

# NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Minutes – August 31, 2021 – 9:00AM CT  
Board Zoom/Teleconference Call Meeting

Chairperson Timian called the meeting to order at 9:02 AM. Roll call was taken.

Board Members present online: Chairperson Timian, Corey Kost, Matt Schlenvogt, Brock DesLauriers, and Joe Sheehan

Staff Present: Jodie Campbell and David Campbell

Investigative Reviewer: Joe Ibach

Legal Counsel: Allyson Hicks

**Applicants:** Jared Miller is making application for licensure. Mr. Miller meets the education, experience hours and exam for licensure. Three reports completed by Miller were reviewed by Joe Ibach, Board Reviewer. A number of issues were noted in the reviews. Some of the issues discussed included: 1) inadequate highest and best use, 2) lack of market support for adjustments, 3) inadequate property description, 4) failed to analyze and reconcile why the concluded market value exceeded the contract price, 5) reviewer could not replicate the cost estimate in the Olive Tree Circle appraisal, and 6) no reconciliation of the site sales to the concluded subject site value.

Based on issues noted in the reviews and discussed by the Board, Matt Schlenvogt moved for conditional approval of Jared Miller's application for licensure. The terms of the agreement to include: within three months, Mr. Miller must revise and resubmit the report on 26 Olive Tree Circle for review by Board Reviewer. Brock DesLauriers seconded the motion. Additional discussion took place. Chairman Timian called for the vote. Corey Kost, Joe Sheehan, Brock DesLauriers, Matt Schlenvogt, and Tim Timian all voted no to the motion. The vote was unanimous. Motion defeated.

Corey Kost moved to table Jared Miller's application for licensure. Within a three-months, Mr. Miller must revise and resubmit the report on 26 Olive Tree Circle for review by the Board Reviewer. Matt Schlenvogt seconded the motion. Chairman Timian called for the vote. Matt Schlenvogt, Corey Kost, Joe Sheehan, Brock DesLauriers, and Tim Timian all voted yes to the motion. The vote was unanimous. Motion carried.

**Educational Review:** Kara Hart submitted a report for review as part of the Board's educational review process. An independent review was completed. Discussion took place. Ms. Hart was encouraged to utilize the review, as well as Board member and Board Reviewer comments, when completing future reports. Corey Kost moved to allow Ms. Hart's report to be used as one of three reports for future certification. Brock DesLauriers seconded the motion. Discussion took place. Chairman Timian called for the vote. Matt Schlenvogt, Brock DesLauriers, Joe Sheehan, Corey Kost and Tim Timian voted yes to the motion. The vote was unanimous. Motion carried.

Karissa Grube submitted a report for review as part of the Board's educational review process. Ms. Grube and Ms. Hart are both under the supervision of the same supervisor. After a cursory review of Ms. Grube's report Board Reviewer found the reports of Ms. Grube and Ms. Hart were "highly similar in property types and in strengths and weakness" and therefore did not complete a review on Ms. Grube's submission. For the Board to approve Ms. Grube's work product for upgrade a review must be submitted for Board review. A review will be completed and addressed at the next Board meeting.

**2021-2022 AMC Renewals:** As part of the application for renewal, AMC's are required to report disciplinary actions or pending cases within the past year. Staff provided the Board with a listing of AMC's that have reported disciplinary action or pending cases: ClearCapital.com, eValuation Zone, Inc, Frisco Lender Services, LLC, Radian Valuation Services LLC, and Superstition (Appraisal Tek). Board members reviewed each case.

Corey Kost moved to approve each AMC for renewal. Joe Sheehan seconded the motion. Chairman Timian called for the vote. Matt Schlenvogt, Joe Sheehan, Brock DesLauriers, Corey Kost, and Tim Timian all voted yes to the motion. The vote was unanimous. Motion carried.

## **Other Business:**

- -In an email dated July 27, 2021, an AMC is requesting the Board provide clarification as to whether ND

prohibits the use of an apprentice on AMC orders. Ms. Hicks cautioned the Board to direct the AMC to their legal counsel to advise them on the rules and requirements, as the Board cannot provide legal advice.

- -Mr. Danzl forwarded a letter to the Board to inform them of issues he is currently experiencing as a realtor/apprentice appraiser. Mr. Danzl is a realtor in the Grand Forks area and holds an apprentice permit with a firm outside of the Grand Forks area. Mr. Danzl described a recent trend with his real estate business. Cases that Mr. Danzl is engaging in as a realtor are either not being accepted by appraisers, or are being accepted and then cancelled. Mr. Danzl explained that he is unable to perform his duties as a realtor in an efficient manner due to the lack of appraisers that are willing to accept the cases for the transactions he is engaging in as a realtor. This is creating a detriment to his real estate business and creates unnecessary delays in the transactions of his clients.

Mr. Danzl attributes the actions taken by other appraisers to one appraiser. He alleges that this appraiser is the appraiser who has previously filed allegations against him with the Appraiser Board, as well as the pending allegations against Dennis Huber of the Appraisal Office where Mr. Danzl holds his apprentice permit. He concludes this is retaliation for affiliating his apprentice permit with the Appraisal Office, an office located outside the Grand Forks area, and/or discriminatory actions towards him as a realtor.

Board discussion took place. Mr. Danzl identified an appraiser as filing allegations against him and Dennis Huber. The Board clarified, the allegations received in the Board office were received anonymously.

While it is concerning to the Board to receive allegations that appear to be issues of ethics and professional conduct on both sides; realtor and appraiser, Legal Counsel cautioned the Boards' authority to get involved in these issues. The Board suggested Mr. Danzl forward the issues to the realtor and appraiser associations.

- The Board has drafted a letter to the ND appraiser associations requesting comment on current and proposed Board executive session policy. The letter was forwarded to Legal Counsel for review and comment. Ms. Hicks directed the Board to provide a neutral document and offered a revised draft. Discussion took place.

Corey Kost moved to send the letter as revised. Brock DesLauriers seconded the motion. Chairman Timian called for the vote. Matt Schlenvogt, Joe Sheehan, Brock DesLauriers, Corey Kost, and Tim Timian all voted yes to the motion. The vote was unanimous. Motion carried.

Chairman Timian called for adjournment.

Respectfully submitted,

Jodie R. Campbell  
Executive Secretary