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: Jason Austad  Leah Reynolds  Tammy Miller  
Bob Gietzen  Ashley Hoff  Steve Olson  
Les Roos  LeAnn Vollmer  Ryan Oberg  
Neil Heringer  Eric Oberg  David Williamson, online  
Kathy Berry  Beth Keller  Tonia Dosch  
Dennis Huber  Jessica Cassady  Ben Hushka  
Aaron Abaurrea  Robert Harshberger  Kurt Kielish, online  
Jack Zuger, online  Vince Salzer, online  

Public Comment:  
Dennis Huber discussed making "disclosure" more user friendly.  
Beth Keller discussed the issue of using custom built homes as reliable sales.  

Minutes:  
Board members reviewed the minutes of June 25, June 30 and August 20, 2014. Tim Timian moved to approve the minutes. 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.  

Applications:  

Applicants for Licensure:  
Jason Austad is making application for licensure and was present for discussion. Mr. Austad's application was initially discussed at the meeting of June 25, 2014. Review of Mr. Austad's work product indicated noncompliance with USPAP. Therefore, the Board tabled Mr. Austad's application and requested he submit additional work product for review. Additional reports have been submitted and reviewed for compliance with USPAP. Based on review and discussion of current work product submitted by Mr. Austad, the Board determined he has demonstrated a working knowledge for the licensed level. Kathy Maier moved to approve Jason Austad for licensure. Tim Timian seconded the motion. Dave Lanpher, Brock DesLauriers, Tim Timian, Kathy Maier and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.  

Ryan Oberg is making application for licensure and was present for discussion. Review of Mr. Oberg's application indicates he meets the education, experience hours and examination requirements for licensure. Reports were reviewed and found to be noncompliant with USPAP. Board members discussed the deficiencies, some of which included: 1) overuse of disclosures in report; 2) highest and best use-need to expand and report, not just state; 3) report drawn out with comparables- appraiser should find the best comparables and use them; 4) overuse of boiler plate language; 5) special assessments-lack of comment; 6) listings-lack of analysis; 7) land value-no support/reasoning for site value; 8) lack of analysis throughout all approaches; 9) use of MLS photos versus original; 10) prior sale-failed to analyze; 11) comparable exceeded listing price-no explanation; 12) no work file provided and 13) sales concessions not reported.  

Based on review of work product and discussion with Mr. Oberg, Kathy Maier moved to table Ryan Oberg's application for licensure. Mr. Oberg is to submit a current log of appraisals from which two additional reports will be selected for independent review. Tim Timian seconded the motion. Dave
Lanpher, Brock DesLauriers, Tim Timian, Kathy Maier and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

Minutes- Page Two
September 30, 2014

**Supervisory Appraiser:** Neil Heringer signed reports as supervisory appraiser. Review of the reports indicates the reports do not meet the minimum standards of USPAP.

Tim Timian moved to open investigation on Neil Heringer based on the fact that there is reasonable basis to believe the reports submitted by Ryan Oberg and signed by Neil Heringer as supervisory appraiser did not the minimum Standards of USPAP. Kathy Maier seconded the motion. Tim Timian, Brock DesLauriers, Kathy Maier and Joe Ibach all voted yes to the motion. Dave Lanpher voted no. Motion carried.

**Applicants for Certified Residential:**
Jessica Cassady is making application for certified residential and was present for discussion. Review of Ms. Cassady’s application indicates she meets the education and experience hour requirements for certified residential. Based on review of work product and discussion with Ms. Cassady, the Board determined that Ms. Cassady has demonstrated a working knowledge for the certified residential level. Tim Timian moved to approve Jessica Cassady for certified residential. Kathy Maier seconded the motion. Dave Lanpher, Brock DesLauriers, Tim Timian, Kathy Maier and Joe Ibach all voted yes to the motion. The vote was unanimous. Motion carried.

Ashley Hoff is making application for certified residential and was present for discussion. Review of Ms. Hoff’s application indicates she meets the education and experience hour requirements for certified residential. Discussion took place. Ms. Hoff left the meeting. Her application was tabled.

**Supervisory Issue:**
At the conference call meeting of August 20th, the Board found that work product submitted by Eric Zink as part of the application process for licensure did not meet the minimum standards of USPAP. The work product was signed by Aaron Abaurrea, Mr. Zink’s Supervisor. Mr. Abaurrea was requested to provide a written response to the issues noted in the reviews. No written response was received. However, Mr. Abaurrea is in attendance to discuss the reviews.

Tim Timian moved to table discussion of the reviews until Mr. Abaurrea addresses the issues in a written response. 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.

**Request for Active Status:** Gary Bock is requesting re-activation of his certified residential permit. Tim Timian moved to approve Mr. Bock’s request for active status. 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.

**Investigations:**

**Inv 214-140:** Board members reviewed the complaint and response to the complaint. Robert Gietzen, the respondent, was present for discussion. Discussion took place. The complaint revolves around 1) the appraiser’s omission in explaining the comparable sales conditions and 2) the appraiser not appropriately adjusting for the conditions. Board members were satisfied Mr. Gietzen addressed the issues in his written response. Further discussion with Mr. Gietzen confirmed he understands his error.

Kathy Maier moved to offer a settlement agreement in the form of a conditional dismissal of the complaint. The terms of the agreement include 1) completion of the Board's upcoming seminar "Most Common USPAP Violations". The course cannot count towards the required continuing education hours and 2) the Board does not receive any valid complaints against Mr. Gietzen within the next 12 months. If Mr. Gietzen meets these conditions, Inv 214-140 will be dismissed. A conditional dismissal is not reported to the National Registry. Dave Lanpher seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

**Supervisory Issues:**
Mr. Vince Salzer signed reports as a supervisory appraiser that were found to be noncompliant with USPAP. The Board requested Mr. Salzer respond to the deficiencies. Mr. Salzer provided a written response. Mr. Salzer and his attorney Jack Zuger were online for discussion. Discussion took place.

Minutes - Page Three
September 30, 2014

Numerous issues of noncompliance were noted in the reviews and some of these issues were discussed: 1) lack of reporting / analysis of prior sale on subject property; 2) lack of analysis of contracts; 3) quotes from the 2010/11 Edition of USPAP used in the appraisal; 3) the reports do not state what the apprentice appraiser did in the report; 4) concerns with whether Mr. Salzer researched prior sales of the comparables; and 5) lack of analysis throughout the report. Board members concur with the reviews and concluded that it appears Mr. Salzer is lacking basic appraisal competency.

Based on the information received and reviewed, Tim Timian moved to initiate disciplinary action against Vince Salzer. Kathy Maier seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

In lieu of moving forward with disciplinary action, Kathy Maier moved to resolve the matter by offering Mr. Salzer a settlement agreement with the following conditions: 1) 3 months suspension, 2) pay a fine to include all Board review and legal costs, 3) after the 3 month suspension, for a period of one year, Salzer must either work under a supervisory appraiser or have every appraisal he completes reviewed by a Board approved reviewer; 4) after 6 months Salzer must provide a log of all appraisals completed by him and a selection will be made for review for compliance with USPAP; and 6) should there be any further complaints filed against Mr. Salzer this agreement may be amended. Tim Timian seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

Inv 214-137: Board members reviewed the complaint and response to the complaint. Vince Salzer and his attorney, Jack Zuger were online for discussion. The complaint alleges Vince Salzer discussed value with a homeowner. Discussion took place. Mr. Salzer provided a signed affidavit indicating he called the homeowner to verify information. He further stated that he did not have discussions with the homeowner relative to value. The Board determined that Mr. Salzer was doing due diligence as appraiser in re-verifying information.

Dave Lanpher moved to dismiss the complaint. Kathy Maier seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier and Joe Ibach voted yes to the motion. Tim Timian voted no. Motion carried.

Inv 214-142: Board members reviewed the complaint and response to the complaint. Vince Salzer and his attorney Jack Zuger were online for discussion. The complaint alleges misleading subject improvement description, inappropriate comparable sales selection, missing or unsupported adjustments, misleading comparable property information, inadequate income approach, misleading rental data and analysis, inadequate reconciliation and comparables do not support the opinion of value. Discussion took place. Board members determined the complaint had merit; there is sufficient evidence to move forward with a formal complaint.

Kathy Maier moved to initiate a formal complaint against Vince Salzer. Ms. Maier further moved to amend the initial agreement proposed to Mr. Salzer under the Supervisory Issues to include review of a 2-4 family. Dave Lanpher seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

Inv 214-136: The complaint involves a ND certified general appraiser signing a report while currently on inactive status. At the meeting of June 25, Board members tabled the complaint and requested a copy of the full report. Mr. John Botsford, the respondent provided a written response, but was unable to attend. Mr. Les Roos, co-signed the appraisal and was present for discussion. Discussion took place. It appears the initial contract to complete this assignment was received in 2009. Mr. Roos was assigned the project, with Mr. Botsford brought in as an expert witness. In his written response Mr. Botsford indicated he signed the report but failed to accurately identify his capacity as an expert witness. The error was an oversight on his part. Mr. Roos confirmed there was no intent to deceive.

An error was committed. Tim Timian moved to offer a settlement agreement in the form of a conditional dismissal of the complaint. The terms of the agreement would include a $500 fine. If the Board does not receive any valid complaints against Mr. Botsford within the next 24 months, Inv 214-136 will be
dismissed. A conditional dismissal is not reported to the National Registry. Kathy Maier seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

Minutes - Page Four
September 30, 2014

**Inv 214-141:** Board members reviewed the complaint and response to the complaint. Ms. Tonia Dosch, the respondent, was present for discussion. The complainant (RELS) alleges the following deficiencies in the report in question: 1) report lacks an adequate analysis of the subject's lake-front location and renovated condition, 2) appraiser fails to adequately adjust for differences in property condition/quality, lake front location, site influences, etc., and 3) these deficiencies resulted in a flawed reconciliation of value, consequently the appraised value may have been significantly understated.

Discussion took place relating to location, quality and condition adjustments (lake frontage versus lake view). Did the subject have access to Devils Lake? Did the comparables have access to Devils Lake? Board determined further information was warranted. Tim Timian made a motion to move forward with an investigation to include a field review. Kathy Maier seconded the motion. Dave Lanpher, Tim Timian, Brock DesLauriers, Kathy Maier and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

Chairperson Ibach recused himself. Dave Lanpher took over as Chairperson.

**Inv 213-122:** The Board received a letter from Alicia Vorland with a counter offer to the proposed Settlement Agreement. At the meeting of June 25, 2014 the Board moved to refer the case to litigation (Office of Attorney General) based on the fact that Ms. Vorland had not responded to the proposed Settlement Agreement with an acceptance, rejection or request for modification.

Based on the fact that the case has been referred to the Attorney General's office, Kathy Maier moved to not accept Ms. Vorland's offer to settle. Tim Timian seconded the motion. Dave Lanpher, Tim Timian, Brock DesLauriers, and Kathy Maier voted yes to the motion. Joe Ibach recused himself. Motion carried.

Dave Lanpher turned the Chair back to Joe Ibach.

**Inv 214-133:** At the meeting of June 25, Board members tabled the complaint to allow for additional time for Board members to review the complaint and response. Mr. Kurt Kielish was online for discussion. The complaint questioned Mr. Kielish's methodology relative to transmission line appraisals he completed in Wells County. Discussion took place. Board members questioned whether Mr. Kielish used the most appropriate data within the market-why go outside of the county for sales when there were a number of sales within the county? Some additional issues discussed included: Why was the appraisal updated to the date of taking versus date of inspection? Why was the income approach not used? Where is the reconciliation of value?

Board determined further information was warranted. Kathy Maier made a motion to move forward with the investigation to would include a field review. Dave Lanpher seconded the motion. Dave Lanpher, Brock DesLauriers, Kathy Maier, and Tim Timian and Joe Ibach voted yes to the motion. The motion was unanimous. Motion carried.

Chairperson Ibach called for adjournment.

Respectfully submitted,

Jodie R. Campbell, Executive Secretary