



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
REAL ESTATE APPRAISER COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-1166
615-741-1831

July 11, 2011

Second Floor Conference Room, Andrew Johnson Tower

The Tennessee Real Estate Appraiser Commission met July 11, 2011 at 9:30 a.m. in Nashville, Tennessee, at the Andrew Johnson Tower in the second floor conference room. Chairman, Thomas Carter, called the meeting to order and the following business was transacted. Nancy Point was selected as the new Chairperson. She chaired the business as listed on the Agenda subsequent to the election of officers.

COMMISSION MEMBERS PRESENT

Dr. Edward A. Baryla
Herbert Phillips
James E. Wade, Jr.
Nancy Point
Rosemarie Johnson
Thomas R. Carter
William R. Flowers, Jr.

COMMISSION MEMBERS ABSENT

Marc Headden
Erik Sanford

STAFF MEMBERS PRESENT

Nikole Avers; Aminah Saunders; Eman Youssef

ADOPT AGENDA

Mr. Wade made the motion to accept the agenda and it was seconded by Dr. Baryla. The motion carried unopposed.

MINUTES

The June 13, 2011 minutes were reviewed. Mr. Phillips made the motion to accept the minutes as written. It was seconded by Ms. Point. The motion carried unopposed.

ELECTION OF OFFICERS

Mr. Phillips made a motion to appoint Ms. Nancy Point as the Chairperson and Mr. Wade as the Vice-Chair. Mr. Flowers seconded the motion. The motion carried unopposed.

EXPERIENCE REVIEW

Ms. Point indicated that she reviewed the required experience reports of Thomas Graves, which were required as part of a consent order agreement. She indicated they were acceptable. Ms. Avers informed the Commission that she will upgrade Mr. Graves's credential.

EDUCATION REPORT

Dr. Baryla reviewed the education and submitted his recommendations to the Real Estate Appraiser Commission, as seen below. Mr. Wade made a motion to accept Dr. Baryla's recommendations. Mr. Phillips seconded the motion. The motion carried unopposed.

July, 2011 Education Report

Provider	Number	Course Name	Instructors	Hrs.	Type	Recommendation
Steve Brenner	1500	7 hour National USPAP Update Course	Steve Brenner	7	CE	for
Appraisal Institute	1501	On-line General Appraiser Report Writing + Case Studies	Richard Dubay	28 +2	Both	For CE; against QE (state rule)
McKissock, LP	1502	On-line Mold, Pollution and the Appraiser	Dan Bradley	2	CE	for
Georgia Appraiser School, LLC	1503	Understanding and Using the FNMA Uniform Appraisal Dataset (UAD)	John P. Smithmeyer	7	CE	for
Appraisal Institute	1504	On-line Comparative Analysis	Arlen Mills	7	CE	for
Allterra Group LLC	1506	2011 Keynote / Valuation Visionaries	Alfred Pollard, Robert Murphy, Gerald Kifer, Milton Corson, Elizabeth Green, Andrew Bough, Rick Langdon, Alan Hummel	7	CE	for
Allterra Group LLC	1507	2011 Appraiser Town Hall/ Fraud Fighters	Larry Disney, Crispin Bennett, Jeff Dickstein, Adam Johnston, Rachel Dollar, Ann Fulmer, Kim Ellison, Kevin Whalen, Scott Hunter	7	CE	for
NAIFA	1508	NAIFA National Conference 4 hour forensic reviews 3 hour regression analysis 3 hour combating fraud 4 hour court testimony	Monica Trotter, Gary Snowdon, John Arterberry, Shawn Rice, Gerald A. Kifer, Bill Mathhews	14	CE	For with evidence of attending all sessions
The Spearman Center	1509	The UAD : Putting Square Pegs Into Round Holes	William Lewis Spearman	7	CE	for

Individual Course Approval

Name	File #	Provider	Course Name	Hrs	Type	Recommendation
Michael John Berg	3060	U.S. Department of HUD	Rent Comparability Studies and MAP Appraising	7	CE	for
Stuart Blackstock	2824	The State of TN Comptroller	DPA Basic Mapping Course	28+4	CE	for
James E. Abernathy	512	Appraisal Institute- Alabama Chapter	Attacking and Defending an Appraisal in Litigation	15	CE	for
Robert T. Stephenson	195	Memphis Area Association of Realtors	Starting Point- Automated Valuation Module	2	CE	for

AMC APPLICATION REVIEWS – CHARACTER QUESTION

LSI Appraisal, LLC, application # 53, submitted an application to become a registered appraisal management company on June 15, 2011. **Ronald L. Frazier** was identified as the controlling person for this company and he checked “Yes” to Character Information question 3 which reads, “Have you ever been convicted of, pled guilty, or pled no consent to any criminal offence, or is there any criminal (felony or misdemeanor) charge now pending against you?”. His supplemental letter indicated on **June 13, 2005**, he was almost hit in his car by a young man. Mr. Frazier honked his horn and the other man approached his car and using very foul language. Mr. Frazier approached the young man’s car and as he got to the young man’s car he pushed his car door shut. Mr. Frazier eventually hit the man with an open fist in the face then left the parking lot. The young man followed him back to work and the police showed up and ticketed him. He plead guilty to Misdemeanor Assault, he was placed on 18 months informal probation, paid \$500.00 to the Victim Witness Emergency Fund, completed 30 hours of Community Service and attended 10 Anger Management counseling sessions. After the probation was completed the matter was dismissed on August 29, 2007. Mr. Phillips made the motion to approve the application and Mr. Wade seconded the motion. The motion carried unopposed.

Vesta Valuation, LLC, application # 66, submitted an application to become a registered appraisal management company on June 24, 2011. **Michael Kleber-Diggs** was identified as owning ten percent (10%) or more of this company and checked “Yes” to Character Information question 1 which reads, “Have you ever been denied an appraiser license or certificate or had an appraiser license or certificate or professional license of any type disciplined in Tennessee or elsewhere? This would include a consent order, agreed order, final order, suspension, revocation, or voluntary surrender or a license or certificate pursuant to a disciplinary proceeding.” His supplemental information indicated on **October 23, 1998**, his license to practice law in the State of Minnesota was suspended for four months as a result of two complaints filed by former clients in **April and May of 1996**. The primary basis for the suspension of his license was misrepresentations made by him during the investigation of the complaints by the Minnesota Office of Lawyers Professional Responsibility. After him denying the charges in his formal answer, he voluntarily admitted to the misrepresentation before a hearing on

the complaints was convened. His letter further indicated that he had no other disciplinary complaints before or after this suspension and he has not practiced law since 1998. Mr. Wade made the motion to table the application and request further information from Michael Kelber-Diggs, check with Minnesota Real Estate Appraisal Board if the applicants' license has been disciplined, and request detailed information from Minnesota Office of Lawyers Professional Responsibility on the applicant's disciplinary history. Mr. Phillips seconded the motion. The motion carried unopposed.

JVI Appraisal Division, LLC, application # 76 submitted an application to become a registered appraisal management company on June 30, 2011. **Ronnie L Nation** was identified as the controlling person for this company and he checked "Yes" to Character Information question 3 which reads, "Have you ever been convicted of, pled guilty, or pled no consent to any criminal offence, or is there any criminal (felony or misdemeanor) charge now pending against you?". His supplemental letter indicated on **February 22, 1971**, at the age of 19, he witnessed a street fight. The individual that was beaten had several friends present and they made a false assumption that Mr. Nation was a party to the fight. A police officer accused and booked him for public intoxication and making a false statement. The fraud-false statement was dismissed. He was found guilty to the public intoxication. He was unable to afford legal representation at that time and represented himself. Additionally, on **July 30, 1972**, at the age of 20, he was stopped and taken into custody for DUI, he was found guilty. He enclosed a copy of the certificate that states these records are no longer available due to forty year time lapse. Mr. Carter made the motion to approve the application and Mr. Flowers seconded the motion. The motion carried unopposed.

Cushman & Wakefield Golbal Services, Inc, application # 79, submitted an application to become a registered appraisal management company on July 1, 2011. **Clarke Lewis** was identified as the controlling person for this company and he checked "Yes" to Character Information question 3 which reads, "Have you ever been convicted of, pled guilty, or pled no consent to any criminal offence, or is there any criminal (felony or misdemeanor) charge now pending against you?". His supplemental letter indicated on **May 19, 1987**, when he was 22 years old; he was arrested for driving while impaired. He paid \$250.00 and took a class on drinking and driving; he is not on probation. Mr. Flowers made the motion to approve the application and Dr. Baryla seconded the motion. The motion carried unopposed.

Validata Lender Services, LLC, application # 80, submitted an application to become a registered appraisal management company on July 1, 2011. **Michael P. Bell** was identified as the controlling person for this company and **Elliot M. Liss** also was identified as the controlling person for this company and **both** checked "Yes" to Character Information question 1 which reads, "Have you ever been denied an appraiser license or certificate or had an appraiser license or certificate or professional license of any type disciplined in Tennessee or elsewhere? This would include a consent order, agreed order, final order, suspension, revocation, or voluntary surrender or a license or certificate pursuant to a disciplinary proceeding." Their supplemental letter indicated in **late 2000 and early 2001**, some of their processing staff was unaware that Nebraska is one of the a few of states that has "all-inclusive" title insurance rates and that as such, separate charges for items such as the title search and title exam are not allowed. After a Nebraska settlement, their closing agent notified them these charges were incorrect and they immediately corrected the problem and issued a new HUD settlement statement and a check to the borrowers in the amount of \$371.00. The new HUD removed the improper charges and adjusted the title insurance to the correct amount. Nebraska made an inquiry subsequent to their

discovery and monitored their review and resolution of seven other cases they were working to correct. They agreed to language in a consent order, because individuals are licensed by the agency, not the company, Mr. Bell and Mr. Liss were named in the consent order even though they had no involvement in the matter beyond correcting the mistakes. They continue to practice in Nebraska and are in good standing. Mr. Wade made the motion to approve the application and Phillips seconded the motion. The motion carried unopposed.

POLICY PROPOSAL FOR AMC APPLICATION APPROVALS

Ms. Avers made a recommendation to approve a new policy for AMC application approvals for an AMC applicant answered “yes” to a question on the character information page of their application. The Policy Proposal states that the Executive Director of the Tennessee Real Estate Appraiser Commission may approve the AMC application without presentation to the Commission to expedite the applications process, in the following cases:

10. In cases where an AMC applicant answered “yes” to a question on the character information page of their application, and the offense is five (5) years old or older, and the offense does not fall under T.C.A. 62-39-409 (2) (a) or Rule 1255-08-.01 (1) (f), the Executive Director of the Tennessee Real Estate Appraiser Commission may approve the AMC application without presentation to the Commission. The Executive Director in his/her discretion may present any application to the Commission for approval.

Mr. Wade made the motion to approve the new policy and Mr. Carter seconded the motion. The motion carried unopposed.

PROPOSED RULE CHANGE LANGUAGE

Ms. Saunders has indicated the following parts of Chapter 1255 Proposed Rule Change Language:

Rule 1255-01-.07

- (c) **Foreign Education.** An applicant seeking to satisfy the general education requirements for a state certified residential appraiser credential with college level education from a foreign institution should have their education evaluated for equivalency by an accredited, degree granting domestic college or University, The American Association of Collegiate Registrars and Admissions Officers (AACRAO), a foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES) or a foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree – granting domestic college or University or by a state licensing board that issues credentials in another discipline.

Rule 1255-2 (1)

- (c) Distance Education means the educational process in which instruction does not take place in a traditional classroom setting but rather through other media or non conventional methods in which teacher and student are separated by distance and sometimes by time and the course provides interaction.
- (d) Interaction means a reciprocal environment where the student has verbal or written communication with the instructor.

Rule 255-2 (3)

- (3) Internet Education/ Distance Education *for Continuing and Qualifying* Education

- (a) Courses given via internet or distance education *can make up one hundred percent (100%)* of the total requirement for education and shall be acceptable to meet the requirements of continuing and qualifying education if:

Rules 1255-2 (4), (5), (6), (7), and (8)

(4) Qualifying and continuing educational requirements may be satisfied through the completion of Commission approved distance educational offerings.

(a) Persons or entities seeking Commission approval for a distance educational offering shall submit an outline and description of the entire course and provide documentation which demonstrates the course complies with the following criteria:

1. The educational offering is presented by an approved or accredited college, community or junior college or university that offers distance educational programs and credit in other disciplines; or
2. The educational offering is presented by a proprietary school that has been approved by the Tennessee Real Estate Appraiser Commission, the course design and delivery mechanism has been approved by the International Distance Education Certification Center (IDECC) and the Appraisal Qualifications Board.
3. That the course teaches to the mastery of the subject and at a minimum covers the following criteria:
 - (i) Divides the material into major units as approved by the board;
 - (ii) Divides each of the major units of content into modules of instruction for delivery on a computer or other approved interactive audio or audio visual programs;
 - (iii) Divides the learning objectives for each module of instructions. The learning content of the course will be mastered;
 - (iv) Specify an objective, quantitative criterion for mastery used for each learning objective;
 - (v) Provide a means of diagnostic assessment of each student's performance on an ongoing basis during each module of instruction;
 - (vi) Require the student to demonstrate mastery of all material covered by the learning objectives for the module before the module is completed;
 - (vii) That the course offering is designed in such a way that the material is presented under an approved instructor who shall be available to answer student questions or provide assistance on a timely basis as necessary;
 - (viii) The instructor will provide reasonable oversight of a student's work to ensure that the student who completes the work is the student who enrolled in the course;

(5) For a distance education course where an official cannot proctor classroom attendance and an exam is required, such an examination shall be:

- (a) Proctored by an individual approved pursuant to (e) and (f) below; or
- (b) Conducted at a proctored testing facility pursuant to (e) and (f) below;
 1. Examination Proctors Qualifications
 - (i). The proctor shall not be related to the student by blood or marriage and may not be engaged in any personal or business association with the student.

- (ii) The proctor may be selected from the following professions:
 - (iii) A university, college or community college professor or instructor
 - (iv) A public and private school professional (superintendent, principal, guidance counselor, librarian, etc.)
 - (v) An AQB certified instructor or an approved professional association's instructor.
 - (vi) A Notary Public or member of the legal profession
 - (I) The following formal proctored testing facilities are also acceptable:
 - i. a university, college or community college testing facility.
 - ii. the testing facility of a professional association.
 - iii. a public or university, college or community college library that provides a testing facility as part of their normal course of business.
 - (viii) The individual proctor in (ii) or testing facility in (iii) must be approved by the Commission prior to taking the test.
- (6) Examination Proctor Duties
- (a) Take reasonable steps to ensure that the person taking the examination is the person registered for the course. This should be verified with photo identification and another identification document.
 - (b) Take reasonable steps to observe the student taking the exam to ensure that prohibited aids and resources are not used. If the exam calls for mathematical calculations, a non-programmable hand-held calculator may be used.
 - (c) The proctor shall ensure that the student adheres to any time limit requirements specified for the examination. All examinations must be completed in one sitting.
 - (d) Upon completion of the examination, the proctor shall submit a certification indicating the verification of the identity of the student, that the examination was completed on the date assigned during the time permitted and that the student has done all the work him/herself without aids of any kind including books, notes, conversation with others or any other external resource while taking the examination, including access to Internet search engines or web pages other than that displaying the examination.
 - (e) Students are to submit a notarized affidavit certifying that they have personally completed each assigned module of instruction.
- (7) Approval by the Commission is initially granted for a period of two years provided no substantive changes in course content is made and approval may be extended for an additional two years upon written request by the provider. Failure to timely request an extension will result in automatic termination of the educational offerings approval status.
- (8) The Board may at its discretion adopt and implement various procedures for the auditing of any offerings that have been accepted for qualifying and continuing education approval by this agency.

Ms. Avers made additional recommendations for Rules revisions. The Commission members asked that she send a written version of her recommendations to the board members prior to the next meeting for further discussions. The matter was tabled until the next meeting.

LEGAL REPORT:

1. 2010032701 Commissioner Headden was the reviewer in this matter.

This complaint was filed by a lender and alleged that the Respondent over valued a residential property and misreported the condition of the property.

The Respondent submitted a lengthy rebuttal which challenged each of the allegations made by the complainant and indicated that many of the allegations were subjective and erroneous assumptions unsupported by the data.

REVIEWER CONCLUSIONS [alleged violations included within brackets]:

- The appraiser did not include or analyze the REO and other distressed sales in the market place which appeared to be representative of the market at the time of the appraisal. Comparable sales two (2) and three (3) weren't sold through the MLS and the appraiser did not include an analysis of the conditions of these sales in the appraisal. These sales were not exposed through the MLS though that is a cited source for the information in the appraisal report. The condition and amenities of these comparable sales was not adequately summarized with in the report and some were omitted, such as garages. [SR 1-4 (a)]
- The appraiser indicates that the subject and many other properties in the neighborhood were investment properties and were rented out before or after sales. MLS data appears to support the assertion that properties in this neighborhood are use for rental purposes. The income approach wasn't developed in the appraisal report, though a rent study and operating income statement were included in the appraisal report. [SR 1-4 (c)]
- The subject was listed May 10, 2007 for \$11,900 and sold two (2) days prior to the effective date of the report (May 24, 2007). This appraisal was for a "REFINANCE" as of the date of the report. This prior listing within one (1) year of the report wasn't analyzed. [SR 1-5 (a)]
- The appraiser failed to adequately summarize the condition of the subject property on the effective date of the report and when or if the listed items of improvements were completed. The appraiser failed to summarize the location adequately to indicate the subject was located in a large industrial complex and its effect, if any, on the value of the subject. Exclusion of the income approach was not explained in the reconciliation. [SR 2-2 b (viii)]
- The appraiser lists a long list of updates done to the property; however, the realtor indicated that the repairs were not done prior to the sale. The appraisal indicates the value was "as-is" instead of identifying the hypothetical condition that the repairs were completed as of the effective date of the report. [SR 2-2 b (x)]

License History: Certified Residential 11/27/1991 – Present

Prior Complaint / Disciplinary History: 200317448 (closed w/ Consent Order)

Reasoning and Recommendation: Commissioner Headden recommends the imposition of a consent order imposing a twenty five hundred dollar (\$2500.00) civil penalty and a fifteen (15) hour USPAP course. Commissioner Headden believes the civil penalty amount should adequately communicate the gravity of the violations alleged while the corrective education should ultimately serve to assist the Respondent in becoming a more competent appraiser.

- The reviewer found minor errors that could be attributed to a failure to proofread however no violations of USPAP were reported.

License History: Certified Residential 12/23/1991 - present

Prior Complaint / Disciplinary History: Counsel recommends *DISMISSAL* of the complaint matter.

Note: Mr. Flowers made the motion to accept the recommendation and Mr. Phillips seconded the motion. The motion carried unopposed.

4. 2011003561/ 2011007451 Mr. Michael Orman was the reviewer.

This complaint was filed anonymously. The complainant alleges that the appraisal contains numerous serious violations of USPAP. The complainant alleges that the comparables used are outside the subjects market and are at least seventeen (17) miles from the subject property.

The Respondent states that the appraisal report fully complies with USPAP. The Respondent states that the subject property is in a rural location and not within a development or subdivision. The Respondent states that the CRS Comparative Market Analysis tool indicated that there were no comparables within five (5) miles.

REVIEWER CONCLUSIONS [alleged violations included within brackets]:

The neighborhood boundaries do not appear to define the subject area. Subject property is noted to be in a rural area, when in fact the subject property is located in a suburban area. The factors that affect marketability have not been analyzed or reasonably described and market area trends have not been adequately discussed. [SR 1-1(b)(c); SR 1-2(e)(i); SR 1-3(a); SR 2-1(b); SR2-2(b)(iii)]

The appraisal report failed to include an accurate description of the condition of the improvements. The relevant characteristics of the improvements and their effect of value have not been adequately described. The report indicates that no physical, functional, or external obsolescence was observed. The possible effects on the improvements these factors may have, has not been reported or analyzed. [SR 1-2 (e); SR 2-2 (b) (iii)]

The comparable sales are located 7.46 miles southeast, 17.67 miles south, 15.21 miles south, 15.09 miles south, and 15.28 miles south respectfully. The reviewer found approximately twenty (20) sales in the general area of the subject property of these sale eight were identified as sales worthy of consideration and analysis. The sales selected are not similar to or from subject's market area. It doesn't appear by the information in the report or supplied by respondent (work file) that the sales used in the report were adequately collected, verified and reported. There is insufficient reasoning provided for the adjustments or lack of adjustments, analysis, opinions and conclusions, indicating that recognized methods and techniques have not been correctly employed. [Ethics Rule-Conduct, Competency Rule, SR 1-1 (a) (b) (c); SR 1-4 (a); SR 2-2 (b) (viii)]

Cost data is reported to be from "*contractor pricing*", dated 12/30/2009 with a good quality rating. There was no supportive information found in the report or supplied by the respondent in the work file. The site value in the cost approach was explained as follows: "*Opinion of site value was developed based on sales of scattered vacant lots in the subject's neighborhood and nearby*

This complaint was filed by a lender and alleged that the Respondent readdressed or transferred and appraisal, including changing the lender name and adding FHA appraisal verbiage to the report. The lender states that there was no release of the report and the reports have the same effective date.

The Respondent states that the report complies with USPAP.

REVIEWER CONCLUSIONS [alleged violations included within brackets]:

The reviewer found no violations of USPAP.

License History: Licensed Appraiser 10/16/2007 – 11/17/2009
Certified Residential 11/18/2009 - present

Prior Complaint / Disciplinary History: None.

Reasoning and Recommendation: Counsel recommends the DISMISSAL of the complaint matter as no violations of USPAP were found.

Vote: Mr. Wade made the motion to accept the recommendation and Mr. Carter seconded the motion. The motion carried unopposed.

6. 2011009801 There was no reviewer in this matter.

This complaint was filed by a home purchaser and alleged that the Respondent delayed the closing on the residential property by failing to do an appraisal on April 13, 2011. The complaint was filed April 14, 2011. The complainant states that the Respondent is taking advantage of his position and not putting the clients first.

The Respondent states that he was on medical leave on April 13th and April 14th – the first available appointment was April 15th. The Respondent states that the appraisal was turned in on April 18, 2011.

License History: Certified Residential 12/13/1991 - present

Prior Complaint / Disciplinary History: None.

Reasoning and Recommendation: Counsel recommends the DISMISSAL of the complaint matter as no violations of USPAP or TN laws were found.

Vote: Mr. Carter made the motion to accept the recommendation and Mr. Flowers seconded the motion. The motion carried unopposed.

7. 2011007301 Mr. Samuel Pipkin was the reviewer in this matter.

This complaint was filed by a lender and alleged that the Respondent over valued a residential property by using comparable properties that are far superior to the subject.

The Respondent states that the value indicated was Respondent's opinion based on the inspection of the property and the comparables data available at the time.

REVIEWER CONCLUSIONS [alleged violations included within brackets]:

The Respondent reports the property was purchased for sixty thousand dollars in an arms length transaction and six months after purchase and seventeen thousand dollars in repairs the Respondent appraised the subject for three hundred thousand dollars. The value indicated by the cost approach was nearly ninety thousand dollars less than the sales comparison approach however there was no explanation or analysis provided for the substantial difference.

The three comparables used by the Respondent are all located in superior locations and are all properties that are about one (1) year old. The subject property is sixty one years old with an estimated age by the Respondent of twenty (20) years. [SR 1-1(a)(c), SR1-4, SR 2-1(a)]

License History: Licensed RE Appraiser 02/07/1992 - present

Prior Complaint / Disciplinary History: 943969 dismissed and 200004159(450) closed with a consent order imposed \$100.00 civil penalty and USPAP course.

Reasoning and Recommendation: Counsel recommends a Consent Order imposing a five hundred dollar (\$500.00) civil penalty and a fifteen (15) hour Sales Comparison Approach course. Counsel believes the civil penalty and corrective education will serve to adequately educate the Respondent regarding the issues found by the reviewer as well as protect the interest of the public.

Vote: Mr. Wade made the motion to accept the recommendation and Flowers seconded the motion. The motion carried unopposed.

8. 2011003601 Commissioner Headden was the reviewer in this matter.

This complaint was filed by a consumer and alleged that the Respondent under valued a commercial property in an eminent domain proceeding by using residential foreclosure sales.

The Respondent indicates that the statement that the property was under valued may be related to the complainant's misunderstandings regarding the appraisal process. The Respondent states that the intended use of the appraisal was not for an eminent domain proceeding.

REVIEWER CONCLUSIONS [alleged violations included within brackets]:

- The report was prepared for a specific client and not for condemnation purposes as alleged by the complainant. No significant violations of USPAP were found.

License History: Certified General 02/15/2006 - present

Prior Complaint / Disciplinary History: None.

Reasoning and Recommendation: Commissioner Headden recommends the closure of the complaint with a Letter of Caution. In the response provided by the Respondent it appears that the Respondent may not be aware that regardless of whom a report is prepared for it could be redirected to many unintended users. The Letter of Caution should serve to make sure the Respondent is aware of the potential for unintended users of the report.

Vote: Mr. Phillips made the motion to accept the recommendation and Mr. Wade seconded the motion. The motion carried unopposed.

RESIDENTIAL EXPERT WITNESS QUALIFICATIONS

A summary of the Request for Proposal (RFP) criteria for the qualifications of residential and non-residential expert witness services was discussed with the Commission members.

BOARD MEMBER TRAINING

Assistant general counsel, Mr. Joseph, introduced Judge Stoval and Judge England to the Board members. Judge England and Judge Stoval discussed the role of commission/board members during meetings and during formal hearings. They discuss the open meetings act and applicable laws to the conduct of commission/board members. Ms. Avers presented a power point presentation for board member training on the specific real estate appraiser statute and the federal oversight of the Appraisal Subcommittee (ASC).

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Being no further business, the meeting was adjourned at 12:35 p.m.

Nancy Point, Chairperson

Nikole Avers, Executive Director