



**REAL ESTATE APPRAISER COMMISSION  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243  
615-741-1831**

**Meeting Minutes for June 17, 2024  
First Floor Conference Room 1B  
Davy Crockett Tower**

The Tennessee Real Estate Appraiser Commission met on June 17, 2024, and the following business was transacted:

**BOARD MEMBERS PRESENT:** Brett Mansfield, Nelson Pratt, Dr. Mark Sunderman, William Haisten, Taylor Vandever, Eric Robinson, Francie Mello,

**BOARD MEMBERS ABSENT:** Sandra Tuck (Virtual)

**STAFF MEMBERS PRESENT:** Glenn Kopchak, Anna Matlock, William Best, Heidi Overstreet, Taylor Hilton, Alexandria Griffey, Philip Allocco

**CALL TO ORDER / ROLL CALL / NOTICE OF MEETING**

Brett Mansfield called the meeting to order at 9:00 am and Heidi Overstreet took roll call.

**AGENDA**

William Haisten made a motion to adopt the agenda. This was seconded by Taylor Vandever. The motion passed by unanimous voice vote.

**MINUTES**

Nelson Pratt made a motion to adopt the March minutes. This was seconded by Taylor Vandever. The motion passed by unanimous voice vote.

**EXPERIENCE INTERVIEWS**

**Mr. Will Haisten**

<b>Name</b>	<b>Upgrade Type</b>	<b>Recommend</b>	<b>Board Vote</b>
Ryan Clark	Licensed	Yes	Yes
Michael Belasco	CR	Yes	Yes

**Ms. Francie Mello**

<b>Name</b>	<b>Upgrade Type</b>	<b>Recommend</b>	<b>Board Vote</b>
David Reznicek	Licensed	Yes	Yes

**Mr. Nelson Pratt**

<b>Name</b>	<b>Upgrade Type</b>	<b>Recommend</b>	<b>Board Vote</b>
Nada Payne	CR	Yes	Yes
Elijah Wilson	CG	Yes	Yes

**Ms. Sandra Tuck**

<b>Name</b>	<b>Upgrade Type</b>	<b>Recommend</b>	<b>Board Vote</b>
Mohammad Azamtarrhian	CR	Yes	Yes

**Mr. Taylor Vandever**

<b>Name</b>	<b>Upgrade Type</b>	<b>Recommend</b>	<b>Board Vote</b>
Emilee Potts	CR	Yes	Yes
Logan Terry	CR	Yes	Yes
Nathaniel Shamblin	CG	Yes	Yes

Brett Mansfield made a motion to approve the above interview recommendations. This was seconded by Nelson Pratt. The motion passed by unanimous voice vote.

**EDUCATION REPORT**

<b>Course Provider</b>	<b>Course Number</b>	<b>Course Name</b>	<b>Instructor(s)</b>	<b>Type</b>	<b>Hours</b>	<b>Recommendation</b>
The TN Chapter of the Appraisal Institute	2775	Critical Thinking & Junk Science	Randall Bell, Michael Tachovsky	CE	7	Approve
American Society of Farm Managers and Rural Appraisers	2776	Appraising Land in Transition	Jaxson Love	CE	8	Approve

American Society of Farm Managers and Rural Appraisers	2777	Introduction to Native American Real Estate Appraisal	Thomas Young	CE	4	Approve
AL/MS Chapter Appraisal Institute	2778	Understanding the Construction Draw Sheet	Lamar Ellis	CE	4	Approve
American Society of Farm Managers and Rural Appraisers	2779	Principles of Permanent Planting Valuation	Ben Slaughter	CE	8	Approve
American Society of Farm Managers and Rural Appraisers	2780	The Appraiser as an Expert Witness	Wade Druin	CE	8	Approve
American Society of Farm Managers and Rural Appraisers	2782	Farm and Ranch Succession, Estate, and Continuity Planning	Multiple	CE	8	Approve
American Society of Farm Managers and Rural Appraisers	2783	Rural Sales Analysis and Confirmation	Multiple	CE	8	Approve
Appraisal Institute	2792	Impact of Short-Term Rentals (On Real Estate Valuation)	Jasaon Ferris	CE	7	Approve
American Society of Farm Managers and Rural Appraisers	2794	Appraising Ag Facilities: Poultry Seminar	Stacy Jackson	CE	8	Approve

Dr. Mark Sunderman made a motion to approve the education committee's recommendations. This was seconded by William Haisten. The motion passed by unanimous voice vote.

## **APPLICATION REVIEW**

### **Application Review #1**

Nelson Pratt made a motion to approve the appraisal management company application as the board did not consider the temporary denial in another jurisdiction alone to be "substantive cause" per TCA 62-39-409(a)(1)(A) & (3). This was seconded by William Haisten. The motion passed by unanimous voice vote.

## **Application Review #2**

Brett Mansfield made a motion to enforce the previous disciplinary action taken by the board and further allow Ms. Lisa Grooms to reapply for licensure. This was seconded by William Haisten. The motion passed by unanimous voice vote, with Taylor Vandever abstaining.

## **DIRECTOR'S REPORT**

### **Budget Report**

Heidi Overstreet summarized the revenues and expenses from February through April and drew attention to deductions for March. After reviewing the ledger, that expense was determined to be ASC registry fees and in-state conference attendance and training.

### **Fall AARO Conference**

William Haisten made a motion to approve travel for Dr. Mark Sunderman, Nelson Pratt, and Francie Mello to attend the Fall AARO Conference, scheduled for Oct. 28-30, 2024, in Boston, MA. This was seconded by Eric Robinson. The motion passed by unanimous voice vote.

## **PUBLIC COMMENT PERIOD RELATED TO ITEMS ON THE AGENDA**

Kevin McGuigan and Hal Humphreys (Certified General Appraisers) requested that the board consider possible changes to the complaint process. Anna Matlock provided a detailed explanation as to what the process currently entails, and Glenn Kopchak outlined the following four parameters that would limit any modifications that could be proposed: 1-ASC Policy Statement #7, 2-Uniform Administrative Procedures Act (UAPA), 3-State laws and rules, and 4-Department policy.

***The board broke for a ten-minute recess.***

## **LEGAL**

(Presented by Taylor Hilton)

### **Retrospective Rule Review**

Brett Mansfield made a motion to approve the redline rules as presented. This was seconded by Nelson Pratt. The motion passed by unanimous voice vote.

## **Legal Report**

### **1. 2024002001**

**Opened: 2/21/2024**

**First Licensed: 10/31/1991**

**Expires: 10/31/2025**

**License Type: Certified Residential Real Estate Appraiser**

**History: 2010 Letter of Warning for allegedly undervaluing a property; 2010 Letter of Caution for allegedly undervaluing a property.**

Complainant alleges pursuant to a court order identifying a potential buyer, Respondent performed a hypothetical appraisal. Complainant alleges; however, a hypothetical appraisal was not what the court ordered. Complainant states this caused the Chancellor to have "red flags" and the sale did not go through.

Respondent states the complaint is a "distortion of the facts." Respondent explains the Chancellor raised red flags over repeated attempts to sell the property below market value. Respondent states the Chancellor has been in possession of the report for over thirty (30) months and has never been questioned about the report nor the value reported. Respondent provided the Court Order which requested Respondent to determine the fair market value of the subject property, two contiguous parcels. Respondent explains they utilized a hypothetical condition to analyze the subject site as if it was subdivided, as was discussed. Respondent advises there was no attempt to commit fraud, and the report specifically notes a hypothetical condition was utilized to analyze the subject site as if it was subdivided. Respondent notes the clear and conspicuous use of a hypothetical condition in this appraisal illustrates no fraud was committed. The report was reviewed by an expert. The expert agreed Respondent clearly disclosed the hypothetical condition in the appraisal and how its use could affect the final opinion of value. The expert notes the opinion of highest and best use was also disclosed and addressed in the report. Counsel recommends closure.

**Recommendation: Close.**

**Commission Decision: Will Haisten recused himself. The Commission voted to accept counsel's recommendation.**

**2. 2024018921**

**Opened: 4/29/2024**

**First Licensed: 11/15/1991**

**Expires: 11/15/1991**

**License Type: Certified General Real Estate Appraiser**

**History: None**

Respondent was hired to appraise Complainant's property after a city in East Tennessee attempted to obtain Complainant's land by eminent domain. Complainant advises Respondent is and was at the time of the event the Vice Mayor of the city. Complainant alleges Respondent, as such, had a conflict of interest. Complainant alleges due to Respondent's conflict of interest the city was offering them below market value for their property. Complainant advises they have since settled with the city.

Respondent denies Complainant's allegations. Respondent explains that they have been an elected member of the city council since 2008 and have been a TDOT approved appraiser since 1990. Respondent states for the last fifteen (15) years they have been doing solely eminent domain work for local governments and TDOT. Respondent explains they were cleared of any conflict of interest by the city's attorney. This matter appears to be outside the jurisdiction of the Commission, as such, Counsel recommends closure.

**Recommendation: Close.**

**Commission Decision: The Commission voted to accept counsel's recommendation.**

**3. 2024002391**

**Opened: 3/25/2024**

**First Licensed: 11/16/2015**

**Expires: 11/15/2025**

**Type of License: Appraisal Management Company**

**History: None**

Complainant is a funding company. Complainant alleges Respondent has provided appraisals that are unsupported and greatly overstate value. Complainant further alleges Respondent is falsely representing themselves as an appraiser approved by their company. Complainant states respondent is on their exclusionary list. Complainant provided copies of appraisals performed in Texas.

Respondent advises they are a licensed Appraisal Management Company (AMC) which serves as an intermediary for and manages the appraisal process for mortgage lenders by contracting with licensed and certified appraisers to perform appraisal assignments and managing the process of having an appraisal performed. Respondent advises they are surprised by the complaint as they were never made aware by Complainant of any issues with any appraisal management services provided by Respondent. Respondent explains they have a complaint and dispute resolution process and would have immediately implemented a solution procedure to resolve the problem.

Respondent states they were never made aware they were placed on an exclusionary list. Respondent explains were they given such notice they would have disabled Complainant on their customer list. Respondent notes they have updated their systems to ensure orders for Complainant are rejected going forward.

This matter appears to be outside the jurisdiction of the Commission, as such, Counsel recommends closure.

**Recommendation: Close.**

**Commission Decision: The Commission voted to accept counsel's recommendation.**

#### **4. 2024013451**

**Opened: 4/15/2024**

**First Licensed: 9/24/2003**

**Expires: 3/31/2026**

**Type of License: Certified Residential Real Estate Appraiser**

**History: None**

This complaint was opened after Respondent was disciplined in Illinois. Respondent self-reported their Illinois discipline.

Respondent explains in 2020 Respondent completed several appraisal reports with the assistance of trainee appraisers. Respondent notes the reports acknowledge the trainees' contributions, including their names and license numbers, indicating significant assistance was provided. Respondent explains, however, that they failed to fully detail the nature of the trainees' involvement, specifically regarding the property inspections.

Respondent advises this issue was brought to their attention in September 2021, and immediately corrected their report preparation procedures to ensure they are in full compliance with USPAP. Respondent explains the Illinois Department of Financial and Professional Regulation (DFPR) reviewed the matter, leading to a Consent Order executed on August 10, 2023. Respondent was required to pay a \$10,000.00 civil penalty, complete a 15-hour USPAP course, and was restricted from supervising trainee appraisers for one (1) year. Respondent states they relocated to Nashville, with the intention of making the area the foundation for their business. Respondent advises they are deeply invested in upholding the integrity trust of the industry and regret their mistakes.

Under Tennessee Code Annotated § 56-1-313, the Commission has the disciplinary authority to:

(a) In addition to any other lawful disciplinary authority, any board, commission or agency attached to the division of regulatory boards may, upon receipt of a certified order, refuse to issue or renew a license, permit or authorization to practice, and revoke, suspend or restrict any license, permit or authorization to practice that the board, commission, or agency has issued to any person who:

(1) Has had the person's license, permit or authorization to practice in the profession or occupation subject to the jurisdiction of the board, commission or agency suspended or revoked by another state or national board, commission or agency for any acts or omissions that would constitute grounds for discipline in this state[.]

Counsel recommends closing this complaint with a Letter of Warning

**Recommendation: Letter of Warning.**

**Commission Decision: The Commission voted to accept counsel's recommendation.**

**New Information: This matter was sent out for investigation.**

**ADJOURNMENT**

There being no new business, the meeting adjourned at 10:40 a.m.