

# NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Minutes – October 29, 2020  
Board Meeting – Zoom/Teleconference Call

Chairperson Timian called the meeting to order at 9:30. Roll call was taken.

Board Members present:

Chairperson Tim Timian  
Matt Schlenvogt

Corey Kost

Joe Sheehan joined in late to the meeting

Staff Present:

Jodie Campbell

David Campbell

Legal Counsel Present:

Allyson Hicks

Application for Apprentice: Dennis Danzl is making application for the apprentice level. Mr. Danzl failed to renew his apprentice permit for 2020. Under ND Rules, a permit may only be renewed up to 90 days after the permit expiration date. Thereafter, the applicant is subject to the requirements governing new applicants. Mr. Danzl falls under this scenario. He has submitted an application for apprentice. Review of his application indicates he meets the requirements for the apprentice level. Dennis Huber and Jessica Cassidy are registered as Mr. Danzl's supervisors. Discussion took place.

Corey Kost moved to approve Dennis Danzl for the apprentice level. Matt Schlenvogt seconded the motion. Chairman Timian called for the vote. Corey Kost, Matt Schlenvogt, and Tim Timian voted yes. Motion carried.

Discussion turned to the issue of Mr. Danzl practicing as an apprentice appraiser in North Dakota without holding an apprentice permit. Mr. Danzl held himself out as an apprentice appraiser while assisting his supervisor, Dennis Huber, in completing appraisals after failing to renew his 2020 permit. The appraisals include statements that misrepresent Mr. Danzl's appraisal credentials.

In a letter dated September 11, 2020, Mr. Danzl admitted to the error and further explained that he misunderstood the requirements for annual renewal of an apprentice permit. Board members found the issue does not appear to be intentional nor fraudulent. Nevertheless, this action brings into question the ethics and competency provisions of USPAP, and therefore, must be addressed.

Discussion moved to the question of allowing experience credit for the work completed within the timeframe Mr. Danzl did not hold a permit. Through its review process the Board typically has found that appraisals reviewed for upgrade have issues that are not entirely consistent with USPAP. The Board could allow credit for the experience in question. In future applications the Board would consider this USPAP issue, like any other issue, at that time of application. As with other applicants, the selected appraisals would be considered in their entirety. Discussion concluded.

Corey Kost moved to initiate an allegation against Dennis Danzl and offer a conditional dismissal with the following terms: 1) payment of a \$500 fine and 2) issue a letter of reprimand. In addition, the conditional dismissal is to include a statement allowing experience credit for the work Mr. Danzl completed within the timeframe he did not hold a permit. Matthew Schlenvogt seconded the motion. Discussion took place.

Legal Counsel clarified that in a conditional dismissal the Board is not taking any action against a permit. A letter of reprimand is a reportable disciplinary action and therefore cannot be a part of a conditional dismissal. A letter of concern would be more appropriate as it is only documented in the state file.

Corey Kost moved to revise his motion to read "letter of concern" versus "letter of reprimand". Matthew Schlenvogt seconded the motion. Chairman Timian called for the vote. Corey Kost, Matt Schlenvogt, and Tim Timian voted yes. Motion carried.

Discussion moved to the issue of a supervisory appraiser signing reports acknowledging the assistance of an apprentice appraiser who did not hold an apprentice at the time. Corey Kost questioned whether it was appropriate to address this issue being this is a special meeting. Legal Counsel confirmed it would be appropriate, as this issue is related to Mr. Danzl's application and the subsequent allegation against him.

Corey Kost moved to initiate an allegation on Dennis Huber and Jessica Cassady regarding the issue of certification. Reports were signed with a statement mis-representing an appraisal credential. Tim Timian seconded the motion.

Discussion took place. Corey clarified his reasoning for the motion, citing the Competency and Ethics Provisions of USPAP. He further cited ND Rules: *"Unprofessional conduct #5..making a false or misleading statement in that portion of a written appraisal report that deals with professional qualifications....."*

Joe Sheehan joined online. Staff reviewed the motion. Discussion continued.

There does not appear to be a basis to file an allegation against Jessica Cassady, as Dennis Huber was the supervisory appraiser noted in the verbiage provided. Based on this information, Corey Kost moved to amend the motion by removing Jessica Cassady's name. Tim Timian seconded the motion. Chairman Timian called for the vote. Corey Kost, Matt Schlenvogt, Joe Sheehan, and Tim Timian voted yes. Motion carried.

Dennis Huber questioned whether he could waive the meeting procedure and deal with the allegation at this time. Legal Counsel responded that based on Open Meeting Laws it was not allowed.

**ASC/AQB Covid-19 Relief -Guidance for Education Delivery:**

In a letter dated September 21, 2020 the AQB extended the relief for traditional classroom continuing education (CE) courses to be offered via distance education through December 31, 2021. The AQB is further recommending that traditional classroom qualifying education (QE) offerings be allowed to be offered in the same manner as CE. The requirement for the QE examination will remain the same; the exam must be in writing. All education offered in this manner must meet the requirements as detailed in the ASC letter of 9/25/20.

Tim Timian moved to approve the recommendations as outlined in the ASC letter of September 25, 2020. Corey Kost seconded the motion. Chairman Timian called for the vote. Corey Kost, Matt Schlenvogt, Joe Sheehan, and Tim Timian voted yes. Motion carried.

**Future Board Meetings:** Due to Covid-19 pandemic, the Board will continue with zoom/teleconference call meetings.

Chairman Timian called for adjournment.

Respectfully submitted,

Jodie R. Campbell  
Executive Secretary