

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Zoom/Teleconference call Meeting Minutes – November 10, 2022

Chairperson Kost called the meeting to order at 2:01 PM. Roll call was taken.

Board Members present online: Chairperson Corey Kost, Nikki Mertz, Brock DesLauriers and Joe Sheehan

Board Members absent: Matt Schlenvogt

Staff Present: Jodie Campbell and David Campbell

Investigative Reviewer: Joe Ibach

Applicants: Katy Moore is making application for licensure. Ms. Moore meets the education and experience hour requirements for licensure. Work product was submitted and reviewed for compliance with USPAP. Joe Ibach, Investigative Reviewer provided an overview of the reviews. Discussion took place. The Board determined Ms. Moore's work product was found to meet the minimum standards set forth in USPAP. Based on Ms. Moore meeting the education and experience requirements for licensure, Nikki Mertz moved to approve Katy Moore to sit for the national licensure examination; upon successful completion of the examination, Katy Moore will meet all the requirements to hold a licensed permit. Joe Sheehan seconded the motion. Chairman Kost called for the vote. Nikki Mertz, Joe Sheehan, Brock DesLauriers and Corey Kost all voted yes. Motion carried.

Karissa Grube is making application for certified general. Ms. Grube meets the education and experience hour requirements for certified general. Work product was submitted and reviewed for compliance with USPAP. Joe Ibach, Investigative Reviewer provided an overview of the reviews. Discussion took place. The Board determined Ms. Grube's work product was found to meet the minimum standards set forth in USPAP. Based on Ms. Grube meeting the education and experience requirements for certified general, Nikki Mertz moved to approve Karissa Grube to sit for the national certified general examination; upon successful completion of the examination, Karissa Grube will meet all the requirements to hold a certified general permit. Brock DesLauriers seconded the motion. Chairman Kost called for the vote. Nikki Mertz, Joe Sheehan, Brock DesLauriers and Corey Kost all voted yes. Motion carried.

Kara Hart is making application for certified general. Ms. Hart meets the education and experience hour requirements for certified general. Work product was submitted and reviewed for compliance with USPAP. Joe Ibach, Investigative Reviewer provided an overview of the reviews. Discussion took place. The Board determined Ms. Hart's work product was found to meet the minimum standards set forth in USPAP. Based on Ms. Hart meeting the education and experience requirements for certified general, Nikki Mertz moved to approve Kara Hart to sit for the national certified general examination; upon successful completion of the examination, Kara Hart will meet all the requirements to hold a certified general permit. Brock DesLauriers seconded the motion. Chairman Kost called for the vote. Nikki Mertz, Joe Sheehan, Brock DesLauriers and Corey Kost all voted yes. Motion carried.

Proposed Amendments to Statute: At the meeting of November 4, 2022, a number of proposed amendments were discussed. Staff incorporated the changes and proposed additional changes. A detailed discussion took place, with the following amendments proposed:

43-23.3-01 Definitions:

Add definitions for Appraisal Qualifications Board and Appraisal Standards Board

43-23.3-04 Permit required – Exemptions;

At the meeting of November 4th, the Board discussed evaluations. Board members were in agreement to allow credentialed appraisers to complete evaluations for their lender-employer. These evaluations would be not required to be USPAP compliant. Discussion continued.

Allyson Hicks, Legal Counsel for the Board was in agreement that it would be appropriate to clarify one way or another who can complete evaluations. Based on the Attorney General's Opinion of 2018 this has been a continued source of confusion.

The Board indicated concern that amendments allowing credentialed appraisers to complete evaluations would conflict with the Attorney General's Opinion. Legal Counsel clarified that it would not matter if it conflicts, as the

Attorney General's Opinion was based on what the law said at that time. The Board amendments would be providing clarification.

Discussion continued. The Board needs to clearly identify that an evaluation can not be completed for just any one. This a product completed by an employee for that individual's employer. It was suggested adding language to 43-23.3-04: "Licensed and certified appraisers may complete evaluations for their employer." Staff and Chair will work on drafting language to meet that intention.

43-23.3-07 Examination requirement.

Reference the Appraisal Qualifications Board requirements and remove the specifics of the exam.

43-23.3-09: Appraisal experience requirements.

Remove the experience requirement details.

43-23.3-10. Expiration of permit.

Add "biannually". Revise renewal dates from a one-year period to a two-year renewal period.

43-23.3-17 Retention of records.

Remove the details and reference records keeping section of USPAP.

Legal Counsel confirmed that Prefiled bills are due on December 8.

Nikki Mertz made a motion to submit the Bill draft as amended for Agency Prefiling. Brock DesLauriers seconded the motion. Chairman Kost called for discussion. No further discussion took place. Chairman Kost called for the vote. Nikki Mertz, Brock DesLauriers, Joe Sheehan and Corey Kost voted yes to the motion. Motion carried.

Chairman Kost adjourned the meeting at 3:33pm.

Respectfully submitted,

Jodie R. Campbell
Executive Secretary