

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Minutes- August 29, 2019 Board Teleconference Call Meeting

Chairperson Timian called the meeting to order at 11:30 AM. Roll call was taken.

Board Members present:

Chairperson Tim Timian
Kathy Maier

Corey Kost

Staff Present:

Jodie Campbell

David Campbell

Allyson Hicks, Legal Counsel

Joe Ibach, Board Investigator/Reviewer

Open Records Request:

An open records request has been made by Mr. Derrick Braaten, Legal Counsel for Mr. Kurt Kielisch, to revise information reported to the National Registry relative to the terms of a signed Settlement Agreement between the Board and Mr. Kielisch. Mr. Braaten maintains the entry reported to the National Registry violates the terms of the Agreement. The Settlement Agreement states that the Board had "not decided to initiate formal disciplinary action" and that Mr. Kielisch paid a "fee" rather than a "fine",

Allyson Hicks, Legal Counsel for the Board reviewed the request, the signed Settlement Agreement, National Registry and provided the following comment and recommendation. The signed Settlement Agreement further states: *"The Appraisal Subcommittee of the Federal Financial Institution's Examination Council requires that disciplinary action and settlement agreements be submitted for reporting on the National Registry of State Certified or Licensed Real Estate Appraisers."*

The Board is required to report the terms of all Settlement Agreements to the National Registry. Reporting to the Registry is via drop down box. There is no option for "payment of fee", therefore, the "monetary fine" option was chosen out of lack of options. The terms of the Settlement Agreement stand, and no modifications are required.

Based on recommendation from Legal Counsel, Corey Kost moved to decline the request. The Board actions were appropriate, no modifications will be made. Kathy Maier seconded the motion. Chairman Timian called for the vote. Corey Kost, Kathy Maier and Tim Timian all voted yes to the motion. Motion carried.

Brock DesLauriers joined the meeting.

Applicants:

Ben Stremick is making application for licensure and was present online for discussion. Mr. Stremick's application was tabled at the August 16th teleconference call meeting. The Board requested Mr. Stremick re-submit two of the three reports for review by the Board Reviewer. The reports were submitted, and reviews completed.

Discussion took place. Review of the revised reports indicates compliance with the minimum standards set forth in USPAP for the licensed level. Board members agreed with the reviews. Kathy Maier moved to approve Ben Stremick for the licensed level. Corey Kost seconded the motion. Chairman Timian called for the vote. Corey Kost, Brock DesLauriers, Kathy Maier and Tim Timian all voted yes to the motion. Motion carried.

Mark Sha is making application for certified residential and was present online for discussion. Review of Mr. Sha's application indicates he meets the education, experience and examination requirements for certified residential. Reports were submitted and reviewed by the Board Reviewer.

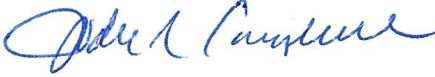
Discussion took place. Review of work product indicates compliance with the minimum standards set forth in USPAP for the certified residential level. Board members agreed with the reviews. Corey Kost moved to approve Mark Sha for certified residential. Kathy Maier seconded the motion. Chairman Timian called for the vote. Corey Kost, Brock DesLauriers, Kathy Maier and Tim Timian all voted yes to the motion. Motion carried.

ND Temporary Waiver:

The ND Temporary Waiver Request was granted and went into effect August 7th. The Waiver requires the Requestors work with ND Stakeholders to address and work to resolve the issues noted in the Waiver: scarcity of appraisers and appraisal delays. To date, the Board has not been contacted by the Requestors. Board members discussed the importance of open communication among all industry participants and taking a proactive approach in addressing the issues indicated in the waiver. To start the process, Board members were in agreement to initiate a meeting of industry participants and look to Jim Park, ASC Executive Director as a possible facilitator. Staff was directed to contact Mr. Park. Staff and Board members will begin drafting a potential agenda, listing of participants, as well as potential dates.

Chairman Timian called for adjournment.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jodie R. Campbell".

Jodie R. Campbell
Executive Secretary