

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M WELLS BUILDING
Room 250
9:00 a.m.
February 28, 2024
Zoom

MINUTES

DIVISION STAFF PRESENT:

Justin Barney, Interim Director
Mark Fagergren, Licensing and Education Director
Kadee Wright, Chief Investigator
Maelynn Valentine, Board Secretary
Laurel North, Lead Investigator
Bryn Kaelin, Investigator
Melissa McGill, Licensing Specialist
Matt Hastings, Division Analyst
Valerie Wolfe, Assistant Attorney General
Steven Green, Assistant Attorney General

BOARD MEMBERS PRESENT:

Keven Ewell-Vice Chair
Ben Brown-Board Member
Rich Sloan- Board Member
Ron Jensen-Board Member
Kris Poulsen- Board Member

The January 24, 2024, meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Jeff Morley conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –

A motion was made and seconded to approve the January 24, 2024, minutes. Vote. Vice Chair Ewell, yes; Board Member Jensen, yes; Board member Brown, yes; Board member Poulsen, yes. The motion passes.

Public Comment Period

None

DIVISION REPORTS

INTERIM DIRECTOR’S REPORT – Justin Barney

Interim Director Barney reported that they are in the last week of the legislative session and stated that there are a couple of items within the Division's Bill that would affect the appraisal industry. One item within HB 500 would remove the 10-day reporting requirement for criminal convictions. Now that all licensees are enrolled in Rapback, that requirement is no longer necessary. HB 216 relates to minimum time periods for gaining experience prior to licensure. The concern with that bill is that it would contradict federal criteria that mandates a minimum time-period. An update regarding what bills did pass will be given at next month's meeting.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported that Bryn and herself will be speaking at the Utah Appraisal Institutes St. George symposium on Friday morning and then will be working on the appraisal portion of the presentation for the Division's annual CARAVAN.

Ms. Wright reported that in January the Division received two complaints, and closed five cases, leaving 53 appraisal cases open with the Division. There are nine cases pending with the AG's office.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported on statistics. The Division saw an increase of four certified residential appraisers and one certified general appraiser since last month's board meeting. Mr. Fagergren informed the Commission that the Division will be hosting its annual CARAVAN on the following dates. April 9th in Vernal, April 23rd in Park City, April 18th in Layton, April 30th in Provo, May 7th in Moab, May 8th in Richfield, May 9th in Cedar City and May 10th in St. George, concluding on May 16th in Logan. The location and dates will be published on the Division website for reservations in the coming weeks.

Mr. Fagergren reported there was one candidate approved by both the education and experience review committees to sit for the licensed appraiser exam.

- Stockton Brockbank; Approved to sit for the Licensed Appraiser exam.

Mr. Fagergren reported there was one candidate denied by the experience review committees to sit for the corresponding exam.

- Richard Todd Eaton

“Yes” answers of appraisers and Appraisal Management Companies that were approved by Division Representatives since our last Appraisal Board Meeting

- Isaac Lee
- Class Valuation, LLC
- U.S. Real Estate Services Inc.
- Michael Hodges

Mr. Fagergren reported on the topic of potential compensation for experience review committee members. Mr. Fagergren reminded the Board that if compensation was

provided to Experience Review Committee members for review work, they performed in behalf of the Division, they would no longer be legally defended regarding that work by the Attorney General's Office. Mr. Fagergren also indicated that the Division had discussed this topic internally and it was determined that there are potentially two ways that compensation could occur. One would be a fee-based license renewal fee increase, as it is highly unlikely that the legislature would allow general fund money to be used for this compensation. Second, would be applying for a one-time grant from the Appraisal Sub Committee, but that money is not reliable ongoing (guaranteed) funding.

Mr. Fagergren gave some statistics over the last three years of the number of licensed appraisers and based upon those numbers, if the licensing fee were increased what possible amount could be utilized for compensation to experience reviewers if it was determined to proceed with this option. This, however, would require an increased renewal fee of \$156 in addition to what appraisers are already paying, so the bi-annual license renewal fee would be \$642, nearly doubling the current fee. This is just one example if reviewers were paid \$200 per review and \$800 per application. Ultimately either option would need to be decided and approved by the legislature.

After further discussion another option was suggested to have appraiser renewal fees waived for reviewers. It was ultimately decided to have a survey sent out to all Experience Review Committee members and Appraisal Board Members to receive their thoughts and or desires on the topic of Experience Review Committee Member compensation. The survey results will be discussed at next month's Appraisal Board Meeting.

BOARD AND INDUSTRY ISSUES – Justin Barney

Mr. Barney reported on the current Proposed Rule Amendment regarding third party data collection and AMC Rules. The rule amendment was approved by the Board and is now open for public comment until mid-April. Mr. Barney will update the Board on the progress of the rule at next month's meeting.

Experience Review

Richard Eaton

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual: Vote, Chair Morley, yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Jensen, yes; Board member Sloan, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held.

OPEN TO PUBLIC

A motion was made and seconded to leave the application open for Richard Eaton and that he submits 2 new experience logs no later than 6 months to be examined. Vote. Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Jensen, yes; Board member Poulsen, yes. The motion passes.

A motion was made and seconded to adjourn the meeting. Vote. Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Jensen, yes; Board member Sloan, yes; Board member Poulsen, yes. The motion passes.

The meeting adjourned at approximately 11:41 a.m.