

IOWA REAL ESTATE APPRAISER EXAMINING BOARD
200 East Grand Avenue, Suite 350, Des Moines, IA 50309 – Electronic Means
Wednesday, May 26, 2021 | 11:00 a.m.

Pursuant to Iowa Code 21.8, the Real Estate Appraiser Examining Board conducted the 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	Leila Granger
Cody Seeley	Teresa Selberg

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
Brad Horn, AAG	Rod Reed, Bureau Chief

Public present for all or part of the meeting:

Jared Gregory

Call to Order

Call to Order by Fuhrmeister at 11:04 a.m.

Welcome, Introduction & Roll Call

Attendance: Roll Call by Gleason: Fuhrmeister, Laubach, Maus, and Seeley. Not in attendance at roll call Granger and Selberg.
Quorum was established.

Approval or Revision of Agenda

Agenda item 12a entitled 'When to Recuse' will be moved prior to closed session.

Motion by Laubach to approve the agenda as amended.

Seconded by Maus.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Chair, Vice-Chair, & Committee Appointments

Maus nominated Fuhrmeister as chair.

Motion by Maus to appoint Fuhrmeister as Chair until the May 2022 meeting.

Seconded by Seeley.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Granger joined the meeting at 11:08 a.m. Selberg joined the meeting at 11:10 a.m.

Laubach self-nominated as vice-chair.

Motion by Laubach to appoint Laubach as Vice-Chair until the May 2022 meeting.

Seconded by Maus.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Fuhrmeister requested volunteers to serve on board committees.

Fuhrmeister made the following committee appointments:
Associate Committee – Fuhrmeister, Selberg, and Laubach
Code Committee – Laubach and Granger
Discipline Committee – Maus and Selberg
Peer Reviewer Committee – Maus and Seeley
Rules Committee – Fuhrmeister and Granger
Work Product Review Committee – Seeley and Laubach

Approval of Minutes

Motion by Laubach to approve the open and closed session minutes from April 28, 2021, as presented.

Seconded by Selberg.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Fuhrmeister authorized March to sign the minutes on his behalf.

Old Business

COVID-19

March noted that the Iowa Division of Banking will start phase two of the return to the office plan on June 1, which will be 50% staffing in the office; IDOB will skip phase three, and on July 6, the office will be staffed at 100%. This means in-person board meetings and travel can occur starting June 1, 2021. March mentioned that in-person board meetings will continue to be conducted via zoom for other interested parties.

AQB Corrective Action Discipline Courses

Maus was to report on the Ethics, Competency and Negligence corrective action course, but was unable to sit for the class. Maus stated he would report at the next meeting.

AARO Conference Recap

March reported that all general sessions from the AARO conference, with the exception of the ASC update, are available on the AARO website. March stated that the conference focused on bias and PAREA. She also reported that CLEAR was awarded the competitive grant and would be conducting a needs assessment and creating training courses for all regulatory officials, including board members.

New Business

WPR – Gary Gioffredi II AR03550

Laubach reported that Gioffredi passed the exam, interviewed with confidence, and that his reports were well written. Fuhrmeister noted that Gioffredi's reports are the best work he has seen since being on the board and was very impressed with the candidate.

Motion by Selberg to approve the WPR for Gary Gioffredi II.

Seconded by Maus.

VOTE: Aye: Fuhrmeister, Granger, Laubach, Maus, and Selberg Nay: None Abstaining: Seeley

Motion passed.

Post Course Applications: Michael Swaim and Norman Swaim

March reported on the post course applications submitted by Michael Swaim and Norman Swaim requesting teaching credit for a six hour course they co-taught to the Iowa Association of Realtors titled 'Principles of Appraising and Market Analysis'. March noted that they each taught three hours of the course and when not teaching, they would run the slides and monitor attendance. March stated that she reached out to another state to see how they would handle the request and they stated with the information provided they would likely offer three hours per instructor as an instructor cannot claim teaching and student credit for one course.

Selberg stated she was against approving. Laubach stated she would not be inclined to allow credit without more information. Seeley inquired on why more information on the class wasn't provided. Granger asked if the board had enough information to approve or to just present. March stated that the rules only require the outline of the course. The board and staff went into lengthy discussion.

Gleason lost connection at 11:26 a.m. for a moment.

Motion by Selberg to deny the post course credit for Norman Swaim and Michael Swaim.

Seconded by Laubach.

Seeley noted that he would feel better to obtain more information and inquired if more information is provided in similar applications. March stated that the information provided was similar to other applications of this type.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Public Comments

None.

Agenda Item 12a: When to Recuse

Horn provided IAC 481-Chapter 15 to all board members for review. Horn stated that board members have a public duty and must promote public confidence. Horn stated that if a member has a personal or financial relationship with the party the board member needs to recuse.

Discipline

Motion Maus to go into closed session at 11:41 a.m. pursuant to Iowa Code section 21.5(1)(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 Selberg.

VOTE: Roll Call Vote by Gleason: Fuhrmeister; aye, Granger; aye, Laubach; aye, Maus; aye, Seeley; aye, and Selberg; aye.

Motion by Selberg to return to open session at 12:57 p.m.

Seconded by Maus.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Fuhrmeister called for a break at 12:58 p.m. and the board returned from break at 1:23 p.m.

Motion by Maus to close case 21-14 as discussed in closed session.

Seconded by Selberg.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Motion by Laubach to find probable cause in case numbers 20-29, 20-31, and 21-15 as discussed in closed session.

Seconded by Selberg.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed.

Board Member Reports

Chair Report – Fuhrmeister had nothing to report.

Associate Committee Report – March had nothing to report.

Code Committee Report – March reported that the governor signed the code changes and they will go into effect on July 1, 2021.

Discipline Committee Report – Maus had nothing to report.

Peer Reviewer Committee Report – March noted that the board is still in need of a residential peer reviewer and that the process may need to be reviewed again due to its stringency.

Rules Committee Report – March stated that she attended a public hearing on May 25, 2021, and noted that Reed requested changes. A meeting is scheduled for next week. Reed mentioned that the changes did not change the rule and was more housekeeping types of changes.

WPR Committee Report – March had nothing to report.

Board Member Individual Reports – Board members had nothing to report.

Staff Reports

Reed stated he would like to address agenda item 7B regarding the Post Course Application and obtain clarification on the vote. Reed had concerns for those that took the class being issued CE credit if the instructors are unable to receive credit. March stated that the course offered was for realtors and not a class specific to appraisers; REAP doesn't regulate realtor courses. The board confirmed the vote was to deny all hours of credit for the course.

March stated that renewals started on May 16, for those whose last name ends with the letter L through Z at the time of initial licensure, and is going well. March noted that the 90 day extension option was still an option on the renewal application; however, she notifies anyone that selects this option that it is unavailable for this renewal period per prior board discussion. March stressed that all printed materials need brought into the office for proper disposal or retention.

Board Member Training

March presented the yearly board member training via a slide show. March mentioned that the slide show is available on the board share drive.

Legal Report

When to Recuse

This agenda item was moved to follow Public Comment agenda item.

Selberg left the meeting as noticed at 1:56 p.m. March attempted to have Selberg rejoin the meeting with no response from Selberg.

Legal Training

Horn presented the legal training slide presentation to those in attendance. Horn stressed the importance of keeping personal feelings towards a licensee or respondent to themselves and to only review the facts of the case. He reminded board members that no investigation is to be done on the part of the board member.

March reminded board members that once per renewal they may receive continuing education credit for the portion of the meeting they are actively participating in and the meeting must be 2 hours minimum. March stated that if anyone would like a course completion certificate to notify her.

Upcoming Meetings and Last Minute Comments

WPR Committee Meeting	TBD
Rules Committee	June 2, 2021 at 11:00 a.m.
Discipline Committee Meeting	TBD
Board Meeting	June 23, 2021 at 1:00 p.m.


Adjournment

Fuhrmeister adjourned the meeting at 2:42 p.m.

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

6-23-2021

Date


By: Dan Fuhrmeister, Chair