

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

November 16, 2007

PRESIDING OFFICER

J.W. Grabeel, Chair

ROLL CALL

Present:

J.W. Grabeel, Chair
Loren C. Huff, Vice Chair
Paul Moore, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Dennis Badger, Investigator

Absent:

Dorsey Hall, Board Member
Theresa Marshall, Board Member

Chair, J.W. Grabeel opened the meeting by welcoming all the guest.

Motion by Paul Moore, second by Loren Huff and the Board unanimously approved the October 26, 2007 minutes.

EDUCATION

Motion by Loren Huff, second by Paul Moore and the Board unanimously agreed to approve the following education course for fiscal year 2007-08.

A. Courses for fiscal year 2007-08

- (1) U.S. Department of Housing and Urban Development – One (1) continuing education course:
 - (a) Basics for FHA Appraisals – 4 hours
- (2) Appraisal Institute – Three (3) online continuing education courses:
 - (a) Online - Introduction to GIS Applications for Real Estate Appraisers – 7 hours

- (b) Online GIS – The Novice Case Study – 7 hours
- (c) Online – Eminent Domain and Condemnation – 7 hours
- (3) Kentucky Department of Revenue Office of Property Valuation – Four (4) continuing education courses:
 - (a) KY Course 71 – Commercial and Industrial Appraisal by Use of the Cost Approach – 14 hours
 - (b) KY Course 72 – Commercial and Industrial Appraisal by Use of Income/Sales Comparison Approaches – 14 hours
 - (c) KY Course 80 – Residential Real Property Appraisal – 14 hours
 - (d) KY Course 90 – Farm Real Property Appraisal – 14 hours
- (4) Appraisal Educators – Two (2) continuing education courses:
 - (a) 106 – USPAP Frequently Asked Questions 2008-09 – 7 hours
 - (b) 105 – National USPAP Update – 7 hours

Motion by Paul Moore, second by Loren Huff and the Board approved the following courses subject to the Board receiving all the required documentation.

- (1) A Pass Weikel – Two (2) continuing education and one (1) pre-licensing education courses:
 - (a) Construction and Inspection - 3 hours continuing education
 - (b) Environmental Law – 4 hours continuing education
 - (c) 506 – Residential Market Analysis & Highest & Best Use – 15 hours – Pre-licensing

EXPERIENCE

Motion by Loren Huff, second by Paul Moore and the Board unanimously agreed to approve the following:

- (1) John Anderson – Approve for Licensed Real Property
- (2) Robert Bitner – Approve experience. Approve for Certified General subject to passing the Certified General exam.
- (3) Daniel Ford – Approve experience. Approve for Certified General subject to passing the Certified General exam.
- (4) Stephen Miller – Approve for Certified Residential
- (5) Leslie Smothers – Approve for Certified General
- (6) Rodney Thomas – Approve for Certified General

CERTIFICATION/LICENSURE

Motion by Paul Moore, second by Loren Huff and the Board voted to approve a total of 13 individuals for certification/licensure.

- (1) John Anderson – Licensed Real Property
- (2) Jonathan S. Beery – Certified General
- (3) Brian O. Booth - Associate
- (4) Edward L. Childers – Certified General – Reciprocal with Texas
- (5) Andrew Fagerstrom – Associate

- (6) Scott T. Hogan – Certified General
- (7) James M. Laws – Certified Residential – Reciprocal with Georgia
- (8) Brendon K. Meier – Certified Residential – Reciprocal with Indiana
- (9) Stephen Miller – Certified Residential
- (10) Scott A. Neal - Associate
- (11) Martin Rueve – Certified Residential – Reciprocal with Ohio
- (12) Leslie Smothers – Certified General
- (13) Rodney Thomas – Certified General

B. The Board discussed the investigation report submitted on the interview with Conner Cornett and the information concerning his experience. After review of the investigation report, a motion was made by Paul Moore, second by Loren Huff and the Board unanimously voted to accept the reclassification to Certified Residential for Mr. Cornett.

COMPLAINT

- A. Dennis Badger – Report on the contractor activities for the preceding month. – Motion by Paul Moore, second by Loren Huff and the Board accepted the report.
- B. The Board was advised there have been a total of 61 cases for 2007.
- C. Agreed Orders
 1. Case No. 07-10 – Grievant: KREAB
Respondent: Jeremy Chesser
Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby,
 - (a) **Chesser** shall pay a FINE in the sum of \$350.00, with the total amount due with the signed Agreed Order.
 - (b) **Chesser** shall complete a 7 hour Fannie Mae Forms course. Said **7** hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by June 30, 2008.
 - (c) **Chesser** agrees that the Board shall have to right to review files and log for a period of two years from the date of the agreed order.

2. Case No. 07-23 – Grievant: KREAB
Grievant: Scott Kelly
Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby,
- (a) **Kelly** certification shall be suspended for 90 days with said suspension probated upon compliance with the terms of this Order.
 - (1) **Kelly** shall pay a FINE in the sum of \$350.00, with the total amount due with the signed Agreed Order.
 - (2) **Kelly** shall complete a 15 hour Residential Report Writing course with successful completion of the final examination. Said **15** hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by February 29, 2008.
 - (3) **Kelly** agrees that the Board shall have to right to review files and log for a period of two years from the date of the agreed order.
3. Case No. 07-14 – Grievant: KREAB
Respondent: Linda English
Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby,
- (a) **English** license shall be suspended for 90 days with said suspension probated with successful completion of the agreed order requirements.
 - (b) **English** agrees to pay a \$350.00 fine with the total amount due with the signed agreed order.
 - (c) **English** shall complete a **15** hour Residential Cost Approach course with successful completion of the examination and a **15** hour National USPAP course with successful completion of the examination. Said **30** hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by the June 30, 2008.
 - (d) **English** shall not obtain any associates beginning January 1, 2008 for a period of two years from the date of the agreed order.
 - (e) **English** agrees the Board shall have the right to review her files for a period of two years from the date of the agreed order.
4. Case No. 07-15 – Grievant: KREAB
Respondent: Michael Owens
Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby,
- (a) **Owens** certification shall be suspended for 90 days with said suspension probated upon successful completion of the terms of this Agreed Order.
 - (b) **Owens** agrees to pay a \$350.00 fine with the total amount due with the signed agreed order.
 - (c) **Owens** agrees that with a 24-hour notice, the Board, the staff, or the designee can visit the appraiser's office and at random select and review files listed on the log of appraisal activity for two (2) years from the date of the agreed order.
- (5) Case No. 06-29 – Grievant: KREAB
Respondent: James U. Russell
Motion by Loren Huff, second by Paul Moore and the Board accepted the agreed

order, whereby,

- (1) Russell agrees to pay a \$350.00 fine with the total amount due with the signed agreed order.
- (2) Russell agrees to accept a letter of admonishment.

D. Case No. 07-25 – Grievant: Steve Bennett

Respondent: Julie Todd

Motion by Loren Huff, second by Paul Moore and the Board unanimously agreed to file a formal complaint and set for a hearing.

E. Hearings

APPRAISER	CASE NO(S).	
Elnoria Wyatt	05-73	Reschedule
Sean Woody	License – Denied renewal	December 14, 2007
Kenneth Ingram	License Denied Application	Send Notice
Lynn Prichard	04-63	February 4 & 5, 2008
Eva Maggard	03-82 –Did not return agreed order	

- F. The Board agreed to purchase a voice recorder to be used at the Board Meetings for taping the Board meeting for future reference.
- G. The Board discussed the penalty fines assessed to respondents for an agreed order requirement. The Board agreed to discuss the issue when the full Board will be in attendance.

MISCELLANEOUS

The Board reviewed:

- A. Email from Larry Fabrey, AMP Testing Center concerning the Evansville Testing Center. Mr. Disney informed the Board that AMP has agreed to allow the applicant to reschedule the exam at no additional cost.
- B. October 2007 Test Results
- C. Request from George Cox to review PSC contracts – No Insert
- D. A discussion was made about if an individual does not pass an examination at the end of a qualifying education course if the individual should receive continuing education credit. The Board agreed that an individual should receive continuing education credit.
- E. Larry Disney reported:
 - (1) Jeff Lagrew of Kentucky has been appointed to the Appraiser Qualifications Board for a one year term.
 - (2) Sandy Guilfoil is now serving on the Appraisal Standards Board.
 - (3) Standards Rule 2 – Report Option
 - (4) HB 3837
- F. James Grawe and Larry Disney reported on the following regulations changes. Larry Disney also expressed urgency of regulations being filed and approved prior to December 31, 2007. Mr. Grawe reported the regulation language changing 2008 implementation from a firm date to segmented with experience component extending 2 years from date

individual passes last examination attempt will be requested as an emergency regulation. Mr. Grawe reported this could be completed no later than December 1, 2007.

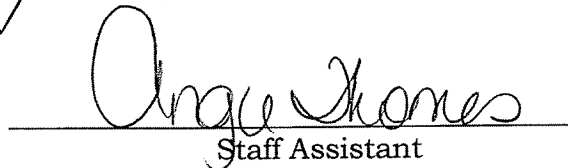
- 1) Firm - Segmented date change
 - 2) Supervisor/Associate course
 - 3) Other regulation changes that need to be made
- H. James Grawe reported that if an emergency regulation had been filed but not signed by the Governor, the filed regulation will supersede the regulation currently in place.
- I. Motion by Paul Moore, second by Loren Huff and the Board grants Mr. Disney the authority to sign the emergency regulation.
- J. AARO Spring conference is scheduled for April 12-14, 2008 in San Francisco and the AQB will be held on April 10-11, 2008 in San Francisco.

The next Board meeting is scheduled for Friday, December 14, 2007 immediately following a hearing at the Board office.

The Board was notified that a hearing will be held for Sean Wood, on December 14, 2007 at 9:00 a.m. at the Board office.

Motion by Paul Moore, second by Loren Huff and the Board voted unanimously to adjourn the meeting.


Chair


Staff Assistant