

**WEST VIRGINIA REAL ESTATE APPRAISER LICENSING  
AND CERTIFICATION BOARD  
MEETING MINUTES**

**Via Zoom  
March 23, 2022  
9:00 am**

**I. Call to Order** Dean Dawson, Chair

The meeting was called to order at 9:02 am by Dean Dawson, Chair.

**II. Roll Call** Dean Dawson, Chair

A silent Roll Call was taken. It was determined a quorum existed.

The following were in attendance via Zoom: Chair Dean Dawson (Appraiser – 2<sup>nd</sup> Congressional District), Vice Chair Rachel Phillips (Appraiser – 1<sup>st</sup> Congressional District), Darlene Dunn (Financial Institution), Frank DeChiazza (Financial Institution), Daniel Burns, Esq. (Public), Russel Rice, (Appraiser – 1<sup>st</sup> Congressional District), WV Deputy Assistant Attorney General Anthony Eates, WV Assistant Attorney General Adriana Marshall, WVREALCB Executive Director Patricia Rouse Pope, ex officio, and Karen Fisher, Licensing & Committee Coordinator.

**III. Remarks from the Public**

None. Attending from the public were appraisers Jeff Burrell and Michelle Shumate.

**IV. Approval of Agenda** Board

Motion made to approve the agenda by Frank DeChiazza.  
Daniel Burns seconded.  
Motion carried.

**V. Approval of January 26, 2022 Meeting Minutes**

Motion made to approve the January 26, 2022 Meeting Minutes by Rachel Phillips.  
Darlene Dunn seconded.  
Motion carried.

**VI. Financial Report** Patricia Rouse Pope

Patricia presented the Financial Report for the months of January and February 2022. Discussion ensued regarding the Funds Transfer. ED to confirm the amount swept is considered an expense this fiscal year. (Confirmed 4.4.2022)  
Motion made to approve the Financial Report as presented by Frank DeChiazza.

Rachel Phillips seconded.  
Motion approved.

## **VII. Executive Director's Report**

Patricia Rouse Pope

Patricia called the Board's attention the following:

### 1. 2022 Legislative Session Report:

Legislation on SB344, a rules bundle bill that includes our rule changes to 190CSR2, 3, and 5, completed legislation on 3.12.22, and is awaiting the governor's signature. Before passing, an amendment was proposed and passed that reduced the Board's appraiser and related fees by 20%.

Legislation on HB4285, among other things, will allow the Board to adopt the new USPAP versions by reference. It will become effective in June.

This year's deadline for the governor to act on bills is March 30<sup>th</sup>, fifteen days after adjournment minus Sundays.

### 2. WV REC

The WV Real Estate Commission last October began a series of meetings to make changes to Chapter 30, Article 40 and created a 13-person team consisted of the Commissioners, selected staff members, legal counsel for the WVREC and WVAR, representatives from the WVAR, and brokers to review all of the commission's rules and code and submitted comprehensive rule and code change bills this legislative session. The action is brought to this Board's attention for consideration of taking the same action.

### 3. Board Office Expansion Update

### 4. New Vendor for Website Update

### 5. Reminder re "New Hire" documents

### 6. Staff Investigator

Two part-time temporary staff positions have been set up and the candidates are poised to work for the board as part-time employees. Part-time temporary means that staff is used on an as-needed basis at an hourly rate and cannot exceed 20 hours per week without authorization.

### 7. Outside Legal Counsel Contract Renewal Update

Motion made to approve the Executive Director's Report as presented by Rachel Phillips.

Frank DeChiazza seconded.

Motion carried.

## **VIII. Legal Counsel Report**

Motion made to enter Executive Session by Rachel Phillips at 9:55 am.

Russell Rice seconded.

Motion carried.

Deputy WV Attorney General Anthony Eates provided an update re S20-013. After much discussion Board consensus was to have Deputy WV Attorney General Eates move forward with drafting a Consent Decree to be approved by Vice Chair and then AG will present it to Complainant's legal counsel.

NOTED: Dean Dawson did not participate in the discussion or consensus.

Assistant WV Attorney General Adriana Marshall - re U22-006-R – addressed during Agenda Item IX. A.

## **IX. Committee Reports & Recommendations**

### **A. Standards**

Dean Dawson

Consideration of New Complaint(s) - None

Consideration of New Allegation(s)

A22-001 – Continued; to reviewer

A22-002 – Continued; to reviewer

A22-003 – Elevated to complaint

Consideration of Pending Allegation(s)

A21-014 – Continued; to reviewer

Consideration of Pending complaint(s)

a. S20-001-C

b. S20-002-C

c. S20-006-C

d. S20-010-C – Awaiting response to Consent Decree

e. S20-012-C

f. S20-013-C

g. S21-001-C – Awaiting response to Consent Decree

h. S21-002-C

i. S21-003-C – Continued to next meeting

j. S21-004-C

k. S21-005-C

l. S21-006-C – Awaiting response to Complaint

m. S21-007-C

n. S21-008-C – Awaiting response to Complaint

Consideration of TAF Review Matrix Form – continued.

Motion made to approve Standards made by Russell Rice.

NOTE: Russell Rice abstained from discussion and voted re A22-002.

Rachel Phillips seconded.

Motion carried.

### **B. Upgrades**

Dean Dawson

Report of recommendations of March 16, 2022 Meeting:

- a. U21-040-S – Approved with commentary
- b. U21-041-S – Approved with commentary
- c. U21-046-S – Approved with commentary
- d. U22-001-S – Approved with commentary
- e. U22-003-S – Continued w/request for two add'l reports to review
- f. U22-004-S – Approved with commentary and compliment thorough report
- g. U22-005-S – Approved with commentary

Motion made to accept the Upgrades Committee recommendation by Dean Dawson.  
Rachel Phillips seconded.

Motion carried.

Russell Rice abstained from vote.

### C. Education

Board

Consideration of Approval of Education Courses for QE or CE.

- a. AI – The Appraiser as an Expert Witness: Preparation and Testimony (for 35 hrs. QE)
- b. ASFMRA – Eminent Domain (for 14 hrs. CE)
- c. ASFMRA – Advanced Rural Case Studies (for 36 hrs. CE)
- d. ASFMRA – Valuation of Conservation Easements and Other Partial Interests in Real Estate (for 20 hrs. CE)
- e. ASFMRA – Appraisal of Water Rights Seminar
- f. AI – Case Studies in Appraising Green Residential Buildings
- g. AI – Residential and Commercial Valuation of Solar
- h. AI – Introduction of Green Buildings Principles & Concepts – (for 8 hrs. CE)
- i. American Society of Appraisers (ASA) – Developing and Supporting Adjustments (for 7 hrs. CE)

Motion made to approve all educational courses on the agenda by Rachel Phillips.

Daniel Burns seconded.

Motion carried.

Motion made to exit Executive Session at 11:19 am by Rachel Phillips.

Daniel Burns seconded.

Motion carried.

**Previously documented consensus regarding S20-013 and motions/votes regarding Standards matters, Upgrades, and Education were made after exiting this Executive Session.**

### X. Open Business

- A. Consideration of License Fees – Concluded (re SB 344)
- B. Consideration of another provider re WV Law Course – Continued for further discussion
- C. Consideration of Practical Applications of Real Estate Appraisal (PAREA) - Continued
- D. Consideration of WVOT Website Issues & Researching Other Vendors – Continued.
- E. Consideration of Hybrid and Bifurcated Appraisals - Continued

## **XI. New Business**

A. Consideration of Letter from Attorney re U21-010-R.  
 Motion made to enter Executive Session at 11:25 am by Rachel Phillips.  
 Daniel Burns seconded.  
 Motion carried.

Motion made to exit Executive Session at 11:52 am by Rachel Phillips.  
 Daniel Burns seconded.  
 Motion carried.

Motion made to ask for one report of applicant's choosing for Board review and the Board will honor applicant's education and exam results date for 90 days by Rachel Phillips.  
 Seconded by Darlene Dunn.  
 Motion carried.

- B. Consideration of Update from AG re S20-013 – Addressed during Legal Counsel Report.
- C. Review pf AMC Evalworks Review Forms – Continued.
- D. Report from ASC Executive Director re Policy Statement 4/Upgrades Process. Jim Park's letter was brought to Board's attention for its reference.
- E. Consideration of In-Person Meeting – Board consensus was to continue meeting via Zoom until Board office has hybrid meeting capability.

## **XII. Remarks from the Board**

Discussion took place regarding USPAP education event. Suggestions were made to present one on the 1<sup>st</sup> of August and a second on the 20<sup>th</sup> of August. Alternate suggestion was made to present one in May and a second one in August.

## **XIII. Adjournment**

Motion to made to adjourn by Russell Rice.  
 Dean Dawson seconded.  
 Motion carried.

The Board meeting was adjourned at 12:52 pm.

Upcoming Meetings/Events:

- WVREALCB meeting – April 20, 2022
- Upgrades Committee meeting – April 13, 2022

Respectfully submitted by

Patricia Rouse Pope, Executive Director



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Dean Dawson, Chair

4.20.2022

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Date

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VACANT Secretary

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Date