

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

December 14, 2007

PRESIDING OFFICER

J.W. Grabeel, Chair

ROLL CALL

Present:

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

Present Also:

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

Absent:

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 November 16, 2007 minutes.

EDUCATION

Motion by Dorsey Hall, second by Paul Moore and the Board unanimously agreed to approve the following education courses for fiscal year 2007-08.

A. Courses for fiscal year 2007-08

- (1) Appraisal Institute – Two online QE course, one classroom CE course, one online CE courses:
 - (a) Online Residential Market Analysis and Highest & Best Use – 15 hours QE/14hours CE
 - (b) An Introduction to Valuing Green Buildings – 7 hours CE

- (c) Online What Commercial Clients Would Like Appraisers to Know – 7 hours CE
- (d) Online Apartment Appraisals – Concepts and Applications – 16 hours QE and 15 hours CE

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

- (1) McKissock – One virtual classroom continuing education course:
 - (a) The Evolution of Finance and the Mortgage Market – Virtual Classroom – 4 hours

EXPERIENCE

Motion by Dorsey Hall, second by Loren Huff and the Board unanimously agreed to approve the following:

- (1) Danny Armstrong – Approve for Certified Residential
- (2) Larry W. Chesser – Approve experience. Approve for Certified Residential subject to passing the Certified Residential exam.
- (3) Joshua Hanes – Approve experience. Approve for Certified Residential subject to passing the Certified Residential exam.
- (4) Tony M. Little – Certified Residential
- (5) Gregory Moore – Approve experience. Approve for Certified Residential subject to passing the Certified Residential exam.
- (6) Ann Pipes – Approve for Certified Residential
- (7) Brian Rock – Approve for Certified General
- (8) Steven Shockley – Approve for Certified General
- (9) Dee Smith – Certified Residential

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

- (1) Tammy Frizzell – Submit one additional residential report.
- (2) Angel Johnson – Request to contact Larry Disney concerning the deficiencies in the appraisal reports.
- (3) Dean Pettitt – Request to contact Larry Disney concerning the appraisal reports. Needs to pass the Certified Residential exam.
- (4) Jason Scriber – Submit one additional residential report.
- (5) Lisa Sprauer – Request to contact Larry Disney concerning the appraisal reports. Needs to pass the Certified Residential exam.
- (6) Michael Wientjes – Submit one additional residential report.
- (7) Barbara Winters – Submit two additional residential reports.

CERTIFICATION/LICENSURE

Motion by Dorsey Hall, second by Paul Moore and the Board voted to approve a total of 34 individuals for certification/licensure.

- (1) Danny Armstrong – Certified Residential
- (2) Lea Ann Averitt - Associate
- (3) Todd L. Barfield – Certified General – Reciprocal with Florida
- (4) Justin Caudill - Associate
- (5) Travis Charlton – Certified Residential – Reciprocal with Florida
- (6) Jerry L. Cornett – Associate
- (7) David G. Dunne – Associate
- (8) Juanita Lynn Edge - Associate
- (9) John Paul Epling – Certified Residential
- (10) Kim R. Fiala – Certified Residential
- (11) Daniel S. Ford – Certified General
- (12) Julie E. Grider – Associate
- (13) V. Pete Gross – Certified Residential
- (14) Karen M. Henry - Associate
- (15) Matthew R. Johnson – Certified Residential – Reciprocal with Ohio
- (16) Jason E. Lewis – Associate
- (17) Tony Little – Certified Residential
- (18) Clayton S. Kennedy – Certified Residential
- (19) Michael J. Mallory – Associate
- (20) Faith C. McCoomer – Certified Residential
- (21) Mark T. McDonald – Certified Residential
- (22) Sylvia A. Music – Certified Residential – Reciprocal with Ohio
- (23) James G. Page, II – Certified Residential
- (24) Troy Peterson – Associate
- (25) Ann Pipes – Certified Residential
- (26) Timothy X. Purcell – Certified Residential – Reciprocal with Ohio
- (27) Brian Rock – Certified General
- (28) Ann B. Scott – Certified General
- (29) Steven Shockley – Certified General
- (30) Dee Smith – Certified Residential
- (31) Craig N. Spitzfaden – Certified Residential – Reciprocal with Ohio
- (32) Bryan K. Swartwood, III – Certified Residential – Reciprocal with Maryland
- (33) Tiffany D. Wilkerson - Associate
- (34) Chad L. Young - Associate

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 64 cases for 2007.

C. Orders

Per 61.878 Para. (1)(c)- A motion was made by Dorsey Hall, second by Paul Moore and the Board voted to go into a closed meeting. James Grawe recused himself from review.

(1) Case No. 02-75 – Grievant: KREAB

Respondent: Theresa Mahon

Motion by Paul Moore, second by Loren Huff and the Board agreed with the final order, whereby:

- (a) Mahon's certificate shall be placed on probation for one year beginning on the date of her receipt of this order.
- (b) Mahon shall pay a fine of \$1,000 to the Board within thirty days of her receipt of this order.
- (c) If Mahon fails to pay the fine by its due date or if she is found to have violated any of the Board's statutes or regulations during the period of probation, she shall be subject to additional and enhanced sanctions for the violations, including but not limited to revocation of her certificate.

A motion was made by Dorsey Hall, second by Paul Moore to end the closed meeting.

(2) Case No. 07-53 – Grievant: KREAB

Respondent: James L. Johnson

Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby:

- (a) Johnson's license will be hereby surrendered. Johnson further agrees that he will not seek renewal or reinstatement of his license for a period of three (3) years beginning January 1, 2008. Johnson further recognizes KRS 324A.050(2) governs a petition for reinstatement.

(3) Case No. 07-16 – Grievant: KREAB

Respondent: Shelby D. Kindred

Motion by Dorsey Hall, second by Paul Moore and the Board accepted the agreed order, whereby:

- (a) Kindred certification shall be suspended for 365 days, effective upon the entry of this Order by the Board from practicing any real property appraiser service in Kentucky with one week served no later than June 30, 2008. The remainder of the suspension shall be probated upon compliance with the terms of this Order.
- (b) Kindred agrees to pay a \$1,500.00 fine with the total amount due in two installments and received no later than March 1, 2008.
- (c) Kindred agrees that the Board shall have the right to review his files for a period of two years from the date of the agreed order.

(4) Case No. 07-23 – Grievant: KREAB

Respondent: Ryan Snow

Motion by Paul Moore, second by Loren Huff and the Board accepted the agreed order, whereby:

- (a) Snow certification shall be suspended for 90 days with said suspension probated upon compliance with the terms of this Order.
 - (1) Snow shall pay a FINE in the sum of \$350.00, with the total amount due with the signed Agreed Order.
 - (2) Snow 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) Snow 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.

(5) Case No. 03-82 – Grievant: KREAB

Respondent: Eva Maggard

Motion by Dorsey Hall, second by Loren Huff and the Board accepted the agreed order, whereby:

- (a) Maggard shall pay a fine in the amount of \$500.00 with total amount due with signed agreed order.
- (b) Maggard shall be suspended for one year beginning January 1, 2008. Maggard shall be actively suspended for the first month, with the remaining eleven months probated upon successful completion of the terms of this agreed order.
- (c) Maggard shall submit to the Board a quarterly log of appraisal assignments for a period of 3 years from the date of this agreed order. Maggard agrees to send the Board copies of appraisal reports selected at random from by the Board's Executive Director for review.
- (d) Beginning January 1, 2008, Maggard shall not be permitted to supervise any Associates Real Property Appraisers for a period of 2 years.

(6) Case No. 07-24 – Grievant: KREAB

Respondent: Doug Stoll

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

(7) Case No. 07-30 – Grievant: KREAB

Respondent: John Tackett

Motion by Dorsey Hall, second by Loren Huff and the Board agreed to file a formal complaint and set for a hearing

D. Hearings

APPRAISER	CASE NO(S).	
Elnoria Wyatt	05-73	Reschedule
Kenneth Ingram	License Denied Application	Send Notice
Lynn Prichard	04-63	February 4 & 5, 2008
David Bicker & Jeff Krimple	07-13	

E. Sean Woody requested to withdrawal his appeal to have his license reinstated. The Board agreed with their decision to deny.

MISCELLANEOUS

The Board reviewed:

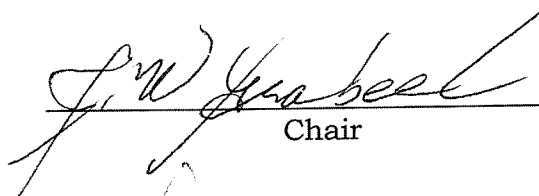
- A. Email from ASC concerning the Regulation Language
- B. Request from Michael Shepherd to break up the suspension per his agreed order into two 15 day periods. Motion by Dorsey Hall, second by Loren Huff and the Board denied the request. The Board agreed that Dennis Badger, investigator will request a log from Mr. Shepherd to determine if he completed any appraisals within the time period for which he was ordered to be under a 30 day suspension in October 2007.
- C. Information from Larry Fabrey, AMP testing center
- D. Letter from Linda English and response from Larry Disney
- E. Larry Disney advised the Board that a White Collar Task Force has been established. Larry Disney discussed the Board having an investigator training session. The Board agreed with the recommendation.
- F. James Grawe informed the Board that an emergency regulation for the 2008 Criteria changes has been signed by the Governor and will go before a hearing on January 22, 2008.
- G. Larry Disney informed the Board about the cases and possibility of the number of cases increasing due to the foreclosures. Larry as discussed the possibility of hiring a new employee for upcoming changes and increase of cases.

The next Board meeting is scheduled for Tuesday, January 29, 2008 at 9:00 a.m. at the Board Office.


The Board was notified that a hearing will be held for Lynn Prichard on February 4-5, 2008 at 9:00 a.m. at the Board office.

The Board was notified that the April Board meeting will be held on April 25, 2008 at Blue Licks State Park in Mt. Olivet, KY.

Motion by Paul Moore, second by Dorsey Hall and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant