

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

May 2, 2006

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following Board members were present:

John C. Harry, III, Chairman
Gina Burgin
Janet Fuller
Harry O. Lewis, Jr.
Richard Pruitt
Diane Quigley (arrived at 10:30 AM)
Fay Silverman
Pat Turner, Jr.

The following Board member was not present: Douglas Mullins, Jr.

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

Jay DeBoer, Director
David Ashe, Chief Deputy Director
Nick Christner, Deputy Director
Karen W. O'Neal, Deputy Director
C.W. Lawrence, Director of Field Investigations
Christine Martine, Executive Director
Tammie Hall, Regulatory Board Administrator
Earlyne Perkins, Legal Analyst
Chris Olson, Administrative Assistant

Eric Gregory and Elizabeth Peay from the Attorney General's office were present.

Chairman Harry called the meeting to order at 10:10 AM.

Call to Order

Ms. Martine introduced Jay DeBoer as the new Director and David Ashe as the new Chief Deputy Director of DPOR.

Staff Introductions

A motion was made by Ms. Silverman and seconded by Ms. Burgin to approve the agenda. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Pruitt, Turner and Silverman.

Approval of Agenda

A motion was made by Mr. Lewis and seconded by Mr. Turner to approve the following minutes: November 3, 2005 Informal Fact Finding Conferences, January 26, 2006 Informal Fact Finding Conferences, February 16, 2006 Informal Fact Finding Conferences, February 21, 2006, Board Meeting, and April 3, 2006 Regulatory Review Committee Meeting. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Pruitt, Turner and Silverman.

Approval of Minutes

No one addressed the Board during the Public Comment Period.

Public Comment

In the matter of File Number 2006-00512, Keith A. Smith, the Board reviewed the record, which consisted of the Consent Order as seen and agreed to by Mr. Smith. A motion was made by Mr. Turner and seconded by Ms. Silverman to accept the Consent Order wherein Mr. Smith admits to a violation of 18 VAC 130-20-180.D (Count 1) and 18 VAC 130-20-180.E (Count 2) of the Board's 2003 Regulations and agrees to a monetary penalty of \$2000 for the violations and \$150 in Board costs for a total of \$2150. In addition, for violation of Counts 1 and 2, Smith agrees to complete a fifteen (15) hour USPAP course and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced USPAP course will not count towards any continuing education requirements for renewal of license. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Turner and Silverman.

**File Number 2006-00512,
Keith A. Smith**

As the Board member who reviewed this file, Mr. Pruitt was not present during the discussion or vote.

Board member Diane Quigley arrived at 10:30 a.m.

Arrival of Board Member

In the matter of File Number 2006-03160, Jorge Maldonado, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Turner and seconded by Mr. Pruitt 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, approve Mr. Maldonado's application for a Real Estate Appraiser Trainee

**File Number 2006-03160,
Jorge Maldonado**

license. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Pruitt, Turner, Silverman, and Quigley.

Ms. Martine updated the Board on the ASC Priority Contact visit that occurred on April 5, 2006. No action was taken by the Board

Administrative Issues

Karen O'Neal, Deputy Director, gave the Board Regulatory Review Training.

Tammie Hall gave the Board a report on the Regulatory Review Committee meeting. The Board discussed the Regulatory Review process. A motion was made by Ms. Quigley and seconded by Ms. Silverman to have a Notice of Intended Regulatory Action (NOIRA) filed prior to the next scheduled Board meeting. The motion passed unanimously. Members voting "Yes" were Burgin, Fuller, Harry, Lewis, Pruitt, Turner, Silverman, and Quigley.

Regulatory Review Update

Eric Gregory updated the Board on the status of the Mary Haley v. Real Estate Appraiser Board and Christopher So v. Real Estate Appraiser Board appeals. No action was taken by the Board.


Other Business

There being no further business, the meeting adjourned at 11:30 AM.

Adjourn



John C. Harry, III, Chairman



Jay W. DeBoer, Secretary

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: John C. Harry, III
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

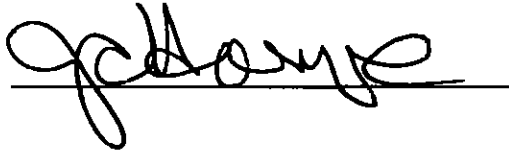
6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Gina M. Burgin
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: None

6. I declare that:

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

None

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Janet W. Fuller
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

Appraisal Board

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____


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

TRANSACTIONAL DISCLOSURE STATEMENT

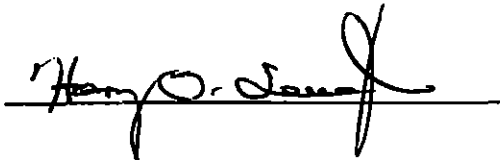
1. Name: Harry O. Lewis, Jr.
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Richard Pruitt
2. Title: Member – Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____


6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Diane Quigley
2. Title: Member – Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

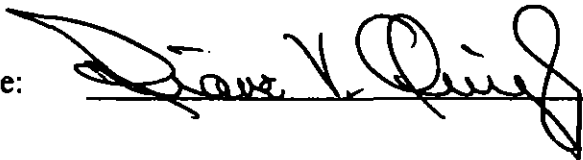
6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Fay B. Silverman
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

Mortgage Lender

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: Fay B. Silverman

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Perry Turner, Jr.
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: May 2, 2006

Signature: _____

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