

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

June 30, 2020

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:

Robert Rochester, Chair
Rickey Stuchell, Vice-Chair
H. Glenn James
Mark Chapin
Kelvin Bratton
Fred Levine

Board members absent from the meeting: Chris King
Janel Hofler
Rex McCarty
Edythe Kelleher

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

Mary Broz-Vaughan, Director
Christine Martine, Executive Director
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant

Mr. Rochester called the meeting to order at 10:03 A.M.

Call to Order

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

Approval of Agenda

A motion was made by Mr. Stuchell and seconded by Mr. Chapin to approve the February 11, 2020, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Levine, Rochester and Stuchell.

Approval of Minutes

Jayne Allen addressed the Board concerning an AMC that is

Public Comment

aggressive about pricing appraisals low and requesting quick turn arounds. No action was taken by the Board.

Pat Turner addressed the Board regarding the number of appraiser board members involved in the Informal Fact-Finding Conference process. Further, he expressed concern about the lack of disciplinary cases against Appraisal Management Companies. No action was taken by the Board.

In the matter of **File Number 2020-01155, Brian Dean Brown**, the Board reviewed the Consent Order as seen and agreed to by Mr. Brown. A motion was made by Mr. Bratton and seconded by Mr. Stuchell to accept the proposed Consent Order offer wherein Mr. Brown admits to 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 §54.1-2011.F (Count 3) of the *Code of Virginia*, and agrees to a monetary penalty of \$400.00 for the violation contained in Count 1, \$200.00 for the violation contained in Count 2, \$100.00 for the violation contained in Count 3, and \$150.00 in Board costs, for a total of \$850.00. In addition, for violation of Count 1, Brown agrees to complete a Residential Appraisal Course pertaining to Report Writing and Case Studies approved by The Appraisal Foundation or the Board within six (6) months of the effective date of the Order. Such course shall be a minimum of 40 hours and shall include an examination. Upon successful course completion, Brown 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 Bratton, James, Levine, Rochester and Stuchell.

File Number 2020-01155, Brian Dean Brown

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

In the matter of **File Number 2020-01269, Sean Martin Camp**, the Board reviewed the Consent Order as seen and agreed to by Mr. Camp. A motion was made by Mr. Bratton

File Number 2020-01269, Sean Martin Camp

and seconded by Mr. Chapin to accept the proposed Consent Order offer wherein Mr. Camp admits to 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.D (Count 2) of the Board's 2015 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, and \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Counts 1 and 2, Camp agrees to complete an Upper Level Residential Appraisal Course approved by The Appraisal Foundation or the Board within six (6) months of the effective date of the Order. Such course shall be a minimum of 30 hours and shall include an examination. Upon successful completion, Camp 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 Bratton, Chapin, James, Levine and Rochester.

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

In the matter of **File Number 2020-00614, Robert Preston Shannon, Jr.**, 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. Chapin and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find no violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, find a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, and a find a violation of §54.1-2011.f (Count 3) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Levine and Rochester.

File Number 2020-00614, Robert Preston Shannon, Jr.

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

impose a monetary penalty of \$250.00 for the violation contained in Count 2, for a total of \$250.00. In addition, for the violation of Count 2, Shannon shall be placed on probation and required to take Qualifying Education ("QE") Residential Appraisal Course(s) approved by the Appraisal Foundation or the Board within six (6) months of the effective date of the Order. The course(s) shall include instruction on USPAP. Shannon must complete a minimum of 15 total hours, and the course(s) shall include an examination. Upon successful course completion, Shannon shall provide the Board with proof of passing the examination. It is acknowledged that satisfactory completion of the above-referenced course(s) 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 Bratton, Chapin, Levine, James and Rochester.

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

Mr. Rochester turned the position of Chair over to Mr. James and recused himself from the meeting.

In the matter of **File Number 2020-00536, Robert Warren Dawson, Jr.**, 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. Chapin and seconded by Mr. Bratton 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.1 (Count 1) of the Board's 2015 Regulations, find a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2015 Regulations, and find 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 Members voting "Yes" were Bratton, Chapin, James and Levine.

A motion was made by Mr. Bratton and seconded by Mr. Chapin to accept the recommendation contained in the

Transfer of Chair

File Number 2020-00536, Robert Warren Dawson, Jr.

Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, and \$500.00 for the violation contained in Count 3, for a total of \$1,500.00. In addition, for the violation of Count 3, Dawson shall be placed on probation and required to take Qualifying Education (“QE”) Basic Appraisal Procedures Course(s) approved by the Appraisal Foundation or the Board within six (6) months of the effective date of the Order. The course(s) shall include instruction on USPAP. Dawson must complete a minimum of 28 total hours, and each course shall include an examination. Upon successful course completion, Dawson shall provide the Board with proof of passing the examination. It is acknowledged that satisfactory completion of the above-referenced course(s) will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. In addition, Dawson shall be placed on probation for a period of 12 months. During the probation, Dawson shall submit three (3) reports per quarter to the Board for review. The motion passed unanimously. Members voting “Yes” were Bratton, Chapin, Levine and James.

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.

Mr. James turned the position of Chair over to Mr. Stuchell upon his return.

In the matter of **File Number 2020-00903, Angela Lewis Stokes**, 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. James and seconded by Mr. Chapin to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find no violation of 18 VAC 130-20-180.D (Count 1) of the Board’s 2015 Regulations. The motion passed unanimously. Members voting “Yes” were Members voting “Yes” were Chapin,

Transfer of Chair

File Number 2020-00903, Angela Lewis Stokes

James, Levine and Stuchell.

A motion was made by Mr. James and seconded by Mr. Chapin to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to close *violation 1* of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, find a violation of *violation 2* of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, a find a violation of *violation 3* of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Chapin, James, Levine and Stuchell.

A motion was made by Mr. James and seconded by Mr. Chapin to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$500.00 for the violations contained in Count 2, for a total of \$500.00. In addition, for the violation of Count 2, Stokes shall be placed on probation and required to take Qualifying Education ("QE") Residential Appraisal Course(s) approved by the Appraisal Foundation or the Board within six (6) months of the effective date of the Order. The course(s) shall include instruction on USPAP. Stokes must complete a minimum of 15 total hours, and each course shall include an examination. Upon successful course completion, Stokes shall provide the Board with proof of passing the examination. It is acknowledged that satisfactory completion of the above-referenced course(s) 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 Chapin, James, Levine and Stuchell.

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

In the matter of **File Number 2020-01171, Brian Charles Runge**, 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-

File Number 2020-01171, Brian Charles Runge

Finding Conference of the presiding Board member. A motion was made by Mr. Chapin and seconded by Mr. Bratton find no violation of 18 VAC 130-20-180.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 and to close the file. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Levine and Stuchell.

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

In the matter of **File Number 2020-00808, Ronald William Keyes, Jr.**, 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. Bratton and seconded by Mr. Chapin 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, and a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations. The motion was withdrawn.

File Number 2020-00808, Ronald William Keyes, Jr.

A motion was made by Mr. James and seconded by Mr. Chapin to find no violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations and close this aspect of the file. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Levine and Stuchell.

A motion was made by Mr. James and seconded by Mr. Chapin to close the file and find no violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations and close this aspect of the file. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, James, Levine and Stuchell.

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

In the matter of **File Number 2020-01173, Jonathan Hobbs**

File Number 2020-

Montgomery, 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. Bratton and seconded by Mr. James 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 Bratton, Chapin, James, Levine and Stuchell.

**01173, Jonathan
Hobbs Montgomery**

A motion was made by Mr. James and seconded by Mr. Bratton to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty for violation contained in Count 1, and impose a monetary penalty of \$100.00 for the violation contained in Count 2, for a total of \$100.00. The motion was withdrawn.

A motion was made by Mr. Bratton and seconded by Mr. James to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose a monetary penalty of \$100.00 for the violation contained in Count 2, for a total of \$100.00. In addition, for the violation of Counts 1 and 2, Montgomery's license shall be suspended until such time he provides evidence satisfactory to the Board that he paid the entirety of the civil monetary penalty imposed by the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors. Further, from the time that the suspension is removed from Montgomery's license, the license shall be placed on probation for a period of six (6) months. As a requirement of probation, Montgomery shall submit three (3) reports per quarter to the Board for review. If the board finds any of the reports submitted by Montgomery to not be compliant with USPAP or the board's regulations, staff will refer Montgomery to CID for further action. The Board added additional sanctions to better reflect the severity of the violations and to protect the public. The motion passed

unanimously. Members voting “Yes” were Bratton, Chapin, James, Levine and Stuchell.

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

Mr. Rochester returned and assumed the position of Chair.

In the matter of **File Number 2020-01050, Martin Clark Van Kirk**, the Board reviewed the Consent Order as seen and agreed to by Mr. Van Kirk. A motion was made by Mr. Stuchell and seconded by Mr. Bratton to accept the proposed Consent Order offer wherein Mr. Van Kirk admits to a violation of 18 VAC 130-20-180.K.5 (Count 1) of the Board’s 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. Further, for violation of Count 1, Van Kirk agrees to complete a 15-hour USPAP course approved by the Appraisal Foundation or the Board within six (6) months of the execution of the Order. Upon successful course completion, Van Kirk 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 Bratton, Chapin, James, Levine, Rochester and Stuchell.

In the matter of **File Number 2020-01958, Yevgeny Gekht**, the Board reviewed the record which consisted of the application 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. Chapin to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Gekht’s application for a Certified Residential Real Estate Appraiser license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and in consideration of Gekht’s previous disciplinary action, the Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the violation. The motion passed

Transfer of Chair

File Number 2020-01050, Martin Clark Van Kirk

File Number 2020-01958, Yevgeny Gekht

unanimously. Members voting "Yes" were Bratton, Chapin, Levine, James, Rochester and Stuchell.

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

Administrative Issues

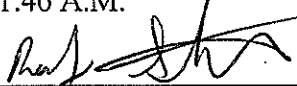
Ms. Martine opened the floor for nominations for the position of Chair of the Real Estate Appraiser Board. Mr. Rochester nominated Mr. Stuchell for the position of Chair and Mr. Bratton seconded the nomination. With no other nominations, Mr. Stuchell succeeds to the position of Chair by acclamation.

Election of Officers

Ms. Martine opened the floor for nominations for the position of Vice-Chair of the Real Estate Appraiser Board. Mr. Stuchell nominated Mr. Bratton for the position of Vice-Chair and Mr. Chapin seconded the nomination. With no other nominations, Mr. Bratton succeeds to the position of Vice-Chair by acclamation.

There being no further business, the meeting adjourned at 11:46 A.M.

Adjourn



Rickey Stuchell, Chair



Mary Broz-Vaughan, Secretary

**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: June 30, 2020
(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

6/30/2020

**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: June 30, 2020
(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:

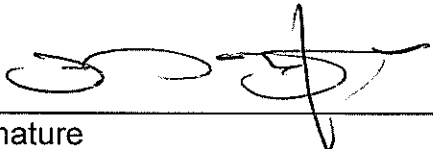
NONE

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

6/30/20
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: June 30, 2020
(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

30 June 2020
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: June 30, 2020
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

6/30/20
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: June 30, 2020
(Date)


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

(Agenda Item)

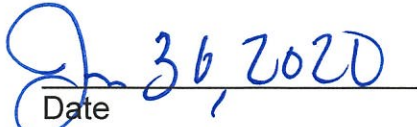
Nature of Personal Interest Affected by Transaction: _____

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: June 30, 2020
(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

6/30/2020
Date