

IOWA REAL ESTATE APPRAISER EXAMINING BOARD
200 E. Grand, Suite 350, Des Moines | IDOB Conference Room
Thursday, July 18, 2019 | 11:00 a.m.

Board Members present for all or part of the meeting:

Fred Greder, Chair

James Pooley, Vice Chair

Tracy Crimmins (arrived at 11:08)

Teresa Selberg

Dan Fuhrmeister

Board Members not present for the meeting:

Mark Kapfer

Staff present for all or part of the meeting:

Brandy March, Executive Officer

Luke Dawson, AAG

Jamie Moellers, Secretary II

Rod Reed, Finance Bureau Chief

Public present for all or part of the meeting:

None.

Call to Order

Call to Order by Greder 11 a.m.

Attendance: Roll Call by Moellers: Greder; aye, Pooley; aye, Fuhrmeister; aye, Selberg; aye, Crimmins; aye.

Quorum was established.

Motion by Selberg to approve the agenda as presented.

Seconded by Fuhrmeister

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Motion by Selberg to approve the June 26, 2019 open and closed session minutes.

Seconded by Fuhrmeister

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Public Comments

None.

Crimmins arrived at 11:08 am.

Board Member Reports

Chair Report: None.

Associate Committee: The committee will meet in August.

Code Committee: The code committee updated the ASC on the request to amend 543D regarding out of state practice privileges.

Discipline Committee: Selberg stated that the committee met today and reviewed four cases and that there has been one new case since the last Board meeting. A full report and committee recommendations will be provided during closed session.

Peer Reviewer Committee: Selberg talked about the peer reviewer requirements in Nebraska and how the committee wishes to incorporate most of their requirements and to add on a few additional requirements for Iowa peer reviewer applicants. The committee is going to formalize an internal procedure for peer reviewer applications and review. The committee asked March to create an application form and packet to provide to those who are interested in performing reviews for the State. Additional requirements discussed included requiring a reviewer to have five years of review experience which can include court room experience, USPAP instruction, and teaching experience; completion and submission of a redacted

Standard 3 review; a signed contract in which the reviewer will be available for an assignment at least once per quarter. Discussion was held on discipline history, interviews, and yearly meetings, and investigator training requirements. It was determined that the application must be free from discipline within the past five years; that an interview was not necessary; that when possible, a yearly meeting with the Board should take place; and that the contracted reviewer should attend at a minimum the first level of investigator training within the first year.

Rules Committee: Both rule changes were given ARC number and will be published in the next bulletin. There is a public hearing scheduled on August 20th for both rule changes. Board members are not required to attend.

WPR Committee: None.

Staff Reports

Reed gave an update on financials with a spreadsheet for everyone to see. Brandy also displayed a spreadsheet with financials as well. The Board would prefer to receive Rod's spreadsheet. Rod stated the spreadsheet did include some of the AAG's salary. Greder wanted to know if we could afford to continue to send individuals to AARO Conference. The board agreed that Rod would continue to report financials on a monthly or quarterly basis. Crimmins suggested maybe twice per year would be sufficient.

March reported that the newsletter is almost ready. She has been busy working with the ASC while they conducted their audit. Greder asked if action taken on agenda item 11.F could be included in the upcoming newsletter. March will add it to the newsletter.

Legal Report

Dawson had nothing to report.

Appraisal Subcommittee Report and Comments (ASC)

Vicki and Neal with the ASC have been at the Board's office since Tuesday conducting the audit on the appraiser and AMC programs. The State is on a two year review cycle based on its last grade. The ASC thanked Brandy for her hard work and assistance in preparing for the audit and during the audit. They thanked the board for letting them be a part of the meeting. The ASC provided the Board with a copy of the 2018 AQB Criteria and the ASC 2018 Annual Report. Vicki gave a review of the ASC, how it came into existence, the relationship between TAF the ASC and the various jurisdictions. Vicki talked about the Savings and Loan Crisis and reviewed Title XI. She talked about the complaint hotline and how calls are redirected to other entities. Vicki also thanked Luke and Brandy for their efforts and networking regarding AARO as it helps other states when information is shared. Clair Brooks will be the new policy manager starting in December.

The Board took a break from 12:17 to 12:25 p.m.

Rod left the meeting from 12:24 to 12:28 p.m.

Selberg left the meeting from 12:27 to 12:31 p.m.

New Business

Extenuating Circumstances-Adam Thien

March advised that Adam is an associate general. He received his license on August 15, 2013. On November 9, 2017, he was sent an email stating he needed to become certified prior to his next renewal without any extenuating circumstances and a reminder that it takes approximately 120 days to complete the upgrade process. He was told that he must submit any extenuating circumstances to the Board prior to completing his renewal. On May 21, 2019, Mr. Thien started his exam and experience application. It is not complete and has not been submitted to the State as he is still short experience hours. Mr. Thien is requesting another twelve months to upgrade. Mr. Thien stated that his primary job is the management of

agricultural properties; he only works on appraisals part time. March requested that if he's allowed to renew, that it be for the full two years to ease some administrative burden and to allow additional time should his WPR be deferred. The Board discussed and was in agreement to approve the extenuating circumstances request and require Mr. Thien to renew for the full two years but require him to submit his exam and experience application within one year.

Motion by Pooley to accept the extenuating circumstances for Adam Thien approve Adam Thien to renew for the full two years and to require Adam Thien to submit his exam & experience application within twelve months.

Seconded by Fuhrmeister

VOTE: Aye: All

Nay: None

Abstaining: None

Motion passed.

Extenuating Circumstances-Nick Meyer

March stated Nick became licensed as an associate residential appraiser on March 8, 2013; however, his license was lapsed from July 1, 2013 to October 21, 2015. On November 9, 2017, Nick was sent an email stating he needed to become certified prior to his next renewal without any extenuating circumstances and a reminder that it takes approximately 120 days to complete the upgrade process. He was told that he must submit any extenuating circumstances to the Board prior to completing his renewal. On June 28, 2019, Nick started his exam and experience application and submitted it for review on July 15, 2019. March is in the middle of reviewing it. Mr. Meyer is requesting a one-year extension based on the fact that he was working part-time as an appraiser and was unaware that the AQB Criteria was lowered. March feels the twelve months is appropriate for completion of the WPR process. The Board discussed and was in agreement to approve the extenuating circumstances request.

Motion by Fuhrmeister to approve the extenuating circumstances for Nick Meyer and allow him to renew and be required to upgrade within one year.

Seconded by Pooley

VOTE: Aye: All

Nay: None

Abstaining: None

Motion passed.

Waiver Request-Trevor Gearhart

Trevor Gearhart submitted his exam and experience application on February 4, 2019. He met with the WPR committee on May 10, 2019 and was approved to upgrade on May 23, 2019. Trevor is requesting a waiver to the 60-day conversion deadline of his WPR approval. Mr. Gearhart has taken the test and failed it four times. He has two circumstances for consideration: one is test anxiety and the other is wedding planning. Gearhart's wedding is set for July 27 and he will be gone from August 3rd to August 10th. His background check expires on October 14, 2019 and he's hoping to have the conversion application in and approved by this date. However, he would like a waiver until the end of 2019 just in case something else comes up. The board has approved two other waiver requests for test anxiety in the past without requiring a physician's note. The Board discussed and was in agreement to approve the waiver request. The Board is recommending Mr. Gearhart to contact PSI and apply for an exam accommodation. March will send the information to Mr. Gearhart.

Motion by Fuhrmeister to approve the waiver request for Trevor Gearhart and allow him to upgrade without a second WPR process prior to December 31, 2019.

Seconded by Selberg.

VOTE: Aye: All

Nay: None

Abstaining: None

Motion passed.

AARO Fall Conferences Attendees (October 18-21, 2019 in Washington D.C.)

Brandy would like to request that she, along with Luke and the new licensing specialist, be allowed to attend the Fall AARO conference this fall, plus any Board member who wishes to attend.

Motion by Crimmins to approve Luke, Brandy, New Licensing Specialist, and a Board member to attend the Fall 2019 AARO Conference.

Seconded by Selberg

VOTE: Aye: All

Nay: None

Abstaining: None

Motion passed.

North Dakota Waiver Approval

The North Dakota Waiver request was approved on July 9 with a 5-2 vote. The waiver is a one-year waiver from appraiser credentialing requirements and allows for the option to request an extension to the waiver for an additional year. The full FFIEC must sign off on the waiver at its next meeting before a final order can be issued. Vicki stated this has been completed.

Traveling Board Meetings

Greder suggested that we look into having traveling board meetings across the state of Iowa. Greder thinks if it was more publicized, the public might participate. Greder suggested that he could host the first one in Mason City. He also suggested advertise the meeting as much as possible (newspaper, newsletter, local news or radio) to get the word out. March reminded everyone that four staff members and six board members would need to travel to another location. Reed suggested handing out a questioner at the end of the traveling board meeting to get input on whether or not it was successful. Dawson asked if the meetings would be structured. Dawson suggested maybe limiting half of the day be the Board meeting business and have the other half be more structured. Crimmins wasn't sure if this type of meeting would fall within promoting public trust. March asked what happens if there are questions asked that we can't answer based on the type of question or the fact that it was not covered on the agenda topics. Greder suggested a response that someone will get back to them on their question was appropriate. Vickie, with ASC, is going to check into what other states do and give Greder more info. It was recommended that the Board allow for Continuing Education hours for appraisers in attendance more than two hours. It was decided that the Board will try a public meeting in Mason City, Iowa, in September 2019 and Greder and March will finalize all the details.

Motion by Selberg to go into closed session at 1:30 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(1) (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 Pooley

VOTE: Roll Call by Moellers: Greder; aye, Selberg; aye, Pooley; aye, Fuhrmeister; aye, Crimmins; aye.
Motion carried.

Motion by Fuhrmeister to return to open session at 1:37 p.m.

Seconded by Selberg.

VOTE: Aye: All

Nay: None

Abstaining: None

Motion passed.

Motion by Fuhrmeister to accept and countersign the 3rd Amendment to Consent Order in Case 16-06 as discussed in closed session.

Seconded by Selberg.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Motion by Selberg to close Case 19-09 as discussed in closed session.

Seconded by Fuhrmeister.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Upcoming Meetings and Last Minute Comments

Work Product Committee Meeting (In-Person)	August 6, 2019 at 10:30 a.m.
Associate Committee Meeting (Teleconference)	August 14, 2019 at 2:00 p.m.
Public Hearing (In-person, Staff required-Board Optional)	August 20, 2019 at 8:30 a.m.
Public Hearing (In-person, Staff required-Board Optional)	August 20, 2019 at 9:30 a.m.
Discipline Committee Meeting (In-Person)	August 29, 2019 at 10:30 a.m.
Board Meeting (In-Person)	August 29, 2019 at 12:00 p.m.

Adjournment

Greder adjourned the meeting at 1:39 p.m.

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

8/29/19
Date

Fred Greder bm
By: Fred Greder, Chair