

**REAL ESTATE APPRAISER BOARD
TENTATIVE AGENDA**

**Tuesday, October 18, 2022 - 10:00 AM
2nd Floor – Board Room 2**

**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:
 - June 29, 2022, Board Meeting

III. PUBLIC COMMENT PERIOD**

IV. CASES

1. File Number 2022-02572 – Gabriel Ryan Riveras
IFF by Jackson-Bailey - Licensing
2. File Number 2022-01670 – Christian Ramon Jackson
Pre-IFF Consent Order by Bratton - Disciplinary
3. File Number 2022-01386 – James M. Hong
IFF by Stuchell - Disciplinary
Appointment – James M. Hong, respondent

V. ADMINISTRATIVE ISSUES

- PAREA Presentation, Dave Bunton, President, The Appraisal Foundation
- Board Financial Statement
- 2023 Board dates

VI. OLD BUSINESS

VII. NEW BUSINESS

NEXT MEETING SCHEDULED FOR TUESDAY, February 7, 2023

**** 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

June 29, 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
Heather Placer Mull
Pieri Burton
Jean Gannon

Board members Todd Canterbury and Boyd Allison 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
Tom Payne, Deputy Director
Christine Martine, Executive Director
Amy Goobic, Executive Assistant

Jim Flaherty 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 Mr. James and seconded by Mr. Inge to approve the agenda. The motion passed unanimously. Members voting "Yes" were Bratton, Burton, Chapin, Gannon, Inge, James, Mull and Stuchell.

Approval of Agenda

A motion was made by Mr. Bratton and seconded by Mr. James to approve the February 8, 2022, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Burton, Chapin, Gannon, Inge, James, Mull and Stuchell.

Approval of Minutes

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

Ms. Martine welcomed and introduced new Board members Jean Gannon and Pieri Burton.

New Board Member Introductions

Pat Turner, Real Estate Appraiser, was present to address the Board. Mr. Turner discussed the requirement by Freddie Mac and Fannie Mae to use hybrid appraisals. These appraisals would have a physical inspection done by a third party, which would then leave the appraiser responsible for the work done by the third party. Mr. Turner is recommending Virginia prepare a statement similar to the one sent out by the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors.

Public Comment

Mack Strickland, Real Estate Appraiser, was present to address the Board. Mr. Strickland also commented on the hybrid appraisals.

Mr. Bratton was recused.

Recusal of Board Member

In the matter of **File Number 2022-01454, Maselah Surmaty**, the Board reviewed the Consent Order as seen and agreed to by Mr. Surmaty. A motion was made by Mr. Inge and seconded by Ms. Mull to accept the proposed Consent Order offer wherein Mr. Surmaty admits to 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. There was no monetary penalty for the violation contained in Count 1, Mr. Surmaty agrees to a monetary penalty of \$250.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$400.00. The motion passed unanimously. Members voting "Yes" were Burton, Chapin, Gannon, Inge, James, Mull and Stuchell. As the reviewing Board member, Mr. Bratton was not present for the discussion or vote.

File Number 2022-01454, Maselah Surmaty t/a Maz Surmaty

Mr. Bratton returned to the meeting.

Return of Board Member

In the matter of **File Number 2022-01677, Christopher James Allard**, the Board reviewed the application file, the

File Number 2022-01677, Christopher

transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Christopher James Allard, applicant, was present and addressed the Board. A motion was made by Ms. Gannon and seconded by Mr. Inge to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Allard's application for a Certified General Real Estate Appraiser license. The motion passed by majority vote. Members voting "Yes" were Bratton, Burton, Chapin, Gannon, Inge, Mull, and Stuchell. Mr. James abstained.

Mr. Stuchell and Mr. James were recused. Position of Chair transferred to Mr. Bratton.

In the matter of **File Number 2022-00504, Robert Warren Dawson, Jr.**, 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. A motion was made by Mr. Chapin and seconded by Mr. Inge to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130.20.180.E (Count 4) of the Board's 2015 Regulations. As to Counts 2 and 3, the Board closes these with findings of no violation. The motion passed unanimously. Members voting "Yes" were Bratton, Burton, Chapin, Gannon, Inge, and Mull.

A motion was made by Mr. Chapin and seconded by Ms. Mull 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 4, for a total of \$500.00. The motion passed unanimously. The motion passed unanimously. Members voting "Yes" were Bratton, Burton, Chapin, Gannon, Inge, and Mull.

James Allard

**Recusal of Board
Members and
Transfer of Chair**

**File Number 2022-
00504, Robert Warren
Dawson, Jr.**

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As the presiding Board member, and Board member who reviewed the file, Mr. Stuchell and Mr. James were not present for the discussion or vote.

Mr. Stuchell and Mr. James returned to the meeting. Mr. Stuchell resumed position of Chair.

**Return of Board
Members and Transfer
of Chair**

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

Administrative Issues

Board members were provided a copy of the board roster. Ms. Martine asked Board members to make any corrections and return to Ms. Goobic.

Ms. Martine reported on HB 284 which requires a minimum of two hours continuing education on fair housing and appraisal bias. She stated that the bill has a one year delayed enactment. Ms. Martine also informed the Board that a Regulatory Review Committee will start when the Governor's Executive Order for Regulatory Reduction is signed.

Ms. Martine asked for Board members to serve on a committee for the continuing education issue. Mr. James, Mr. Bratton, Mr. Stuchell and Ms. Gannon volunteered. Ms. Martine will contact the committee members regarding a meeting date.

Discussion was held on the hybrid appraisal. Mr. Stuchell inquired if anyone had personal knowledge of how it works. Mr. Chapin stated that he had seen demonstrations, and that the technology was not mature enough. He feels the third party inspection leaves the appraiser open to liability, when the appraiser does not know the credentials of the third party.

New Business

Mr. James suggested reviewing the previous Guidance Document on hybrid appraisals and perhaps making amendments. Mr. Stuchell requested the current Guidance Document be sent to Board members for review and discussion at the October 18, 2022 Board meeting.

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**Department of Professional and Occupational Regulation
Statement of Financial Activity
Real Estate Appraiser Board
954610**

2022-2024 Biennium

August 2022

	August 2022 Activity	Biennium-to-Date Comparison	
		July 2020 - August 2020	July 2022 - August 2022
Cash/Revenue Balance Brought Forward			276,802
Revenues	47,073	73,165	(19,470)
Cumulative Revenues			257,332
Cost Categories:			
Board Expenditures	1,558	3,354	4,661
Board Administration	5,389	12,422	13,254
Administration of Exams	51	247	124
Enforcement	700	1,820	1,672
Legal Services	0	210	0
Information Systems	3,444	7,837	5,560
Facilities and Support Services	1,732	3,039	2,640
Agency Administration	2,776	5,349	6,694
Other / Transfers	0	0	0
Total Expenses	15,619	34,278	34,605
Transfer To/(From) Cash Reserves	0	0	(85,528)
Ending Cash/Revenue Balance			308,255

Cash Reserve Beginning Balance	241,669	0	327,197
Change in Cash Reserve	0	0	(85,528)
Ending Cash Reserve Balance	241,669	0	241,669

Number of Regulants	
Current Month	4,193
Previous Biennium-to-Date	4,098

