

NORTH DAKOTA REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

Minutes- August 8, 2017

Ramkota - 800 S 3rd Street, Bismarck ND

Chairperson Lanpher called the meeting to order at 9:00 AM. Roll call was taken.

Board Members present:	Chairperson Dave Lanpher	Tim Timian
	Kathy Maier	Brock DesLauriers
	Corey Kost	
Staff Present:	Jodie Campbell	David Campbell
Guests Present:	Dan Toy	Joe Summers
	Ross Berg	Patricia Hodenfield
	Jill Beck	
Guest Present Online:	Matthew Schlenvogt	Keana Schuler
	David Binner	

Public Comment Period: Staff announced the reappoint of Tim Timian by Governor Burgum to another term on the Board.

Applicants:

Permits Issued/Require Board approval:

Staff reviewed, approved and issued permits to the following applicants:

Apprentice

-Tayler Bussman

Certified General:

-Jedd D. Harms (Reciprocity with MN)

-Mary A. Marshall (Reciprocity with MI)

-Stuart J. Mortrude (Reciprocity with MN)

-Sara E. Olson (Reciprocity with CO)

-Gerald V. Rasmussen (Reciprocity with CT)

-Lucas P. Still (Reciprocity with AZ)

Tim Timian moved to affirm the applicants for their respective levels. Kathy Maier seconded the motion. Tim Timian, Kathy Maier, Brock DesLauriers, Corey Kost and Dave Lanpher all voted yes to the motion. The vote was unanimous. Motion carried.

Patricia Hodenfield's application for certification residential was tabled at the meeting of June 26, 2017, as the Board found work product submitted by Ms. Hodenfield did not demonstrate a working knowledge of all three approaches to value as is required for the certified residential level. Ms. Hodenfield requested her application for certified residential be withdrawn.

Subsequently, Patricia Hodenfield submitted an application for licensure. Review of Ms. Hodenfield's application for licensure indicates she meets the education, experience hours and examination requirements for the licensure. Board members were in agreement that the work product submitted by Ms. Hodenfield for review appeared to meet the minimum standards set forth in USPAP for the licensed level. Tim Timian moved to approve Patricia Hodenfield's application for licensure. Kathy Maier seconded the motion. Corey Kost, Tim Timian, Kathy Maier, Brock DesLauriers and Dave Lanpher all voted yes to the motion. The vote was unanimous. Motion carried.

Joe Summers is making application for certified general. Review of Mr. Sumer's application indicates he meets the education and experience hour requirements for certified general. Brock DesLauriers recused himself from discussion and voting. Review of work product indicates the reports appear to meet the minimum standards set forth in USPAP for the certified general level. Furthermore, the Board found that Mr. Summers has demonstrated a working knowledge of all three approaches to value. Corey Kost moved to approve Joe Sumer's application for certified general, pending passage of the certified general level examination.. Tim Timian seconded the motion. Corey Kost, Tim Timian, Kathy Maier and Dave Lanpher all voted yes to the motion. Brock DesLauriers recused himself from voting. Motion carried.

Investigations:

Case 217-173: The complainant in this Case alleges 1) the appraiser accepted an assignment and did not complete the job in the time frame provided to the complainant; 2) the appraiser changed the due date of the assignment and questions how the appraiser had the authority to do so and 3) the appraiser was rude and unprofessional after being informed of the allegations against him.

In his response, the May 31st due date referenced by the complainant was never discussed with the AMC Client. The appraiser indicated he accepted the assignment through the AMC Client on May 9th, with a six-week turnaround timeframe. Documentation verifying this information was provided. According to the appraiser, he met the six-week turnaround time. It appears the lender may have provided an incorrect completion date to the complainant.

After consideration of the allegations and the appraiser's response, Kathy Maier moved for dismissal of the allegations. Brock DesLauriers seconded the motion. Kathy Maier, Tim Timian, Brock DesLauriers, Corey Kost and Dave Lanpher all voted yes to the motion. The vote was unanimous. Motion carried.

Proposed AMC Rules:

The public hearing regarding the proposed AMC rules was held July 14, 2017, with the deadline to receive comments July 28. Written comments were received from: 1) the Appraisal Subcommittee, 2) REVAA and 3) Surety and Fidelity Association of America. Board members were provided copies of all comments for review.

- 1) Based on the recommendations received from the Appraisal Subcommittee revisions will be made as follows:
 - 101-05-01-05: add verbiage "...*The roster shall include investigations initiated and disciplinary actions taken.*"
 - 101-05-01-15: add verbiage "...*be independent of the transaction.*"
- 2) Board members were in agreement and, therefore, incorporated a majority of the recommendations submitted by REVAA into the proposed rules. However, the Board revised verbiage as follows:
 - a) 101-05-01-02 1-g to read "*substantive cause to be determined by the board*".
 - b) #4 under 101-0-01-15: Staff was directed to request assistance from legal counsel in drafting appropriate language to help clarify that the appraiser reviewing the appraisal must be certified in ND and be as qualified as the appraiser who completed the appraisal.
- 3) Board members were in agreement with the Surety and Fidelity Association of America recommendation. Staff was directed to request assistance from legal counsel in drafting the appropriate language.

Staff will make the necessary revisions and forward the draft to legal for his assistance in finalizing the proposed rules. Once legal counsel has reviewed the draft and made the revisions directed by the Board, the Board will need to meet for review and approval.

Other Business:

-An appraiser has brought a concern before the Board regarding correspondence a homebuilder has forwarded to various mortgage departments. In the correspondence, the homebuilder stated that based on consistent low appraisals received by this appraiser on his properties, the company would no longer facilitate appraisals from this appraiser. The appraiser is concerned with appraiser independence. Discussion took place. This appears to be outside of the Board's authority. However, the Board will take another look at this at the September meeting.

-The Board discussed the current review process and a proposed revised review process to include a Staff review appraiser.

-AQB Exposure Draft relating to the Proposed Changes to the Criteria: The next meeting of the AQB to discuss the proposed changes is scheduled for September 8 in Minneapolis.

-Fall AARO Conference: The upcoming AARO conference is scheduled for October 13-16 in Washington DC.

Chairman Lanpher called for adjournment.

Respectfully submitted,

Jodie R. Campbell
Executive Secretary