

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

**Via Zoom
May 25, 2022
9:00 am**

I. Call to Order Dean Dawson, Chair

The meeting was called to order at 9:05 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 – 2nd Congressional District), Vice Chair Rachel Phillips (Appraiser – 1st Congressional District), Darlene Dunn (Financial Institution), Frank DeChiazza (Financial Institution), Daniel Burns, Esq. (Public), Scott Barnette, Esq. (Public), Russel Rice, (Appraiser – 1st Congressional District), WVREALCB Executive Director Patricia Rouse Pope, ex officio, and Karen Fisher, Licensing & Committee Coordinator.

III. Remarks from the Public

Jeff Burrell expressed his concerns regarding hybrid appraisals.

IV. Approval of Agenda Board

Motion made to approve the agenda by Scott Barnette.
Frank DeChiazza seconded.
Motion carried.

V. Approval of April 20, 2022 Meeting Minutes

Motion made to approve the April 20, 2022 Meeting Minutes by Frank DeChiazza.
Scott Barnette seconded.
Motion carried.

VI. Financial Report Patricia Rouse Pope

Patricia presented the Financial Report for the month of March 2022.
Motion made to approve the Financial Report as presented by Frank DeChiazza.
Russ Rice seconded.
Motion approved.

VII. Executive Director's Report

Patricia Rouse Pope

Patricia called the Board's attention the following:

1. Final 2022 Legislative Session Report:

HB4285 becomes effective 6.10.22. This bill includes the expert witness recusal language, what actions the board is required to take when it denies upgrade applications, and it may not request social security numbers on applications. Most importantly, it will allow the Board to adopt new USPAP versions by reference.

2. AMC Renewals

As of 5.24.22:

Received Renewal Applications	47
Reviewed Renewal Applications	44
Forwarded to AG 5.4 and 5.17	27
Ready to Forward to AG 5.31	14

3. WV Ethics Commission

As reported to last month, the Board was contacted by the WV Ethics Commission to submit a request for an Advisory Opinion, describing the investigator trainings, purpose, benefit, who attended, what was paid for, etc. after the Commission received a "citizen's concern". The request was to have the Commission determine if, since the value of the trips exceed \$25, the trips should be reported or not. The request was submitted in time for it to be on the Commission's May meeting agenda.

Issued on May 5, 2022, the Advisory Opinion, issued on May 5, 2022, was as follows:

"Therefore, the Ethics Commission holds that the Requester and the Board members do not have to disclose the Foundation as a source of a gift of the attendance, lodging, meals, and travel expenses paid for the by the Foundation for attending the Foundation's training conference."

4. The Appraisal Foundation's (TAF) Offer re Practical Applications of RE Appraisal (PAREA)

Aida with TAF received the Board's request to have a TAF or ASB member present the latest PAREA information to the Board. Brad Swinney has accepted to come present on PAREA at the in-person June 22 Board meeting.

5. Board Office Expansion Update

All of the painting is finished. The carpet and kitchen tile is being installed today thru Friday. New board room furnishings are to be delivered at the end of this month.

6. Board's Administrative Assistant

Thomas Matthew "Matt" McCall is the Board's new administrative assistant who started three weeks ago. He was formerly a Licensure Analyst at the Board of Medicine.

VIII. Legal Counsel Report - None

Motion made to enter Executive Session to discuss Standards and Upgrades matters by Scott Barnette at 10:39 am. Daniel Burns seconded. Motion carried.

Committee Reports & Recommendations

A. Standards

Dean Dawson

Consideration of New Complaint(s) - None

Consideration of New Allegation(s)

A22-006 – Continued

A22-007 – Dismissed w/Letter and AMC Registration Application
 Motion made by Russ Rice. Scott Barnette seconded.
 Motion approved.

Consideration of Pending Allegation(s)

A21-014 – Dismissed w/Commentary & add to permanent file
 Motion made by Rachel Phillips. Russ Rice seconded.
 Motion approved.

A22-001 – Dismissed
 Motion made by Dean Dawson. Rachel Phillips seconded.
 Motion approved.

A22-002 – Dismissed w/Helpful Commentary
 Motion made by Scott Barnette. Rachel Phillips seconded.
 Motion approved.

A22-004 – Continued

A22-005 – Dismissed w/Commentary & Warning
 Motion made by Dean Dawson. Russ Rice seconded.
 Motion approved.

Consideration of Pending complaint(s)

a. S20-001-C

b. S20-002-C

c. S20-006-C – Hearing set for 8.15.22

d. S20-010-C – Consent Decree compliance due 7.29.22

e. S20-012-C

f. S20-013-C – Request AG to draft final Consent Decree to include offer to dismiss S20-013, S21-005, and S21-008 and expunge in exchange for release of board liability. Absent of acceptance, Board ends negotiations.

The Board approved the meeting minutes on 6.15.22 with the following amendment: The motion made at the 5.25.22 meeting regarding S20-013 included an education component to be included in the revised Consent Decree. That component was inadvertently omitted and, as a result, the Board rescinded the motion on 6.15.22.

g. S21-001-C – Consent Decree compliance due 7.29.22

h. S21-002-C – Dismissed

i. S21-003-C – Won't be considered/Delete from agenda.

j. S21-004-C

k. S21-005-C

l. S21-006-C

m. S21-007-C

- n. S21-008-C
- o. S22-001-C – Consent Decree terms established: 7 hr. Supporting Adjustment & 15 hr. USPAP courses and three months of monitoring following completion of courses.

B. Upgrades

Dean Dawson

Consideration of new Upgrades applications:

- a. U22-011-R - Continued
- b. U22-012-S - Continued

Consideration of pending Upgrade applications:

- c. U22-003-S – Approved w/Contingency (Applicant must complete 15 hr. Site Value & Cost Approach course with exam and Support for Adjustments course (not testable) and submit successful completion certificates, as which time the Board will issue Supervisor Certificate.
- d. U22-009-S – Approved w/Contingency (Applicant must complete 15 hr. Residential Report Writing course and submit successful completion certificate, at which time the Board will issue Supervisor Certificate.

Motion made to approve upgrade recommendations made by Rachel Phillips. Russ Rice seconded. Motion carried.

C. Education

Board

Consideration of Approval of Education Course(s) for QE or CE.

- a. McKissock – Updated WV Law Course (3 hrs.) – Approve and give credit to course takers, pending full review of course by outside legal counsel, and have provider send updates to students. Send to outside legal counsel for full review.

Motion made to approve the educational course on the agenda by Scott Barnette. Daniel Burns seconded. Motion carried.

Motion made to exit Executive Session at 1:02 pm by Frank DeChiazza. Rachel Phillips seconded. Motion carried.

Previously documented motions/votes/continuations regarding Standards, Upgrades and Education were made after exiting Executive Session.

IX. Open Business

- A. Review of AMC Evalworks Review Forms – Based on a review of the proposed EvalWorks forms, the West Virginia Real Estate Appraiser Licensing and Certification Board is not in a position to either accept or reject the same for use in West Virginia. On page 4 of both forms submitted to the Board for review, there is a “Disclaimer” with the following language: *“This report has not been approved by a licensed appraiser nor does it constitute an appraisal of the subject property and should not be relied upon as such.”* Furthermore, on the final page of both reports submitted to the Board for review, the following language appears: *“This report is not an appraisal, opinion of value, broker price opinion, or comparative market analysis.”* Given the clear disclaimer that the proposed forms are not to be deemed as an appraisal and will not be approved by a licensed appraiser, it is the position of the West Virginia Real Estate Appraiser Licensing and Certification Board that the same lacks the authority to approve or reject the forms for use in West Virginia.
- B. Consideration of In-Person Board Meetings – Continued until completion of Board office renovation.
- C. Consideration of another provider re WV Law Course – Continued
- D. Consideration of Practical Applications of Real Estate Appraisal (PAREA) – Continued; Request a TAF representative to present.
- E. Consideration of WVOT Website Issues & Researching Other Vendors – Continued; new website development discussions taking place.
- F. Consideration of Hybrid and Bifurcated Appraisals - Continued

X. New Business

- A. Consideration of taking S21-004, S21-006, and S21-008 to hearing – Discussed earlier during Executive Session.
- B. Consideration of ED Performance Evaluation – Continued – In the meantime, Chair will distribute form to members for completion.
- C. Consideration of Appraiser Independence - Continued

XI. Remarks from the Board

None

XII. Adjournment

Motion to made to adjourn by Scott Barnette.
Dean Dawson seconded.
Motion carried.

The Board meeting was adjourned at 1:21 pm.

Upcoming Meetings/Events:

- WVREALCB meeting – June 22, 2022

- Upgrades Committee meeting – June 15, 2022

Respectfully submitted by

Patricia Rouse Pope, Executive Director



Dean Dawson, Chair

6/21/2022

Date

VACANT Secretary

Date