

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

MINUTES

July 26, 2017

The West Virginia Real Estate Appraiser Licensing and Certification Board held a meeting on July 26, 2017 in the 4th floor Conference Room located at 405 Capitol Street, Charleston, WV 25301.

The following were in attendance: Glenn Summers, Chair; The Honorable Anthony Julian, Nathan Nibert, Rachel Phillips, Dean Dawson; Frank Dechiazza; Ann Wilson Worley; Joe Chico; Darlene Dunn; Brenda Ashworth, Interim Executive Director; and Jennifer Akers, AG Legal Counsel.

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

Glenn Summers recognized new board member Joe Chico.

Remarks from the Public

Lori Noble spoke on behalf of the Appraiser State Coalition.

Reading of the Minutes

Minutes from the May 31, 2017 meeting were presented to the Board.

Dean Dawson made a motion to approve the minutes from the May 31, 2017 meeting with the correction of adding the Honorable Anthony Julian as having attended the meeting. Rachel Phillips seconded the motion. Motion carried.

Board Elections

Ann Wilson Worley addressed the board about her background as she was running for secretary. Joe Chico also provided some background information about himself, as he is a new board member.

The board had an election of officers by ballot. Glenn Summers was elected chair. Dean Dawson was elective vice-chair. Rachel Phillips was elected secretary.

Executive Session

Dean Dawson made a motion to move into Executive Session to discuss the executive director position. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Dean Dawson made a motion to exit Executive Session. Darlene Dunn seconded the motion. Motion carried.

Committee Reports & Motions

Counsel advised board that Education Committee Meeting that was scheduled for June 6, 2017 did not have a quorum, and thus could not conduct business.

The Honorable Judge Anthony Julian made a motion that Ann Wilson Worley be Parliamentarian for the board. Joe Chico seconded the motion. Motion carried.

Education

Rachel Phillips made a motion to change the education course application to remove the annual course renewal requirement. Joe Chico seconded the motion. Motion carried.

Rachel Phillips made a motion to move forward with four USPAP courses, to be held in four regions in the state, and develop a seminar regarding state law and board functions, to be attended by, at a minimum, the board chair, but not limited to legal counsel and the executive director, or any other board member willing to attend with expenses for travel for board members, executive director and legal counsel paid by the board. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Executive Director Search Committee

Darlene Dunn made a motion from the search committee for the board to grant the search committee the authority to negotiate the offer of employment, salary and start date with Patricia Pope. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Policy and Procedures Committee

Rachel Phillips made a motion to accept the changes in 190 CSR 4 as written. Joe Chico seconded the motion. Motion failed.

Dean Dawson made a motion to accept the changes in the legislative rule, 190 CSR 2 with the exception of returning the cost of temporary licensure fees from \$500.00 back to \$250.00. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Darlene Dunn made a motion to move into Executive Session to discuss Standards and Upgrades. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Standards Committee

Complaint 17-004

Complaint received: 3/20/2017

Complaint: Alleged violations of USPAP

Recommendations/Status: Committee recommends dismissal of the complaint as they found no violations of USPAP or state law.

Joe Chico made a motion to accept the Standards Committee's recommendation. Dean Dawson seconded the motion. Motion carried.

Complaint 17-006

Complaint received: 5/4/2017

Complaint: Alleged violations of USPAP

Recommendation/Status: Committee recommends that the appraiser, through a pre-diversion agreement, be required to attend a corrective education course on Scope of Work online at the board office while proctored by board staff. The appraiser would be required to complete the course within sixty days of the agreement being executed.

Joe Chico made a motion to accept the Standards Committee's recommendation. Dean Dawson seconded the motion. Motion carried.

Complaint 17-007

Complaint received: 5/18/2017

Complaint: Homeowner was unhappy with the value in the appraisal report.

Recommendation/Status: Committee recommends that the complaint be dismissed as no violations of USPAP or state law were found.

Joe Chico made a motion to accept the Standards Committee's recommendation. Dean Dawson seconded the motion. Motion carried.

Complaint 17-008

Complaint received: 5/23/2017

Complaint: Homeowner complained that the appraiser counted a room as gross living area.

Recommendation/Status: Committee recommends that the complaint be dismissed as no violations of USPAP or state law were found.

Joe Chico made a motion to accept the Standards Committee's recommendation. Rachel Phillips seconded the motion. Motion carried.

Complaint 17-010

Complaint received: 5/31/2017

Complaint: Alleged USPAP violations.

Recommendation/Status: Committee recommends that due to the complexity of the complaint and the possibility of ongoing litigation, the committee wishes to have the appraisals reviewed by an outside appraiser.

Joe Chico made a motion to accept the Standards Committee's recommendation. Dean Dawson seconded the motion. Motion carried.

Complaint 17-011

Complaint received: 6/1/2017

Complaint: Borrower was unhappy with the value in the appraisal report.

Recommendation/Status: Committee recommends dismissal of the complaint as no violations of USPAP or state law were found.

Joe Chico made a motion to accept the recommendation of the Standards Committee. Dean Dawson seconded the motion. Motion carried.

Complaint 17-002

Complaint received: 2/17/2017

Complaint: Alleged violations of USPAP.

Recommendation/Status: Committee recommends dismissal of the complaint because the AMC failed to provide information requested by the committee.

Joe Chico made a motion to accept the Standards Committee's recommendation. Rachel Phillips seconded the motion. Motion carried.

Upgrades Committee

Upgrade (Supervisory) 17-017

The Upgrades Committee would like to recommend to the board that feedback on our behalf should be submitted to the applicant as well as an APPROVAL letter.

Nathan Nibert made a motion to accept the Upgrades Committee's recommendation. Joe Chico seconded the motion. Motion carried.

Upgrade (Supervisory) 17-012

The Upgrades Committee would like to recommend to the board that the application be DENIED.

Nathan Nibert made a motion to accept the Upgrades Committee's recommendation. Joe Chico seconded the motion. Motion carried.

Upgrade (Licensed to Certified Residential) 17-007

The Upgrades Committee would like to recommend to the board that the application be APPROVED.

Nathan Nibert made a motion to accept the Upgrades Committee's recommendation. Joe Chico seconded the motion. Motion carried.

Upgrade (Licensed to Certified Residential) 16-025

The Upgrades Committee would like to recommend to the board that the application be APPROVED.

Nathan Nibert made a motion to accept the Upgrades Committee's recommendation. Joe Chico seconded the motion. Motion carried.

Upgrade (Apprentice to Certified General) 17-015

The Upgrades Committee would like to recommend to the board that the application be APPROVED.

Nathan Nibert made a motion to accept the Upgrades Committee's recommendation. Joe Chico seconded the motion. Motion carried.

Old Business

Legislative Audit – ongoing

Policy and Procedure Manual – ongoing

Office of Technology Data Base – ongoing development

Investigator I and II Training – Rachel Phillips would like some time at the next standards meeting to discuss information from Investigator training.

Board approved for Rachel Phillips to attend Investigator 3 Training in September 2017 in Tampa.

Investigator for Board – The chair appoints a search committee of the following people for hiring an investigator: Rachel Phillips, Joe Chico, Dean Dawson, Brenda Ashworth and legal counsel.

New Business

Interim Executive Director's Report

AMC Renewals – Mailing of Renewals – Renewals were not mailed for AMC's. CSR 190-5-6.1.b. requires the board to send renewal notices to the controlling person identified by the appraisal management company by May 1st of each year.

Appraiser License Renewals – These will be mailed out with a form that would allow an appraiser to agree to permit the board to release his or her email address.

AARO – Rachel Phillips made a motion to pay for the new Executive Director, legal counsel, board members and Brenda Ashworth to attend. Dean Dawson seconded the motion. Motion carried.

Ann Wilson Worley made a motion to adjourn the meeting. Darlene Dunn seconded the motion. Motion carried.

Being no further business, the meeting adjourned at 4:29 pm.

Respectfully submitted,

Jennifer Akers for Rachel Phillips, Secretary



Glenn Summers, Chair

9/27/2017
Date