

APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

February 22, 2012

MINUTES

STAFF MEMEBERS PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Manager
Kent Nelson, Chief Investigator
Dee Johnson, Assistant Chief Investigator
Xanna Hardman, Assistant Attorney General
Jennie Jonsson, Hearing Officer
Renda Christensen, Board Secretary
Carla Westbroek, Appraiser Licensing
Ken Wamsley, Investigator

BOARD MEMBERS PRESENT:

Craig Morley, Chair
Paul W. Thronsen, Vice Chair
Debra Sjoblom, Board Member
Jeanette Payne, Board Member
Daniel Brammer, Board Member

GUESTS:

Bill Lifferth
Don Chavis
Vern Meyer
Austin Christensen

The February 22, 2012 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Morley conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes -. A motion was made to approve the minutes from the January 25, 2012 meeting. Vote: Chair Morley, yes; Vice Chair Thronsen, yes; Board Member Sjoblom, yes; Board Member Payne, yes; Board Member Brammer, yes.

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart said the Division's bill, HB191, was passed out of the House Business and Labor Committee on February 8, 2012. It passed on the House floor on February 17, 2012 and was transferred to the Senate for review yesterday. There will be a

Senate Committee meeting next week, and so far, we have not had any problems with, or opposition to, the bill

The Division has had Public Service Announcements (PSAs) airing for the last few weeks. The same PSAs are now available on the Division's website.

The Division will be under construction during the week of March 8 through March 16, 2012. The staff will be in two locations, but will have access to their computers and phones. Director Stewart asked for the public to have some patience during this time.

INVESTIGATIONS REPORT – Kent Nelson

Mr. Nelson reported in January the Division received 4 complaints; opened 5 cases closed 13 cases; leaving the total of open appraiser cases at 62, which is the lowest number we have had in the last year.

Stipulations for Review:

Thomas R. Gray
Kim E. Grover
Danette Brooks
Barbara J. Simper
Transcontinental Valuations, Inc.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren said the statistics covering February 2011 up until now have shown a decline in licensee numbers in the past 11 months. Since the downturn in 2007, there has been a 6% drop in overall numbers.

Director Stewart and Mr. Fagergren will be speaking to the Appraisal Institute in March. Chair Morley has sent Mr. Fagergren a list of active discussions regarding the perspective of real estate licensees as to why appraisers are not coming in with appraised values that support the sales prices of homes. Appraisers have their own perspective on the issue. Mr. Fagergren said there will be an article in the newsletter covering this discussion.

Mr. Fagergren submitted the following lists to the Board for their review:

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Kelton L. Kleinman, CR Candidate
Michelle L. Smoot, CR Candidate
Matthew Morley, CR Candidate

Certified and Licensed Appraiser Applicants Approved by Education Review Committee and Denied by Experience Review Committee

Cody Hymas, CG Candidate

Discipline List for Board's Consideration
Richard J. Young

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Jennie Jonsson

Ms. Jonsson said there are no appraisal rules for review this month. When the AMC rule was written, there was no Administrative Proceedings section in it. Ms. Jonsson distributed a draft of proposed section, R162-2e-402, Administrative Proceedings, to the Board and Division for review. With a few minor changes (references to employees, etc.), the wording reflects what is in place for Appraiser Administrative Proceedings. The Board asked to revisit this draft later in the meeting.

A brief break was taken from 9:55 a.m. to 10:00 a.m.

OPEN TO PUBLIC

INFORMAL HEARING

10:00 Donald Chavis – Experience Review
Bill Lifferth, Salt Lake County Assessor's Office

CLOSED TO PUBLIC

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Morley, yes; Vice Chair Throndsen, yes; Board Member Sjoblom, yes; Board Member Payne, yes; Board Member Brammer, yes. Motion carries. An Executive Session was held from 10:37 a.m. to 11:31 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

Results of Stipulations:

Thomas R. Gray – Schedule for a hearing
Kim E. Grover - Rejected
Danette Brooks - Approved
Barbara J. Simper - Approved
Transcontinental Valuations, Inc. - Approved

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

Kelton L. Kleinman, CR Candidate - Approved
Michelle L. Smoot, CR Candidate - Approved
*Matthew Morley, CR Candidate – Approved
*Chair Morley recused himself on this vote.

Certified and Licensed Appraiser Applicants Approved by Education Review Committee and Denied by Experience Review Committee

*Cody Hymas, CG Candidate – Denied

*Chair Morley has recused himself from this vote.

Discipline List for Board's Consideration

Richard J. Young – Investigators will review this case to see if there were any USPAP violations.

A motion was made to move forward with the draft rule presented by Ms. Jonsson earlier. It will be submitted for public comment. Vote: Chair Morley, yes; Vice Chair Throndsen, yes; Board Member Sjoblom, yes; Board Member Payne, yes; Board Member Brammer, yes. Motion carries.

A motion was made to adjourn the meeting. Vote: Chair Morley, yes; Vice Chair Throndsen, yes; Board Member Sjoblom, yes; Board Member Payne, yes; Board Member Brammer, yes. Motion carries. The meeting adjourned at 11:37 a.m.