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

Board Members present:  Chairperson Joseph Ibach  Tim Timian
Kathy Maier  Brock DesLauriers
David Lanpher

Staff Present:  Edward Erickson, Legal Counsel  Jodie Campbell
David Campbell

Others Present:  Nancy Willis  Eric Wolf  Beth Keller
Kent Vollmer

Applicants:
Eric Wolf is making application for certified residential via reciprocity with Idaho. Board members reviewed Mr. Wolf’s application. Dave Lanpher moved to approve Eric Wolf for certified residential. Kathy Maier seconded the motion. Tim Timian, Kathy Maier, Brock DesLauriers, Dave Lanpher and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

Kent Vollmer is making application for certified general via reciprocity with Nevada. Board members reviewed Mr. Vollmer’s application. Dave Lanpher moved to approve Kent Vollmer for certified general. Kathy Maier seconded the motion. Tim Timian, Kathy Maier, Dave Lanpher and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

2014 Appraisal Subcommittee (ASC) State Compliance Review:
The ASC completed its review of the Board’s regulatory program. The Board has been awarded an ASC finding of “GOOD”. Tim Timian moved approve ACS’s findings. Dave Lanpher seconded the motion. Tim Timian, Kathy Maier, Brock DesLauriers, Dave Lanpher and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

Legislation: The 2014 ASC State compliance review found areas of NDCC 43-23.3 to be in noncompliance with Title XI. To bring NDCC 33-23.3 in compliance with Title XI the following amendments are required:

43-23.03 Powers and Duties of the Board.

2. The board, or the board's designated representative, may:
   a. Promote research and conduct studies relative to real estate appraising and sponsor educational activities.
   b. Contract for services necessary to carry out this chapter.
   c. Enter reciprocity agreements with other states.

43-23.04.1. Issuance of permits to applicants licensed or certified by another state.
The board shall issue a permit to an applicant who is licensed or certified in good standing by another state if the other state’s requirements to be licensed or certified are at least substantially equivalent to the requirements imposed by this state, and if grounds for denial of the application under section 43-23.3-18 do not exist. If an applicant was licensed or certified by another state by reciprocity or a similar process, the requirements of the state in which the applicant was originally licensed or certified must be at least substantially equivalent to the requirements imposed by this state. Within sixty days of filing a completed application, the board shall issue or deny the application and inform the applicant of the decision.

Other areas the Board is proposing to amend:

43-23.3-04. Permit required - Exemptions.
Except as provided in this section, a person may not directly or indirectly engage in, advertise, conduct the business of, or act in any capacity as an apprentice, licensed, or certified appraiser without first obtaining a permit as provided in this chapter. An appraiser, apprenticed, licensed, or certified in another state may not engage in, advertise, conduct the business of, or act in any capacity as an appraiser in this state without first obtaining a temporary permit under section 43-23.3-11 or a permit under section 43-23.04.1.

An out-of-state applicant should not be limited to applying for a temporary permit. Adding "permit under section 43-32.3-11" allows the out-of-state applicant to apply for full licensure or certification.

43-23.3-09. Appraisal experience.
The board may issue a permit to practice as a licensed, certified residential, or certified general appraiser to an individual who possesses the minimum experience requirements established by the board. The board shall require an applicant to furnish, under oath, a detailed listing of the appraisal reports or file memoranda for which appraisal experience is claimed by the applicant.

The Appraisal Qualifications Board criteria requires review of work product. Therefore "may" is being deleted and replaced with "shall".

43-23.3-24. Criminal history record checks.
The board shall require an applicant for a permit, under sections 43-23.3-04.1, 43-23.3-07, 43-23.3-08, and 43-23.3-09, and 43-23.3-11, and may require a permittee to submit to a statewide and nationwide criminal history record check.

43-23.3-11 refers to applicants for temporary practice and is being deleted. Temporary practice permits must be issued within five days to meet national requirements. Requiring a background check would hinder the turnaround time of the application process. Staff reviews the National Registry for each applicant for temporary practice. If the applicant is not in goodstanding in their state(s) of licensure or certification, the Board may deny the application.

Edward Erickson, legal counsel for the Board will draft the proposed amendments for Board review and approval.

Chairperson Ibach called for adjournment.

Respectfully submitted,

Jodie R. Campbell, Executive Secretary