

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Minutes of May 19, 2023

Chairman Kost called the meeting to order at 9:01am Roll call was taken.

Board Members present online: Chairman Corey Kost, Matt Schlenvogt, Brock DesLauriers, Nikki Mertz, and Joe Sheehan

Staff Present: Jodie Campbell and David Campbell

Minutes: Board members reviewed the minutes of November 11, 2022, and August 23, 2022. Brock DesLauriers moved for approval of the minutes with the corrections noted. Matt Schlenvogt seconded the motion. Chairman Kost called for the vote. Brock DesLauriers, Nikki Mertz, Matt Schlenvogt, Joe Sheehan and Corey Kost all voted yes to the motion. The vote was unanimous. Motion carried.

Applicant for Licensure: Jamie Pollert is making application for licensure. Ms. Pollert meets the education and experience hour requirements for licensure. Work product was submitted and reviewed for compliance with USPAP. Kathy Maier, Board Reviewer provided an overview of the reviews. Discussion took place. The Board determined Ms. Pollert's work product was found to meet the minimum standards set forth in USPAP. Matt Schlenvogt moved to approve Jamie Pollert to sit for the national licensure examination. Upon successful completion of the examination, Jamie Pollert will have met all the requirements for licensure. Nikki Mertz seconded the motion. Chairman Kost called for further discussion. No further discussion took place. Chairman Kost called for the vote. Nikki Mertz, Joe Sheehan, Brock DesLauriers, Matt Schlenvogt and Corey Kost all voted yes to the motion. The vote was unanimous. Motion carried.

Investigations:

Mark Ryan signed a Settlement Agreement with the Board dated January 1, 2023. One of the terms of the Agreement required Mr. Ryan pay an administrative fine of \$2000 within 180 days of signing the agreement. Mr. Ryan is requesting reconsideration of payment of this fine.

Chairman Kost offered Mr. Ryan the opportunity to address the Board. Mr. Ryan indicated he had no additional information to add to the response/counter offer he provided dated January 12, 2023.

Matt Schlenvogt requested a point of clarification. This was a report completed for Gate City Bank. Mr. Schlenvogt confirmed that he had no direct involvement with Mr. Ryan's appraisal report. However, if the Board members feel there is a conflict of interest he would abstain from discussion and voting on this matter. Chairman Kost requested a motion if Board members were concerned. Discussion took place. Board members agreed that they did not find there to be a conflict of interest, as Mr. Schlenvogt had no direct involvement with Mr. Ryan's appraisal. Matt Schlenvogt will move forward with discussion and voting on this matter.

Discussion took place. There were investigative costs of \$2700 for this investigation. If the cost is not paid by the respondent, then it is transferred to the appraisers in general by way of licensing fees. The fine should be decided on by the merits of the case.

Mr. Ryan requested time for comments. In his letter of January 17th, he questioned the review. He is now questioning why the Board is not discussing the review and if the Board members read his recent letter. Chairman Kost explained that the review was discussed at the time the Board made its determination. Furthermore, he confirmed that the Board Members did read his letter prior to this meeting.

Chairman Kost moved to decline the request for reconsideration. Joe Sheehan seconded the motion. chairman Kost called for further discussion. No further discussion took place. Chairman Kost called for the vote. Joe Sheehan, Matt Schlenvogt, Nikki Mertz and Corey Kost voted yes to the motion. Brock DesLauriers voted no. Motion carried.

Other Business:

Spring AARO Conference: 4 Board members and Staff attended the conference. Board members discussed various topics addressed at the conference:

- Allegations of Bias: Board members found there is no consistency throughout the states in handling bias complaints. A number of Boards partner with other agencies in their state that have more expertise in bias issues. Board members questioned what are other government agencies in ND have the expertise to address

bias allegations. Board Counsel was asked to research what entity in ND the Board could partner with in cases relating to bias.

- The Appraisal Institute's PAREA program has received AQB Approval. They are on track to begin offering the program in September. The cost is estimated to be in the \$5000 range. Other providers are moving forward with AARO programs as well.
- The ASC has a new director for the Grant Program.
- Access to various parties at the national level and other state board members and officials at these conferences is invaluable.
- Discussion on background checks. As with bias issues, there was no consistency in how the different states handle issues that may come up in a background check. Texas had a policy in place. Staff provided the Board with the Texas policy.
- For consistency in enforcement, the AQB Voluntary Matrix is a valuable tool to use as a reference.

Chairman Kost called for adjournment at 9:58am.

Respectfully submitted,

Jodie R. Campbell
Executive Secretary