

## Real Estate Appraiser Board

### Minutes of Meeting

The Real Estate Appraiser Board met on Tuesday, June 25, 2024, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia.

The following Board members were present:

Kelvin "K.C." Bratton, Chair  
Todd Canterbury  
Mark Chapin, Vice-Chair  
Jean Gannon  
H. Glenn James  
Taneen Wyche

The Following board member were not present:

Joyce Bonilla  
Heather Placer-Mull  
Jacob Schmeer

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

Kishore S. Thota, Director  
Stephen Kirschner, LRPD Deputy Director  
Anika Coleman, Executive Director  
Joseph Haughwout, Regulation Affairs Manager  
Breanne Lindsey, Regulatory Operations Administrator  
Vanessa DeGraw, Licensing Operations Administrator  
Rachel Harris, Administrative Coordinator  
Chris Kunkel, Licensing Specialist

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

Mr. Bratton called the meeting to order at 10:02 a.m.

**Call to Order**

Ms. Coleman read the emergency evacuation procedures.

**Emergency  
Egress**

Mr. Chapin moved to approve the agenda as presented. Ms. Gannon seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

**Approval of  
Agenda**

Ms. Gannon moved to approve the minutes of the February 6, 2024, Board meeting. Mr. Chapin seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

**Approval of  
Minutes**

Ms. Gannon moved to approve the minutes of the February 6, 2024, Regulatory Review Committee meeting. Mr. Chapin seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

Mr. Chapin moved to approve the minutes of the March 22, 2024, Regulatory Review Committee meeting. Mr. Canterbury seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

Mr. Bratton introduced himself as the Board Chair and welcomed everyone to the meeting.

No members of the public were present to address the Board.

In the matter of **File Number 2024-01966, Brian Christopher Donegan**, 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. Brian Christopher Donegan did not attend the Board meeting in person, by counsel nor by any other qualified representative. Mr. Canterbury motioned to accept the recommendation to approve the license. Ms. Gannon seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

Mr. Chapin recused himself from the meeting for discussion and deliberation of File Number 2024-00989 and 2024-00317.

In the matter of **File Number 2024-00989, Michael T. Pagans**, 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. Michael T. Pagans did not attend the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Canterbury and seconded by Mr. James to accept the recommendation of the presiding Board member and find no violation for Count 1, which was unanimously approved by: Bratton, Canterbury, Gannon, James, and Wyche.

A motion was made by Mr. James and seconded by Ms. Gannon to find a violation for Count 2, which was approved by: Bratton, Gannon, James, and Wyche. Board member Canterbury voted in opposition to the motion.

A motion was made by Mr. Canterbury and seconded by Ms. Wyche to accept the recommendation of the presiding Board member and find no violation for Count 3, which was approved by: Bratton, Canterbury, and Wyche. Board members Gannon and James voted in opposition to the motion.

A motion was made by Mr. James and seconded by Mr. Canterbury to impose a monetary penalty of \$1,500.00 for Count 2, which was unanimously approved by: Bratton, Canterbury, Gannon, James, and Wyche.

In the matter of **File Number 2024-00317, Michael Joseph Millson**, the Board reviewed the record which consisted of the investigative file, transcript and

**Welcome and Introductions**

**Public Comment Period**

**File Number 2024-01966, Brian Christopher Donegan**

**Recusal of Board Member**

**File Number 2024-00989, Michael T. Pagans**

**File Number 2024-00317,**

exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Michael Joseph Millson did not attend the Board meeting in person, by counsel nor by any other qualified representative.

**Michael Joseph Millson**

A motion was made by Mr. James and seconded by Ms. Gannon to find a violation for Count 1, which was approved by: Bratton, Canterbury, Gannon, James, and Wyche.

A motion was made by Ms. Gannon and seconded by Mr. Canterbury to accept the recommendation of the presiding Board member and find no violation for Count 2, which was approved by: Bratton, Canterbury, Gannon, James, and Wyche.

A motion was made by Ms. Gannon and seconded by Mr. Canterbury to accept the recommendation of the presiding Board member and find no violation for Count 3, which was approved by: Bratton, Canterbury, Gannon, James, and Wyche.

A motion was made by Ms. Gannon to accept the presiding Board member's recommendation to impose a monetary penalty of \$500.00, place Mr. Millson on probation for the remainder of the license term, completion of a Qualifying Education ("QE") course in ethics for Count 1. Ms. Gannon further moved that the course must be approved by the Appraisal Foundation or the Board, within 90 days of the Board's final order, Mr. Millson must complete a minimum of four total hours and each course shall include an examination. Upon successful course completion, Mr. Millson shall provide proof satisfactory to the Board that Mr. Millson has passed the examination(s) and the QE will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. Ms. Wyche seconded the motion, which was unanimously approved by: Bratton, Canterbury, Gannon, James, and Wyche.

Mr. Chapin returned to the meeting.

**Return of Board Member**

There was no old business discussed.

**Old Business**

Ms. Coleman provided the Board with an update of Appraisal Log Reviews and the Out-of-State Data report. The Board discussed the data collected and the next steps regarding how Appraisal Log Reviews are conducted. The Board further discussed ensuring there is fairness involved in the review process by holding supervisors accountable, while also guiding trainees in the right direction for USPAP and Board compliance. The Board requested Board staff to draft a letter to send to applicants if deficiencies are found after an Appraisal Log Review to ensure the applicant is aware they have two opportunities to submit Appraisal Logs for review.

**Appraisal Log Reviews, Out of State Data Report**

Ms. Coleman reminded the Board of the 2024 Board Member Training Conference.

**2024 Board Member Training Conference**

Ms. Coleman provided the Board with a Regulatory Review update. Ms. Coleman reminded the Board of the Governor's Executive Directive 1, which directs state agencies to reduce regulatory requirements by 25%. She continued by informing the Board that the Regulatory Review Committee has proposed a reduction of 24% to the Real Estate Appraiser Board Rules and Regulations and the Committee has proposed a reduction of 54% to the Appraisal Management Company Regulations.

**Regulatory Review**

The Board was provided with the proposed amendments to the Real Estate Appraiser Board Rules and Regulations as amended by the Committee. After discussion, Ms. Gannon moved to adopt the draft proposed regulations as amended, authorizing Board staff to file the proposed stage of the regulatory action. Mr. Canterbury seconded the motion, which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

**Consider Proposed Draft Amendments to Real Estate Appraiser Board Rules and Regulations**

The Board was provided with the proposed amendments to the Appraisal Management Company Regulations as amended by the Committee. After discussion, Ms. Gannon moved to adopt the draft proposed regulations as amended, authorizing Board staff to file the proposed stage of the regulatory action. Mr. Canterbury seconded the motion, which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

**Consider Proposed Draft Amendments to Appraisal Management Company Regulations**

Ms. Coleman informed the Board of Section 2.2-4023.1 of the Code of Virginia, which enables a party to submit a petition seeking reconsideration of a final decision made by an agency pursuant to section 2.2-4020. Upon receipt of such petition, the agency is mandated to issue a written decision within 30 days. In instances where reconsideration pertains to a decision made by a policy-making board within an agency, the board possesses various avenues to address the petition. These include the option to delegate authority for considering the petition to the board chair, a designated subcommittee, or the agency's director responsible for administrative support to the board, typically the Executive Director.

**Reconsideration of Case Decisions**

To adhere to the statutory timeframe for addressing reconsiderations, it's respectfully requested that the Board delegate responsibility of addressing reconsiderations to the Board's Executive Director, in accordance with the provisions outlined in the statute.

After discussion, Mr. James moved to authorize the Executive Director to make determinations as to whether to reconsider Board decisions in such cases that a petition is received. Ms. Gannon seconded the motion which was unanimously approved by: Bratton, Canterbury, Chapin, Gannon, James, and Wyche.

The Board reviewed the most recent financial statement for informational purposes.

**Board Financial Statement**

The Board requested Board staff to provide a regulant count chart for the next meeting with five years of data trends. The Board would like to know the number

**Other Business**

of additional regulants received per year and compared to the number of those who apply for licensure.

Mr. Bratton reminded the Board members to complete and return their conflict-of interest forms and travel vouchers.

**Complete  
Conflict of  
Interest Form  
and Travel  
Vouchers**

There being no further business, the meeting was adjourned at 11:49 a.m.

**Adjourn**

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Kevin "K.C." Bratton, Chair

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Kishore S. Thota, Secretary

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