

**West Virginia Real Estate Appraiser
Licensing and Certification Board**

MINUTES

August 17, 2016

The West Virginia Real Estate Appraiser Licensing and Certification Board held a meeting on August 17, 2016 in the 4th floor Conference Room located at 405 Capitol Street, Charleston, WV 25301.

The following were in attendance: Glenn Summers, Chair; Dean Dawson, Vice Chair; Rachel Phillips, Secretary; The Honorable Anthony Julian; Doug Butcher; Nathan Nibert; Dale Dawson-Clowser; Sandy Kerns, Executive Director; Greg Foster, AG Legal Counsel; Courtney Buskirk; Brenda Ashworth and Billie Hancock, board staff.

Michael Shaw and Mary Beth Aliveto were absent.

The meeting was called to order at 10:12 am.

Reading of the Minutes

Minutes from the June 22, 2016 meeting were presented to the Board.

Judge Anthony Julian motioned to approve the June 22, 2016 minutes. Dean Dawson seconded the motion. Motion carried.

Executive Session

Dean Dawson made a motion to move into executive session. Doug Butcher seconded the motion. Motion carried at 10:46 am.

Dale Dawson-Clowser made a motion to come out of Executive Session. Rachel Phillips seconded the motion. Motion carried at 12:05pm.

Committee Reports

Standards Committee

Complaint #14-016 Charles Boggs, III

Update: Committee met with Mr. Boggs, III in an informal meeting to discuss issues found within previously reviewed work files pursuant to the Pre-Diversion Charging Statement. The Committee suggested to Mr. Boggs, III that he provide more justification for his adjustments and comparables, that he reconcile his comparables more consistently, that he update the forms he is using and remove all outdated and unnecessary forms, that he not do adjustments for amounts under \$1000 unless he can support his adjustment, explain reference to office files when used in work file research, that he check appraisals for quality issues before finalizing, and use tax map and parcel numbers instead of pre-populated data in his software system. Mr. Boggs has agreed to implement the advice of the Committee into his future appraisals.

Status: The Committee moves to forego choosing work files from Mr. Boggs, III June logs, and to instead select three work products from July 12– July 26, 2016 logs in hopes that Mr. Boggs, III will implement the advice given during the informal meeting. Due to time constraints, the Executive Director shall choose the properties for the Committee for the August 3rd Standards Committee meeting. All correspondence with Mr. Boggs, III shall be sent via both email and certified US postal mail. Pre-Diversion Agreement expires 8/12/2016.

Complaint #15-019

Complaint: Complainant sent a letter stating that the appraiser failed the review, and pursuant to the federal statute, they are required to notify the Board.

Recommendation/Status: Investigation ongoing. Matter held over. Board received additional information from AMC as requested. Committee moves that the appraiser be notified of new information and be given opportunity to respond.

Complaint #16-001 AMC Complainant: Kim Bauer

Complaint: Ms. Bauer alleges that she was removed from the AMC panel without being given proper notice as regulated by statute. AMC denies allegation.

Recommendation/Status: When an appraiser is removed from an AMC panel, W.Va. Code § 30-38A-12.(d) requires the board to hold a hearing on the complaint within a reasonable time, not exceeding six (6) months after the complaint was filed unless there are extenuating circumstances that are noted in the board's minutes. After reviewing the information submitted by the complainant and AMC, the committee recommend the matter be scheduled for hearing with the majority of the board presiding over the evidence during a special meeting. Sandy Kerns, Executive Director, in conjunction with Legal Counsel, shall draft letters and make arrangements with all parties involved, giving at least 30 day notice to all parties.

Judge Anthony Julian motioned to approve the Standards Committee report. Dean Dawson seconded. Motion carried.

Upgrade Committee

The Upgrade Committee met at 9am on July 26, 2016 to review one application for a supervisor permit.

The Committee made the following recommendations:

- Approve Upgrade 16-007, Apprentice to LR- After reviewing several additional work products and recalculating hours without the cost approach, the Upgrade committee recommends that 16-007 be approved to LR.
- Approve Upgrade 16-004, Supervisor Application - Committee held a telephone conference with the appraiser. After reviewing her additional work product and clarifying several discrepancies, the Committee recommends that 16-004 be approved for Supervisor.
- Approve Upgrade 16-006, Certified Residential – After recalculating experience hours and confirming the amount of both residential and commercial hours, Committee recommends that 16-006 be approved for CR.
- Upgrade 16-008, Supervisor Renewal – Committee recommends the Supervisor Certificate be renewed.

- Upgrade 16-009, Peer Review – Committee found the work product to be an excellent example of appraisal work. Had no comments.

Doug Butcher made a motion to approve the Upgrades Committee report. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Policy Committee

The Policy Committee recommends that the Administrative Staff create a written handbook and present it to the committee for review. They also recommend that the Board and the Administrative Staff create a list of legislative rules that need reviewed for possible changes to be presented to the legislature.

The Honorable Judge Anthony Julian motioned to approve the Policy Committee's recommendation. Dean Dawson seconded the motion. Motion carried.

Executive Director's Report

Licensing Reports

- Number of current licensed appraisers by classification
Licensed Residential Appraisers - 123
Certified Residential Appraisers - 235
Certified General Appraisers – 247
- Registered Appraisal Management Companies (AMCs) Total- 86
- Temporary Report - 15 Temporary Permits Issued during the two months of June and July

Financial Report

- Purchasing Card Report
- FY16 Monthly Expenditures
- FY16 Quarterly Expenditures
- FY16 Yearly Expenditures
- FY16 Revenues

Rachel Phillips moved to accept the Executive Director's Report. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Old Business

A motion was made by Rachel Phillips to send the Board members wishing to attend the Association of Appraiser Regulatory Officials Conference from October 21, 2016 to October 24, 2016. And also to allow the Administrative Staff to attend the conference at the discretion of the Executive Director, with the provision that the staff will be periodically checking emails and the office voicemail to be changed to reflect the contact information. Doug Butcher seconded the motion. Motion carried.

Rachel Phillips made a motion to start the process to relocate the Board office back to the previous location at 2110 Kanawha Blvd. East, Charleston, WV 25311. Doug Butcher seconded the motion. Motion carried.

Sandy Kerns, Executive Director, notified the Board that the new legal counsel from the WV Attorney General's Office had been assigned, Jennifer Akers, on a full time basis. With the assignment of the new legal counsel, the Board has decided to forego hiring Darlene Washington on contract to work while Ms. Kerns is on medical leave.

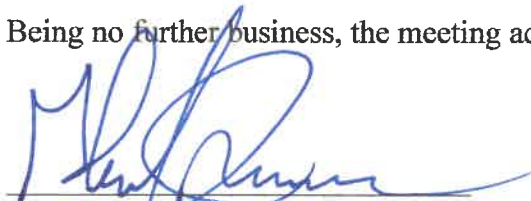
Executive Director also updated the Board as to beginning of the Legislative audit to begin on August 30, 2016.

Rachel Phillips made a motion to hire a consultant to talk with the Board about the benefits and process of hiring an investigator. Including paying for his travel expenses. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

New Business

The Board has instructed Ms. Kerns to compose a letter to the Governor requesting that all existing Board members with expiring appointments be re-appointed.

Being no further business, the meeting adjourned at 2:36pm.



Glenn Summers, Chair