

IOWA REAL ESTATE APPRAISER EXAMINING BOARD
200 E. Grand, Suite 350, Des Moines | Bureau Conference Room
September 19, 2016 | 1:45 p.m.

Board Members present for all or part of the meeting:

Amanda Luscombe, Chair
Gene Nelsen
Joan Scotter
Fred Greder, Vice Chair
Caryl Swaim

Not Present:

Robert Felderman

Staff present:

Brandy March, Executive Officer
Luke Dawson, Assistant Attorney General
Lori SchraderBachar, Site Manager
Teresa Stull, Licensing Specialist
Tracy Lindgren, Licensing Specialist

Others present for all or part of the meeting:

Margaret LaMarche, Administrative Law Judge
Kristine Dreckman, Administrative Law Judge
Teresa Kenkel, Court Reporter

Public present:

None.

Call to Order

Call to Order by Luscombe at 1:46 p.m.
Quorum was established.

Motion by Scotter to approve the Agenda.

Seconded by Swaim.
VOTE: Aye: All Nay: None Abstaining: None
Motion passed.

Motion by Nelsen to approve the August 22, 2016 open and closed session minutes.

Seconded by Scotter.
VOTE: Aye: All Nay: None Abstaining: None
Motion passed.

Motion by Nelsen to enter into closed session for disciplinary hearing of a licensed appraiser at 2:04.

Seconded by Luscombe.
Roll Call Vote: Swaim, aye; Nelsen, aye; Scotter, aye; Greder, aye; Luscombe, aye.

Formal Hearing

A hearing was held before the Board in REAP Case 16-24. Administrative Law Judge Margaret LaMarche conducted the hearing and a certified court reporter recorded the proceedings. The hearing was closed to the public at the Respondent's request, pursuant to Iowa Code Section 272C.6(1). The hearing commenced at 2:04 p.m. and concluded at 3:06 p.m.

Motion by Nelsen to return to open session at 3:06 p.m.

Seconded by Scotter.
Roll Call Vote: Swaim, aye; Nelsen, aye; Scotter, aye; Greder, aye; Luscombe, aye.

Work Product Report and Recommendation

Motion by Swaim to approve the work product review of Sarah Loll (AG).

Seconded by Greder.
VOTE: Aye: All Nay: None Abstaining: None
Motion passed.

Background Check Requirements and Fees

Motion by Scotter for the Board to authorize March (EO) and Dawson (Attorney General) authority to notice changes to administrative rules 193F extending the start date of criminal history background checks to coincide with DCI approval.

Second by Luscombe.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Board Member Reports

None

Staff Reports

March – Introduced new Licensing Specialist Stull who started on September 9, 2016. March requested board members to provide names potential peer reviewers. March presented highlights of the AQB Online Briefing: Updates to Criteria webinar held on September 6, 2016. A request for a yearly peer reviewer meeting was presented to the Board. The Board wishes to invite peer reviewers to the next in-person Board meeting. March presented a request for Iowa to offer a continuing education course. Discussion was held on the practicality and the impact on competition. The Board decided not to offer courses. March reviewed the licensing report for the dates of 8/12/16 to 9/19/16. Due to board member conflicts, new meeting dates were selected.

November 28 at 2:00 (in Person)

December 22 at 2:00 (Teleconference)

January 26 at 2:00 (Teleconference)

February 23 at 2:00 (in Person)

SchraderBachar – Informed the Board that Lindgren will be the new Background Coordinator for the Real Estate Commission. A new Licensing Specialist will be hired. SchraderBachar informed the Board that no new information has been received from the Governor's Office in regard to the vacant board member position.

Public Comment

None

Unlicensed Complaints

Motion by Scotter to close complaints 16-14 and 16-25.

Second by Nelsen.

VOTE: Aye: All Nay: None Abstaining: None

Motion carried.

Board discussed unlicensed complaint 16-29. Dawson will draft a response letter.

Motion by Scotter to go into closed session at 3:46 p.m. pursuant to Iowa Code section 21.5(a) to review records deemed confidential by law, specifically complaint files, investigation files, other investigation reports, and other investigative information deemed confidential by Iowa Code section 272C.6(4)(a); and Iowa Code section 21.5(d) to discuss whether to initiate licensee disciplinary investigations or proceedings. Such review and discussion will include any cases ready for final resolution through closure or consent order.

Seconded by Nelsen.

VOTE: Roll Call: Greder, aye; Nelsen, aye; Scotter, aye; Swaim, aye; and Luscombe, aye.

Motion carried.

Motion by Scotter to return to open session at 4:00 p.m.

Seconded by Nelsen.

VOTE: Aye: All Nay: None Abstaining: None

Motion carried.

Motion by Nelsen to close case 16-31 as discussed in closed session.

Seconded by Swaim.

VOTE: Aye: All Nay: None Abstaining: None

Motion carried.

Motion by Greder to accept the Board decision in cases 16-03 and 16-11 as discussed in closed session.

Seconded by Nelsen.

VOTE: Aye: All Nay: None Abstaining: None

Motion carried.

Upcoming Meeting and Last Minute Comments

Nelsen will replace Swaim at the Work Product Committee meeting on Friday, October 14, 2016.

Adjournment

Luscombe adjourned the meeting at 4:04 p.m.

These minutes accurately reflect the minutes approved by the Board at the meeting on:

10/17/16
DATE

Amanda Luscombe Bm
By: Amanda Luscombe, Chair