

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

March 26, 2014

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Manager
Jeffery Nielsen, Chief Investigator
Justin Barney, Hearing Officer
Elizabeth Harris, Assistant Attorney General
Renda Christensen, Board Secretary
Carla Westbroek, Appraisal Licensing
Craig Livingston, Investigator
Theron Case, Investigator

BOARD MEMBERS PRESENT:

Daniel Brammer, Chair
Paul W. Thronsen, Vice Chair
Kristin Coleman, Board Member
John E. Ulibarri, Board Member

GUESTS:

Terry Coon
Jake Parkinson
Bob Danehy
Vern Meyer

The March 26, 2014 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Brammer conducting.

Board Member Bringhurst was excused from the meeting this month.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes - A motion was made to approve the minutes from February 26, 2014 meeting. Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Coleman, yes. The motion passes.

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart said the Division's bill, HB 232, successfully passed and will be effective on May 13, 2014.

INVESTIGATIONS REPORT – Jeffery Nielsen

Mr. Nielsen reported in February the Division received 4 complaints; opened 6 cases; closed 2 cases assigned to the Attorney General; closed 9 cases; leaving a total of 39 cases.

Mr. Nielsen handed out copies of three different statutes that have recently been reviewed on a case that is being reviewed by the Division. Statutes 61-2e-102(10), 61-2e-104, and 61-2e-201 were brought up for discussion, and asked the Board to take the proposed changes under advisement for discussion at a later time.

There are no stipulations for review this month.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren mentioned the statistics show there are nine fewer certified appraisers from last month, and when compared to the 11 previous months, shows a larger decline.

The Division sent out an email to all appraisers asking them to complete the AQB survey. Mr. Fagergren said if everyone responded there should be some good comments from our state.

For individual purposes, the Division has created some checklists for those who want to be licensed or a trainee. This checklist should help the applicant keep their application in order at the time of submission.

Mr. Fagergren presented an application for a temporary appraiser license. The application was received several months ago and was incomplete. It took the applicant several months to submit the information needed.

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:

Brett C. Alvey, LA candidate
Joshua D. Wadsworth, CG candidate

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

Allen Mead, CR candidate

Discipline List

Michael McGuire, Temporary CG applicant

There have been six suggested changes to the Experience Rule 304-d and Appendices' 1, 2, and 3. Mr. Fagergren briefly discussed each of these comments with the Board and those in attendance today.

There are no stipulations for review this month.

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney said a proposed rule amendment for the purpose of adopting by administrative rule education requirements that are proposed to be removed from statute. The public comment period ended earlier this month and is now closed. There was one comment received and has been forwarded to the Board for their review.

Administrative Law Judge Jennie Jonsson was in attendance to help with any comments or issues that may arise.

A motion was made to correct R162-2g-304b(1) by replacing the word “licensed” with “certified”; R162-2g-304(1)(b) to make the effective date January 1, 2015 and allow the current rule to stand in effect until then, R162-2g-304d(3)(a)(i) to read “unless the trainee and the trainee’s supervisor have, prior to performing the work to be claimed, completed the Division approved course.” The motion is to make the proposed rule effective today. Vote: Chair Brammer, yes; Vice Chair Throndsen, yes; Board Member Ulibarri, yes; Board Member Coleman, yes. The motion passes.

OPEN TO PUBLIC

INFORMAL HEARING:

10:04 James Benjamin Hickman - Experience Review

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 Brammer, yes; Vice Chair Throndsen, yes; Board Member Ulibarri, yes; Board Member Coleman, yes. The motion passes. Executive Session was held from 10:40 a.m. to 11:23 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

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

Brett C. Alvey - Approved

Joshua D. Wadsworth - Approved

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

Allen Mead, CR candidate - Denied

Discipline List

Michael McGuire, Temporary CG applicant - Approved

Mr. Hickman will be notified by mail as to the outcome of his hearing.

Mr. Barney said there has been a draft for the proposed amendment to the rules, and the Board has reviewed this draft. A motion was made to approve the draft rule as amended. Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Coleman, yes. The motion passes.

A motion was made to adjourn the meeting. . Vote: Chair Brammer, yes; Vice Chair Thronsen, yes; Board Member Ulibarri, yes; Board Member Coleman, yes. The motion passes. The meeting adjourned at 11:31 a.m.