

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

February 6, 2013 - Conference Call Minutes

Chairperson Ibach called the meeting to order. Roll call was taken.

Board Members present: Chairperson Joseph Ibach
Tim Timian Carolyn Corwin
Harvey Huber David Lanpher
Staff Present: Jodie Campbell David Campbell
Appraisers: Joe Hirschfeld Alicia Vorland
Neil Eriksmoen Deanne Valenzuela
Craig Steinley Kathy Maier
Tami Lazur Beth Keller

Legislative Update: HB 1225 relates to nondisclosure. As proposed, HB 1225 would allow attorneys, appraisers, real estate brokers, real estate salesperson access to the purchase price of a sale of a property 20 acres or less. However, the Bill does not allow names of grantors, grantees or parties to the sale to be revealed.

Discussion took place. A number of appraisers were online and participated in the discussion. Issues of concern with the legislation as currently proposed included.

- 1) Areas in ND are seeing problems with delivery times or turn-around times. Not having access to the sales prices can at times hold up the appraisal process. Access to sales prices in rural and agricultural areas would assist the appraisers in not having to spend so much time searching down sales data in the rural communities.
- 2) Not having access to the sales prices can affect the appraiser's ability to provide credibility to an appraisal. Access to sales in rural and agricultural areas would assist the appraiser in providing a more accurate and credible appraisal report. Furthermore, the more information the appraiser has access to the better the appraiser can fully understand the market.
- 3) A concern with the language "...information contained in the state may be disclosed upon request..". The concern is with the "may". The language as written appears to give the assessor, tax director or whomever, the option to disclose or not disclose the requested sales information.

The Board concluded its first option would be to support full disclosure of sales prices. However, if full disclosure is not an option the Board would support the current legislation with amendments.

Harvey Huber moved to support HB 1225 with modifications.

Option 1: The Board's primary position: Amend HB 1225 to allow full disclosure.

Option 2: The Board's secondary position: Amend HB 1225 as follows:

Page 3 Line 18. Remove "may" and replace it with "should"

Page 3 Line 20. Remove "a" before "market analysis", or insert " or appraisal" after "market analysis".

Carolyn Corwin seconded the motion. Tim Timian, Carolyn Corwin, Harvey Huber, Dave Lanpher and Joe Ibach all voted yes to the motion, the vote was unanimous. Motion carried. Chairperson Ibach and Staff will draft provide testimony in support of HB 1225 on behalf of the Board.

Chairperson Ibach called for adjournment.

Respectfully submitted,

Jodie R. Campbell, Executive Secretary