

# Appraiser Certification & Licensure Board

## Quarterly Board Meeting - Summary Minutes

October 23, 2006

Oregon Board of Massage Therapists, 748 Hawthorne Avenue NE, Salem, Oregon

### BOARD MEMBERS IN ATTENDANCE

Craig Zell, Chair  
Terry Bernhardt, Vice-Chair  
John Larsen  
Doug Nelson  
Sara Fraser  
Clifford Houck  
Jill Whitlock

### ACLB STAFF IN ATTENDANCE

Bob Keith, Administrator  
Karen Turnbow, Office Manager  
Warren Foote, Legal Counsel, Dept. of Justice

### BOARD MEMBERS ABSENT

None

### PUBLIC IN ATTENDANCE

Susan Kidder  
Margaret Treat

### I: CALL TO ORDER AND VERIFICATION OF QUORUM

Chairperson Zell called the meeting to order at 9:10 a.m. and verified that a quorum was present.

Craig Zell introduced the Board's new legal counsel, Warren Foote, Senior Assistant Attorney General.

### II: PUBLIC INPUT

Margaret Treat - Registered Appraiser Assistant: Registration expired in July 2006. She renewed her registration in October 2006. Treat requested that the Board amend its administrative rule to allow her experience credit retroactively. She is requesting that she be granted experience credit during the lapsed period of her registration.

The Board discussed the possibility of changing the administrative rules regarding the period of appraiser assistant registration from a one year registration to a two year registration.

MOTION #1

Doug Nelson moved and Jill Whitlock seconded that:

*The Board propose to amend the administrative rule to allow a two-year appraiser assistant registration, with corresponding fee.*

Motion passed unanimously.

**III: EXECUTIVE SESSION** (9:40 a.m. to 10:35 a.m.)

Discussion regarding courses being taught privately by the Board administrator or Board employee. Review of opinion by legal counsel. Reviewed options.

**BREAK: 10:40 a.m. to 10:50 a.m.**

**EXECUTIVE SESSION: Continued** (10:50 a.m. to 10:55 a.m.)

Consideration and discussion of draft policy regarding education courses designed or taught by the Administrator, staff employee or Board member. Discussion regarding the status of the Marshall England case.

MOTION #2

Cliff Houck moved and Doug Nelson seconded that:

*The Board approve a written Board policy as follows:*

*Courses submitted to the Board for approval will not be reviewed or approved by the Administrator, a Board member, or staff when that person has helped to design that course or plans to participate in teaching the course. The authority to approve such a course will be exercised by a Board member as designated by the Board Chair, who has no personal involvement in the course.*

Motion passed unanimously.

**IV: ACTION ITEMS**

Discussion regarding July 13, 2006 quarterly board meeting minutes and corrections to the draft minutes.

MOTION #3

Terry Bernhardt moved and Doug Nelson seconded that:

*The Board approve the meeting minutes as revised.*

Motion passed unanimously.

**V: NEW BUSINESS**

Schedule 2007 Board Meeting Dates: January 22, April 23, July 23, and October 22, 2006 at Parks and Recreation conference room

4-Hour Supervisor/Appraiser Assistant Training Course: Discussion by members regarding the Supervising Appraiser/Appraiser Assistant Training Course. Corrections to the course outline. Keith acknowledged Chuck Fisher and Cyndie Standley for developing the 4-hour course.

The Board proposed that the supervising appraiser attending the course also be required to pass a final exam. The administrative rules already required that the appraiser assistant attending the course take and pass a final exam for the course. The Board will draft a proposed change to the administrative rules to require that the supervising appraiser take and pass a course final exam and that a new supervising appraiser not be allowed to use the course certificate of completion for a course previously taken to register as an appraiser assistant.

Nelson proposed that the Board has some sort of Ombudsman that goes out to meet with Appraiser Assistants after they have accumulated approximately 500-600 hours of experience. Nelson will draft a proposed policy.

MOTION #4

Jill Whitlock moved and Terry Bernhardt seconded that:

*The Board approve the 4-hour Supervising Appraiser/Appraiser Assistant Course with edits and corrections..*

Motion passed unanimously.

Committee on Personnel/Compensation Policy Revisions: Discussion regarding creation of a committee to review and consider making revisions to Board personnel and compensation policies. Appointed to the committee were Houck, Larsen and Keith.

License Upgrade Process Streamlining: Issue not discussed. No Board action taken.

**BREAK: 10:30 a.m. to 10:45 a.m.**

**VI: OLD BUSINESS**

Budget Update: Report by Larsen indicates that the Board continues to operate within the allotted budget. Nelson had a question regarding the Board's assets including the certificate of deposit and money market account.

Enforcement Update: Brief report by Bernhardt regarding the status of enforcement cases.

Zell advised the Board that Chuck Fisher will be leaving the Board effective December 31, 2006. The Board will have difficulty finding someone with the skill level that Fisher has to handle enforcement cases.

Keith advised the Board that we have received the \$29,000 civil penalty from Scott Buckles as well as the \$500 civil penalty from Jeremy Sisneros for those enforcement/disciplinary actions by the Board.

Licensing Report: Keith advised that in 2006, 26% of appraisers are certified residential appraisers; an increase over the last several years.

Secretary of State Financial Audit - Final Results: Brief discussion by the Board regarding the Secretary of State financial audit.

**VII: ADMINISTRATOR’S REPORT**

Keith attended the Appraisal Foundation’s Mortgage Fraud Symposium. Fisher also attended. Keith gave a brief synopsis regarding the Symposium.

Keith gave a report regarding various topics and speakers at the Fall 2006 AARO conference he attended in Washington D.C.

Keith discussed the past proposals by Nelson and Bernhardt to coordinate with the Division of Finance and Corporate Securities (DFCS) regarding mortgage lending and appraisal enforcement. Board staff are going to meet with DFCS and the Real Estate Agency on January 30, 2007.

Keith has looked at a number of properties to relocate the office. Keith advised that moving our office is not in our current budget. The current building owner will allow the Board to remain in its current location until November 2007. This will allow the Board to include the cost to move into the 2007-2009 budget.

The Board received a reimbursement check from Department of Revenue for the cost of legal expenses for proposing to revoke an appraiser’s license for failing to pay their taxes.

Bernhardt asked what the status of HB1295. One of the sponsors of the bill is currently in prison. The concept for the bill remains strong and will probably be reintroduced by another legislature. The bill provides rulemaking authority to the Appraisal Subcommittee to be able to apply lower level sanctions to state regulatory agencies. It also includes a proposal for national mortgage lender licensing.

Adjournment:

MOTION #5

Doug Nelson moved and John Larsen seconded that:

***The Board meeting be adjourned.***

Motion passed unanimously.

Meeting adjourned at 12:55 p.m.

Next scheduled meeting – January 22, 2007