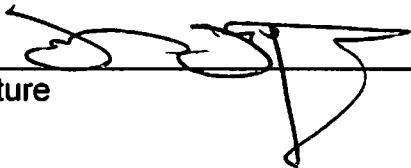
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

2/8/22
Date

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

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

1. Name: Fred Levine
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(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

2/8/2022
Date

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

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

1. Name: Kelvin Bratton
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

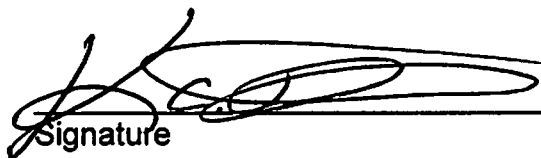
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

 2/8/22
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)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

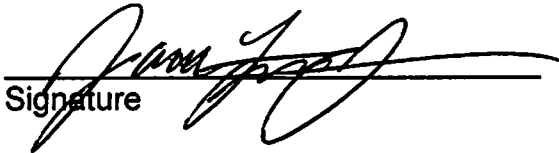
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

2/8/2022
Date

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

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

1. Name: Edythe Kelleher
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(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.

Edythe Franckel Kelleher
Signature

2-8-22
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)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 8, 2022
(Date)

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

NONE
(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:

Certified General Real Estate Appraiser

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.

H. Glenn James
Signature

8 Feb 2022
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 8, 2022
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

2/8/22
Date