KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

March 27, 2015 - Board Office

PRESIDING OFFICER

Harold Brantley, Chair

ROLL CALL

Present:

Harold Brantley, Chair
Kathy Mayfield, Board Member
Thomas Oliver, Board Member
Dann Cann, Board Member
Jeff Fultz, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Kim Mathias, Executive Secretary
Brian Judy, Board Counsel

Chair, Harold Brantley opened the meeting and welcomed the guest in attendance. In attendance were Claire Brooks and Denise Graves from the Appraisal Subcommittee.

MINUTES

Motion by Kathy Mayfield, second by Thomas Oliver and the Board unanimously approved the February 27, 2015 minutes. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

Motion by Jeff Fultz, second by Kathy Mayfield and the Board unanimously approved the March 18, 2015 Special Board Meeting minutes. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

EDUCATION

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the following education courses for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

A. Marvin L. Dever
   1) Fannie Mae Review – 3.5 hours CE classroom
   2) Supporting Your Adjustment – 7 hours CE classroom

B. The Cincinnati Realtist Association
   1) Collateral Underwriter Symposium – 3 hours CE classroom

C. Appraisal Institute- Bluegrass Chapter
   1) Uniform Appraisal Standards for Federal Land Acquisitions – 16 hours CE classroom

D. American Society of Appraisers
   1. ARM204 – Appraisal Review & Management Overview – 27 hours CE classroom

E. McKissock
   1. Appraisal Review for Commercial Appraisers – 7 hours CE online
   2. Marcellus Shale: Effects of Energy Resource Operations – 3 hours CE online
   3. The New FHA Handbook 4000.1 – 7 hours CE classroom

F. Individual Request Approval
   1. Integra Realty Resources, Inc.
      1. Allocating Components in Going Concern Appraisals – 7 hours CE
      2. Building and Improving a Litigation Practice – 7 hours CE

      Motion by Jeff Fultz, second by Thomas Oliver and the Board unanimously denied the request of approval based upon the requirements for obtaining out of state course approval. The courses were not approved in the state of NV where the courses were offered. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

   2. A la Mode, Inc.
      a) Developing compliant reports using Total – 7 hours CE
      b) Accurate Sketching Made Easy – 3 hours CE

      Motion by Kathy Mayfield, second by Jeff Fultz and the Board unanimously approved the education courses for Fiscal Year 2014-2015 based upon the courses have met all out of state requirements for approval. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

3. Appraisal Institute Ohio Chapter

1. Seminar: 37th Annual Real Estate Economic Seminar – 7 hour CE

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the education course for Fiscal Year 2014-2015 based upon the course has met all out of state requirements for approval. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

4. Appraisal Institute, North Texas Chapter

1. 6th Annual North Texas Realty Symposium – 8 hours CE

Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously approved the education course for Fiscal Year 2014-2015 based upon the course has met all out of state requirements for approval. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

5. Office of the Attorney General, Administrative Hearings Branch

1. Administrative Hearings Under KRS Chapter 13B Training – 3 hours CE

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the education course for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

CERTIFICATION/LICENSURE

A. Approval – Appraisers – Motion by Thomas Oliver, second by Jeff Fultz and the Board voted to approve the following certification list of appraisers. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

1. Linda M. Cheers – Certified Residential – TX
2. Heather Jo Choate - Associate
3. Meghan E. Czechowski – Certified General – IL
4. John D. Outlaw – Certified General

COMPLAINT

A. The Board reviewed the Case Summary Chart. Tom Veit reported 16 appraiser cases and 1 AMC case have been filed for 2015. There are 8 open investigation cases.

B. Case No. 14-28– Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

C. Richard Sceifers – Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously accepted the final order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

1. Sciefers General Certificate No. 3580 by suspended for three (3) years effective June 27, 2014.
2. Sciefers shall pay a fine to the Board in the amount of Two Thousand Dollars ($2,000) prior to his Kentucky certification being issued after the three (3) year suspension.
3. Sceifers shall pay the actual costs of the Board's investigation and all of the Board's proceedings in the amount of Six Thousand Dollars ($6,000) prior to his Kentucky certification being issued after the three (3) year suspension.

D. Case No. 14-12AMC – Epic Property Solution, LLC - Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously accepted the agreed order based upon the condition that if the current assets of the company are not conveyed prior to the end of the probation period, the suspension shall be immediately enforced at the date the suspension is determined by the Board to be effective. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Jeff Fultz - Yes.

1. Epic Property Solutions, LLC shall pay a fine to the Board in the amount of Two Thousand Dollars ($2,000) by July 1, 2015.
2. Epic Property Solutions, LLC shall be on probation for one year from the date of April 1, 2015 – March 21, 2016. However, the probation period will be rescinded if the company sells by July 1, 2015.

Dann Cann, Board member arrived at the meeting.

E. Cases on Appeal or scheduled for hearing – Attorney will work through the legal process on all below listed cases.

(1) Lynn Prichard Case 12-10, 12-11, 12-12, 12-25, 12-26 – The Judge in Franklin Circuit Court granted extensions to respondents Attorney. The Board advised staff and attorney to push the appeals as rapidly as possible. Brief filed in Circuit Court, waiting for response.
(2) Matt Miniard - 10-18 – Court of Appeals. A brief has been filed and waiting for response.
(3) David Harrington– 08-49 through 08-57, 09-02, 09-03 and 09-07 Misfiled in wrong county by Harrington Attorney. Appeal now in the Madison Circuit Court. – Pending Decision from Madison County Judge – 30 days to appeal deadline is the end of March 2015.

F. Cases to be set for hearing

(1) Case 12-45 – William O. Spence – Hearing scheduled May 19-21, 2015 - Reschedule hearing date with attempt to mediate prior to hearing.

(2) Case 12-04 – Thomas Biederman - Hearing January 6, 2014 at LaGrange, KY. – A continuance was granted to Mr. Biederman. No rescheduled hearing date at this time.
(3) Brandon Combs – May 28, 2015 - Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously agreed that Jeff Fultz will set on the panel for the hearing on behalf of the Board. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

MISCELLANEOUS

The Board reviewed and discussed the following information:

A. Budget Ending February 28, 2015 - Motion by Thomas Oliver, second by Kathy Mayfield and the Board reviewed budget with no exceptions. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
B. AMC Request – Exemption from Registration - Motion by Thomas Oliver, second by Dann Cann and the Board unanimously denied the request for exemption to register as an AMC. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
C. Individuals that are required to complete the "15 hour Sales Comparison Approach Course" per an agreed order – Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously agreed to extend the time allowed to complete the agreed order requirement until July 31, 2015 because the course is not offered by any provider at this time. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
D. Rescheduled Supervisor/Trainee Course – April 13, 2015
E. AARO Spring Meeting – May 1-3, 2015 – Nashville, TN
F. April Board Meeting –April 23, 2015 – Lexington, KY
G. KREAB Seminar – March 31, 2015 – Louisville, KY
H. Reciprocal & Temporary Requirements – If an individual is certified in another state they must obtain a temporary or reciprocal before doing a real estate appraisal or a review appraisal of a property that is located in Kentucky.
I. Law Course Update- Larry Disney will obtain information from online providers and bring information back to the Board.
J. Fee Study Survey is closed. Results will be presented at a future board meeting.

.

APPRAISAL SUBCOMMITTEE

Ms. Claire Brooks with the Appraisal Subcommittee presented the preliminary findings to the Board for the March 26-27, 2015 review. The final letter will be presented to the Board at the April 2015 meeting.

Mr. Harold Brantley congratulated the staff on behalf of the Board for the excellent findings concluded by the Appraisal Subcommittee.

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously agreed to adjourn the meeting.

Harold Brantley

Chair

Angie Thomas

Staff Assistant