

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

February 26, 2013

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:

Diane Quigley, Chair
H. Glenn James, Vice-Chair
John C. Harry
Richard Pruitt
Michael Miller
Chris Call
René Fonseca

Board members absent from the meeting: Sandra Johnson
Laura Sanchez del Solar
Scott Mayausky

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

Gordon Dixon, Director
Mark Courtney, Senior Director
Steve Arthur, Senior Director
Christine Martine, Executive Director
Kevin Hoeft, Board Administrator
Bonnie Rhea Adams, Director of Complaints
Analysis & Resolution
Kristin Clay, Legal Analyst
Emily Trent, Administrative Assistant

Ms. Quigley called the meeting to order at 10:05 AM.

Call to Order

A motion was made by Mr. James and seconded by Mr. Miller to approve the agenda. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt, and Quigley.

Approval of Agenda

A motion was made by Mr. Call and seconded by Mr. James

Approval of Minutes

to approve the following minutes: November 7, 2012, Board Meeting; November 14, 2012, Informal Fact-Finding Conference; January 9, 2013, Informal Fact-Finding Conference and January 22, 2013, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt and Quigley.

There was no public comment.

In the matter of **File Number 2013-01611, Shelly Bounds**, 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. Pruitt and seconded by Ms. Quigley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Bounds' application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt, and Quigley.

In the matter of **File Number 2013-00676, Henry Adamson**, 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. A motion was made by Mr. Pruitt and seconded by Mr. Miller to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Adamson's application for a certified general real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, Miller, Pruitt and Quigley.

As the presiding Board member who reviewed the file, Mr. James did not participate in the discussion or vote pertaining to this matter.

Ms. Quigley turned the position of Chair over to Mr. James and recused herself from the meeting.

Public Comment

File Number 2013-00611, Shelly Bounds

File Number 2013-00676, Henry Adamson

Transfer of Chair

In the matter of **File Number 2012-01902, Milton Lee Rose**, the Board reviewed the Consent Order as seen and agreed to by Mr. Rose. A motion was made by Mr. Call and seconded by Mr. Miller to accept the proposed Consent Order wherein Mr. Rose admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.K.1 (Count 2) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.D (Count 4) of the Board's 2008 Regulations and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, \$250.00 for the violation contained in Count 2, \$250.00 for the violation contained in Count 3, and \$250.00 for the violation contained in Count 4, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Count 1, Rose is required to complete a classroom Upper Level Residential Appraisal Course approved by The Appraisal Foundation or the Board within six (6) months of the execution of the Order. Such course shall be a minimum of 30 classroom hours and shall not be a distance education course ("distance education" means an educational process based on the geographical separation of provider and student, i.e., CD-ROM, on-line learning, correspondence courses, etc.). Upon successful course completion, Rose shall provide the Board with proof of passing the exam. Further, for violation of Count 1, Rose is required to complete a classroom 15-hour USPAP course approved by the Appraisal Foundation or the Board within six (6) months of the execution of the Order. Such course shall not be a distance education course ("distance education" means an educational process based on the geographical separation of provider and student, i.e., CD-ROM, on-line learning, correspondence courses, etc.). Upon successful course completion, Rose shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the above-referenced courses will not count toward any continuing or pre-license education requirements needed for license renewal, reinstatement or upgrade. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller and Pruitt.

File Number 2012-01902, Milton Lee Rose

As the Board member who reviewed the file, Ms. Quigley

did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2012-02120, Harry M. Dooms, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Dooms. A motion was made by Mr. Harry and seconded by Mr. Miller to accept the proposed Consent Order wherein Mr. Dooms admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2008 Regulations and agrees to a monetary penalty of \$150.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$300.00. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller and Pruitt.

File Number 2012-02120, Harry M. Dooms, Jr.

As the Board member who reviewed the file, Ms. Quigley did not participate in the discussion or vote pertaining to this matter.

Ms. Quigley returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2012-03204, Mark J. Lehn**, the Board reviewed the investigative 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. A motion was made by Ms. Quigley and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and close Count 1 with a finding of no violation. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Pruitt and Quigley. A motion was made by Ms. Quigley and seconded by Mr. Pruitt to reject the recommendation contained in Summary of the Informal Fact-Finding Conference and instead close Count 2 with a finding of no violation. The Board finds the report completed by Lehn to be a clear and accurate appraisal and completed in such a manner to not be misleading. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Pruitt and Quigley.

File Number 2012-03204, Mark J. Lehn

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

In the matter of **File Number 2012-03018, William C. Bryant, III**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bryant. A motion was made by Mr. James and seconded by Mr. Pruitt to accept the proposed Consent Order wherein Mr. Bryant admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2008 Regulations and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$900.00. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Pruitt and Quigley.

File Number 2012-03018, William C. Bryant, III

As the Board member who reviewed the file, Mr. Miller did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2012-03503, Kim Kube Crowe**, the Board reviewed the Consent Order as seen and agreed to by Ms. Crowe. A motion was made by Mr. James and seconded by Ms. Quigley to accept the proposed Consent Order wherein Ms. Crowe admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, \$500.00 for each violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Counts 1-3, Crowe is required to complete a classroom Upper Level Residential Appraisal Course approved by The Appraisal Foundation or the Board within six (6) months of the execution of the Order. Such course shall be a minimum of 30 classroom hours. Upon successful course completion, Crowe shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Pruitt and Quigley.

File Number 2012-03503, Kim Kube Crowe

As the Board member who reviewed the file, Mr. Miller did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2013-00726, Tyrone W. Hinton**, 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. A motion was made by Ms. Quigley and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Hinton's application for a certified residential real estate appraiser license. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, Miller, Pruitt, and Quigley.

File Number 2013-00726, Tyrone W. Hinton

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

Mr. Hoeft gave the Board a regulatory review update. A motion was made by Ms. Quigley and seconded by Mr. Pruitt to authorize staff to file an Exempt Action to comply with requirements imposed by the Dodd-Frank Act. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt, and Quigley.

Administrative Issues

A motion was made by Mr. Miller and seconded by Mr. Call to adopt the proposed Appraisal Management Company Regulations. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt, and Quigley.

Ms. Martine updated the Board on regulatory review performed in accordance with the Governor's Regulation Review Initiative. A motion was made by Ms. Quigley and seconded by Mr. Pruitt that the Board will not file a NOIRA to begin the regulatory review process pursuant to the Governor's Regulation Review Initiative. The motion passed unanimously. Members voting "Yes" were Call, Fonseca, Harry, James, Miller, Pruitt, and Quigley.


Steve Arthur, Senior Director of IT & Special Projects, gave the Board an update on EAGLES. No action was taken by the Board.

New Business

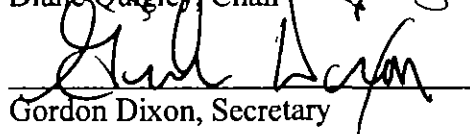
Mr. Miller addressed the Board regarding review appraisals done on Virginia properties by appraisers without a Virginia Appraiser license. No action was taken by the Board.

There being no further business, the meeting adjourned at 11:24 A.M.

Adjourn



Diane Quigley, Chair



Gordon Dixon, Secretary

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

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

1. Name: Diane Quigley
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 26, 2013
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

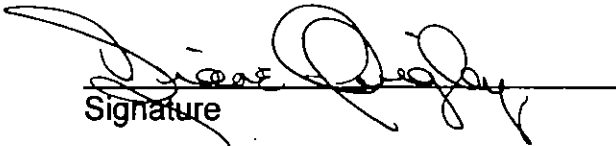
I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

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

2/26/2013
Date

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

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

1. Name: Christopher S. Call
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 26, 2013
(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

2/26/2013
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 26, 2013
(Date)

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

NONE
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

NONE

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

FEB 26, 2013
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: John C. Harry, III
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 26, 2013
(Date)

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

N/A
(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:

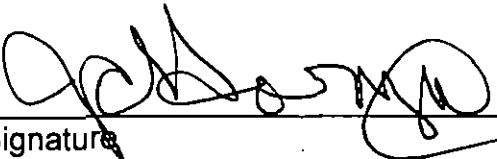
N/A

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

1-26-13
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 26, 2013
(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: Richard Pruitt
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 26, 2013
(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

2/26/13
Date

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

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

1. Name: René Fonseca
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: February 26, 2013
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

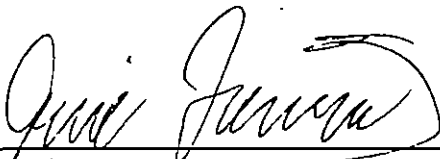
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

2-26-13
Date