

**West Virginia Real Estate Appraiser
Licensing and Certification Board
405 Capitol Street, 4th Floor Conference Room
Charleston, WV**

BOARD MEETING MINUTES

September 27, 2017

I. Call to Order

The meeting was called to order at 10:12 am by Chair Glenn Summers.

II. Roll Call

The following were in attendance: Glenn Summers, Chair; The Honorable Anthony Julian, Nathan Nibert, Dean Dawson; Ann Wilson Worley; Patricia Pope, Executive Director; and Jennifer Akers, AG Legal Counsel. Darlene Dunn and Rachel Phillips participated via conference call.

Joe Chico and Frank Dechiazza were not in attendance.

III. Remarks from the Public

Lori Noble spoke on behalf of the Appraiser State Coalition.

IV. Parliamentary Procedures

Ann Wilson Worley discussed "Robert's Rules". She presented copies of "Special Rules for Small Boards" to the board members. and their use at Board meetings.

V. Approval of the Minutes

Minutes from the July 26, 2017 and the August 28, 2017 meetings were presented to the Board.

Ann Wilson Worley made a motion to approve the minutes from both meetings. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

VI. Financial Report

Brenda Ashworth joined the meeting to provide the financial report for the period of August 29, 2017 through September 21, 2017. Ms. Ashworth also provided a report of P-card expenditures.

Ann Wilson Worley made a motion to accept the financial report as presented. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

Dean Dawson made a motion to approve the P-card expenditures. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

VII. Committee Reports and Recommendations

A. Education

a. Report of 9.26.17 Meeting

The Education committee met by teleconference on Tuesday, September 26, 2017 at 3:00 p.m. The Committee discussed conducting free full day standards update courses in July and August 2018 for appraisers. Two other locations for the same course were discussed with dates to be determined. Possible locations for the courses were: Charleston/Huntington, Beckley/Lewisburg, Clarksburg/Morgantown and Shepherdstown. Along with the standards course, the committee discussed presenting the following: introduction of board members, introduction of staff, state licensing law, complaints, committees, corrective education, operation of appraisal office and a Q and A session. The courses would be marketed. Details will be nailed down by March 2018 for the July and August 2018 courses.

Rachel Phillips made a motion to adopt the education committee meeting minutes. Motion carried.

Meeting recessed for lunch at 12:10 p.m.

Meeting resumed at 12:32 p.m.

Executive Session

The Honorable Judge Anthony Julian made a motion to enter into executive session to discuss standards committee recommendations and upgrades committee recommendations. Dean Dawson seconded the motion. Motion carried.

The Honorable Judge Anthony Julian made a motion to come out of executive session. Ann Wilson Worley seconded the motion. Motion carried.

B. Policy & Procedures – No report

C. Standards - Meeting of 9.19.17

a. New Complaints

- i. Complaint 17-009
Complaint received: 5/31/2017**

Complaint: Alleged USPAP violations.
Recommendation/Status: The committee recommends that the matter be continued and an outside appraiser/investigator review the appraisal.

- ii. Complaint 17-012
Complaint received: 7/25/2017
Complaint: Alleged false information in appraisal regarding the crawlspace of the home.
Recommendation/Status: Committee recommends dismissal of the complaint as they found no violations of state law or USPAP.
- iii. Complaint 17-013
Complaint received: 8/7/2017
Complaint: Appraiser took too much time to complete and provide an appraisal.
Recommendation/Status: Committee recommends dismissal of the complaint as they found no violations of state law or USPAP.
- iv. Complaint 17-001AMC
Complaint received: 8/9/2017
Complaint: Non-payment of appraisers.
Recommendation/Status: Committee recommends that a letter be sent to the AMC informing them that they are in violation of state code due to non-payment.
- v. Complaint 17-002AMC
Complaint received: 8/18/2017
Complaint: Non-payment of appraisers.
Recommendation/Status: Committee recommends that a letter be sent to the AMC informing them that they are in violation of state code due to non-payment.
- vi. Complaint 17-014 N/A (Anonymous)

b. Old/Revisited Complaints

- i. Complaint 17-008
Complaint received: 5/23/2017
Complaint: Appraiser included a room that had been added on to a garage as gross living area in the appraisal.
Recommendation/Status: Committee recommends dismissal and that a letter be sent to the Complainant informing her that the board's decision is final.
- ii. Complaint 17-010
Complaint received: 5/31/2017
Complaint: Alleged USPAP violations.

Recommendation/Status: The committee recommends that the matter be continued and an outsider appraiser/investigator review the appraisal.

- iii. Complaint 17-005
Complaint received: 3/10/2017
Complaint: Homeowner was unhappy with the value assigned to the home in the appraisal.
Recommendation/Status: Committee recommends dismissal and that a letter be sent to the Complainant informing her that the board's decision is final.

c. Legal Counsel Updates

- i. Complaint 16-007
Complaint received: 7/6/2016
Complaint: Alleged violations of USPAP
Recommendation/Status: Respondent shall attend the next standard committee meeting and one week prior to the meeting, provide copies of all appraisals and work files performed during July, August and September 2017.
- ii. 16-010 (Completed before meeting.)
- iii. 16-018A (Completed before meeting.)
- iv. Complaint 16-018B
Complaint received: 12/19/2016
Complaint: Homeowner unhappy with value in appraisal.
Recommendation/Status: Executive Director will send letter to the Respondent with a copy of the withdrawal of the complaint enclosed.

Dean Dawson made a motion to adopt the Standards Committee report. The Honorable Judge Anthony Julian seconded the motion. Dean Dawson withdrew his motion. The Honorable Judge Anthony Julian withdrew his second.

The Honorable Judge Anthony Julian made a motion to adopt the report of the Standards Committee. Nathan Nibert seconded the motion. Dean Dawson abstained from voting on the motion. Motion carried.

D. Upgrades – Meeting of 9.19.17

a. New

- i. Upgrade (Supervisory) 17-012
The committee recommends that the applicant be notified that she should submit her most recent appraisal completed within the last thirty days and

be available by phone during the next committee meeting to answer questions.

- ii. Upgrade (Supervisory) 17-019
The committee would recommend that feedback on its behalf should be submitted to the applicant as well as an APPROVAL letter.
- iii. Upgrade (Supervisory renewal) 17-023
Since there is no expiration for a supervisor license, the committee recommends that no action is necessary.

Nathan Nibert made a motion to adopt the Upgrades committee report. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

VII. Executive Director's Report (Please see attached report.)

- A. Renewals
- B. Legislative audit – status report on compliance with audit recommendations.
- C. Meeting with Kristi Klamet, ASC Policy Manager
- D. Office of Technology Database update – Meeting with OT scheduled for October 5, 2017 at 10 a.m.
- E. Auditor's Training reminder – November 29, 2017
- F. Staff job descriptions

Darlene Dunn made a motion to reimburse the Executive Director for her cellular phone bill up to \$50.00 per month. Rachel Phillips seconded the motion. Motion carried.

Ann Wilson Worley made a motion to adopt the Executive Director's report. The Honorable Judge Anthony Julian seconded the motion. Motion carried.

IX. Legal Counsel Report

A. Public Sign-In Sheet and Speaking Limit – Members of the public will sign in at board meetings and provide their contact information. Public attendees are limited to five (5) minutes to address the board.

B. Anonymous Complaints – Appraisal Subcommittee Policy Statement 7 speaks to the board's complaint process. The Policy Statement requires the board to maintain documentation of the source of each complaint. Because the board is required to document who files each complaint, anonymous complaints can no longer be investigated.

C. Conducting Executive Sessions – Executive sessions should be limited to very specific purposes, such as for attorney/client protected information, personnel matters, and Standards Committee report information.

X. Open Business

- A. Legislative audit – Covered in ED Report
- B. Policy and Procedure Manual – Board staff is working on its creation.
- C. Office of technology database – Covered in ED Report
- D. Investigator Training I & II update – Summary presented by Rachel Phillips
- E. Investigator for WVREALCB – Discussion ensued. Matter remains open.
- F. Board meeting per diem – ED presented most current travel, lodging, and Meals/Incidentals, etc. reimbursement information.

XI. New Business

- A. Matter of Renewal of License No. CR0967 – Will be referred back to administrative staff for processing.
- B. Proposed Committee Forms – Ann W. Worley presented universal form for committee meeting minutes.
- C. Proposed November and December 2017 meeting dates – The board will meet at 11:00 a.m. on November 8, 2017. No meeting in December was scheduled.

Ann Wilson Worley made a motion to adjourn the meeting. Rachel Phillips seconded the motion. Motion carried.

Being no further business, the meeting adjourned at 3:44 p.m.

Prepared By

Jennifer K. Akers
Assistant Attorney General



Glenn Summers, Chair



Rachel Phillips, Secretary