

IOWA REAL ESTATE APPRAISER EXAMINING BOARD
200 East Grand Avenue, Suite 350, Des Moines, IA 50309 – Electronic Means
Tuesday, June 23, 2020 | 9:00 a.m.

Pursuant to Iowa Code 21.8, the Real Estate Appraiser Examining Board conducted the June 23, 2020, meeting by electronic means due to the health and safety concerns stemming from the COVID-19 virus, which have rendered an in-person meeting impossible or impractical.

Board Members present for all or part of the meeting:

Dan Fuhrmeister, Chair	Jordan Maus
Loretta Laubach, Vice Chair	Teresa Selberg
Fred Greder	Mark Kapfer
Tracy Crimmins	

Board Members not present for the meeting:

None

Staff present for all or part of the meeting:

Brandy March, Executive Officer	Kimberly Gleason, Licensing Specialist
Luke Dawson, AAG	Bob Lampe, PLB Executive Officer

Public present for all or part of the meeting:

Julie Ann Griffith	Clark DeVries
Julie Wulfekuhle	Theresa Kenkel, Certified Court Reporter
Administrative Law Judge Kathleen O'Neill	Stanley Wolkins

Call to Order

Call to Order by Fuhrmeister at 9:04 a.m.

Welcome, Introduction & Roll Call

Attendance: Roll Call by Gleason: Fuhrmeister; aye, Greder; aye, Maus; aye, Selberg; aye, Laubach; aye, Crimmins; aye, and Kapfer; aye.

Quorum was established.

Approval or Revision of Agenda

Motion by Laubach to approve the agenda as amended to move WPR, along with other agenda items that are able to be discussed, prior to the start of the formal hearing in an effort to keep the meeting flowing.

Seconded by Selberg.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Approval or Revision of Minutes

Motion by Crimmins to approve the May 26, 2020 open and closed session minutes as presented.

Seconded by Laubach.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Fuhrmeister authorized March to sign the minutes on his behalf.

New Business

WPR for Clark De Vries

Fuhrmeister stated the committee met with De Vries on June 17, 2020. De Vries is seeking his Certified General designation and has passed the national exam. Fuhrmeister did note that two (2) of the three (3) reports came back as USPAP compliant. Selberg inquired on the non-compliant issues with the report.

Maus noted that it was mostly due to failure to proofread and commenting errors which was address during the interview.

Motion by Selberg to approve the WPR for Clark De Vries.

Seconded by Kapfer.

VOTE: Aye: All Nay: None Abstaining: Laubach

Motion passed.

Public Comments

None

Board Member Reports

Chair Report – Fuhrmeister had nothing to report.

Associate Committee Report – Selberg and Laubach had nothing to report.

Code Committee Report – Dawson, Kapfer, and Greder had nothing to report.

Discipline Committee Report – Selberg and Maus met on June 18, 2020. Selberg stated they discussed a total of eight (8) current cases with one (1) being a new case.

Peer Reviewer Committee Report – Fuhrmeister and Crimmins had nothing to report.

Rules Committee Report – Dawson, Crimmins, Greder, and March had nothing to report.

WPR Committee Report – Fuhrmeister and Laubach met on June 17, 2020, and presented earlier.

Board Member Individual Reports – No one had anything to report.

Legal Report

Dawson had nothing to report.

Staff Reports

Reed was not present.

March reported that the TAF Level 1 investigator training has been cancelled and notifications to potential attendees were made. March stated she attended an ASC Q&A grant webinar and reiterated that states that want to apply must obtain their account information and get their profiles created. March stated she has a new office schedule which will include her being in the office on Monday, Wednesday and Friday and working from home on Tuesday and Thursday. March requested all future Board meetings be scheduled during her office days. The Board agreed.

Old Business

COVID-19

March noted the Board's office has opened back up; however, travel is still restricted and meetings will occur via Zoom for the unforeseeable future. March indicated that the State has reopened the rulemaking process.

ASC Grants

March stated she reached out to ASC regarding use of grant money towards supervisors and the potential to offer incentives and it appears to be a fundable endeavor.

Traveling Board Meeting

The board has agreed to table this agenda item until the July 2020 meeting.

Theresa Kenkel joined the meeting.

Calvanico Waiver

March noted that when reviewing the board rules in an effort to draft the waiver approval granted to Calvanico at the May board meeting, and in consultation with AAG Dawson, his request appears to be more of a process change and not a waiver. March inquired if the board was in agreement that an application for reciprocity can be submitted if the applicant has a lapsed Iowa license and currently lives out of state. Dawson noted that the Board rules did not prohibit a new license being issued to a former licensee.

Motion by Greder to allow staff to process reciprocity applications from out of state licensees when appropriate and to amend the waiver approval to a process change.

Seconded by Maus.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Judge O'Neill joined the meeting.

Fuhrmeister called for a break from 9:20 a.m. - 9:30 a.m.

Contested Case in Licensee Disciplinary Case (Formal Hearing)

A hearing was held before the Board in Case Number 19-11. Administrative Law Judge Kathleen O'Neill assisted the Board in conducting the hearing and Theresa Kenkel, a certified court reporter, recorded the proceedings. The hearing was closed to the public. Hearing commenced at 9:47 a.m. and concluded at 12:52 a.m.

Closed Session

MOTION made by Selberg to enter into closed session in accordance with Iowa Code §§ 21.5(1)(t) to deliberate on Real Estate Appraisal Examining Board Case No. 19-11, seconded by Crimmins.

Roll call as follows: Fuhrmeister, aye; Maus, aye; Kapfer, aye; Greder, aye; Crimmins, aye; Selberg, aye; and Laubach, aye. Upon the affirmative vote of all the members present, the board went into closed session at 12:09 p.m.

Open Session

Motion by Selberg to return to open session at 12:46 p.m.

Seconded by Laubach.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

MOTION by Fuhrmeister seconded by Selberg to request Administrative Law Judge O'Neill to prepare a written decision for the Real Estate Appraisal Examining Board Case No. 19-11 in accordance with the findings and deliberations made in closed session.

Motion carried unanimously.

Lampe left the meeting.

New Business

HF 2627

Dawson presented on House File 2627 which was amended and passed by the House on June 12, 2020. Dawson stated the act included the granting and renewal of licenses to remove excess red tape for those residing in Iowa with out of state licenses. Dawson stated he needed to ensure the bill works with the licensing system and ensure the new language tracks with this amendment in the rules. Dawson mentioned that HF 2627 recognizes three (3) years of work experience as a substitute for any education, training and work experience requirements but he hadn't dove into how it would affect appraisers. He stated the bill also includes waiving initial fees for those that the household income does not exceed two hundred percent of the federal poverty income guidelines. Dawson noted that the bill also has a uniform process for denial based on conviction history. Dawson mentioned that continuing education can be done by electronic means through June 30, 2021. Dawson did present an amendment that was added specifically for appraisers, 543D.9, which states that all experience required for initial certification shall be performed as a registered associate real estate appraiser acting under the direct supervision of a certified real estate appraiser who meets the supervisory requirements established by applicable federal authorities or federal law, rule, or policy in effect at the time the hours of experience are claimed, except as the board may provide by rule. Subject to requirements or limitations established by applicable federal authorities or federal law, rule, or policy, hours qualifying for experience in a bordering state will be considered qualifying hours for experience in this state without requiring a waiver or authorization from the board in accordance with rules and standards adopted by the board, as long as a majority of the qualifying hours are completed in this state. Qualifying hours completed in a bordering state shall be under the direct supervision of a certified real estate appraiser with active certification in that bordering state. Dawson stated he recommends the rules committee include all the changes be reviewed as they go into law January 1, 2021. March noted that a number of the rules will be included into the PLB policies.

Selberg left the meeting and returned to the meeting.

Notice of Intent – Rule Changes – 193F

March noted that these changes would have been presented earlier but due to COVID-19 they got delayed. March noted the changes made are the high priority changes such as conflicting rules and outdated processes, and Board requested changes.

Motion by Crimmins to approve the proposed changes to amend IAC 193F Chapters 1, 4, 5, 6, 7, 9, 10, 11, 12, 15, and 17, and to file a notice of intent.

Seconded by Laubach.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Upcoming Meetings and Last Minute Comments

WPR Committee Meeting (Zoom)	No July Meeting
Discipline Committee Meeting (Zoom)	July 23, 2020 at 10:30 a.m.
Board Meeting (Zoom)	July 28, 2020 at 12:00 p.m.

Adjournment

Fuhrmeister adjourned the meeting at 1:35 p.m.

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

7/28/2020
Date

Dan Fuhrmeister bm
By: Dan Fuhrmeister, Chair