

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

March 8, 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

Others Present:

Janet Clare

John Krill

Vince Salzer

William Gion is requesting his certified general permit be returned to active status. Board members reviewed Mr. Gion's application for reactivation and concurred that he meets the requirements. Dave Lanpher moved to approve William Gion's request for active status. Harvey Huber seconded the motion. Tim Timian, Harvey Huber, Carolyn Corwin, Dave Lanpher and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

Gary DeClark is making application for certified general via reciprocity with IL. Board members reviewed Mr. DeClark's application and concurred that he meets the requirements for certified general. Dave Lanpher moved to approve Gary DeClark for certified general. Harvey Huber 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.

Janet Clare left the meeting.

Investigative Issues: Joe Ibach turned the Chair over to Harvey Huber.

Inv 213-122: Staff forwarded a copy of the complaint to the Board members, looking for direction on how to proceed. After review and discussion of the information provided, Tim Timian moved to proceed with the investigative process. Staff is directed to retain the services of an outside review appraiser who is competent in eminent domain appraisals for review of the appraisal in question. Dave Lanpher seconded the motion. Tim Timian, Carolyn Corwin, Dave Lanpher and Harvey Huber all voted yes to the motion. Joe Ibach abstained from voting. Motion carried.

Joe Ibach returned as Chair.

Appraiser Complaint National Hotline: As required by Dodd-Frank, a national appraiser complaint hotline must be established by the Appraisal Subcommittee (ASC) to handle complaints of alleged violations of USPAP and/or appraisal independence. The hotline is to be implemented on March 29. There have been concerns addressed to the ASC as to whether the implementation date was adequately exposed to the states or appraiser groups for feedback. Texas addressed a letter to the ASC requesting a one month delay to provide additional time for comment. It appears that ASC may have already addressed the concerns at a meeting and moved to proceed with the March 29th implementation date. However, if the implementation date of March 29th is not into effect Staff was directed to address a letter, similar to Texas, requesting additional time for comment.

Legislative Issues:

SB 2110 (relating to criminal history record checks of appraisers): On March 6, Chairperson Ibach testified in front of Industry, Business and Labor (House) on behalf of the Board. The Committee voted a "do pass" on SB 2110 with a vote of 13 to 1. The Bill now goes before the full Senate.

HB 1389 (relating to the regulation of appraisal management companies): Passed the House on 2/22 with a vote of 91 to 0. It was referred to Judiciary Committee on the Senate side. No hearing date has been scheduled.

HB 1216 (relating to regulation of real estate appraisers and to provide for a legislative management study): A hearing is scheduled on March 11th before the Industry, Business and Labor Committee (Senate). The Board will not take a position, as the issues relating to HB 1216 appear to be industry issues: 1) requiring the fee be reported on the first page of the appraisal form (1-4 residential properties appraisal) and 2) a study to consider whether implementing a penalty provision would improve appraiser timeliness.

HB 1225 (relating to property sales price disclosures) was amended in Committee (Political Subdivisions-House) to remove the secrecy provision.

The March 14th Board meeting is rescheduled to April 11, 2013.

Respectfully submitted,

Jodie R. Campbell, Executive Secretary