

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**  
HEBER M WELLS BUILDING  
Room 250  
9:00 a.m.  
October 28, 2020  
Google Meet

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Justin Barney, Hearing Officer  
Kadee Wright, Chief Investigator  
Maelynn Valentine, Board Secretary  
Amy Goodlett, Licensing Specialist  
Mark Fagergren, Licensing/Education Director  
Joy Natale, Division Analyst  
Desha Pages, Licensing Specialist

**BOARD MEMBERS PRESENT:**

Jeffrey T. Morley, Chair  
Keven Ewell, Vice Chair  
Benjamin Brown, Board Member  
Kris Poulsen, Board Member  
Richard Sloan, Board Member

The October 28, 2020 meeting of the Appraiser Licensing and Certification Board began at 9:01 a.m. with Chair Jeff Morley conducting.

Determination Regarding Holding Meeting Without Anchor Location

Public Body: Utah Appraiser License and Certification Board

Chair Name: Jeff Morley

The public meeting(s) scheduled for October 28 2020 will be conducted electronically and without an anchor location. I have determined meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location.

Facts upon which my determination is based:

The Heber Wells Building is closed to the public due to Covid-19 and the state and local municipality's response to the pandemic. The prior virtual meetings have provided an adequate means of holding this meeting and facilitates all relevant parties, including the general public, division staff and board members.

Signed this 26th day of October, 2020

Jeff Morley-Chair

## **PLANNING AND ADMINISTRATIVE MATTERS**

### **Approval of Minutes –**

A motion was made and seconded to approve the September 23, 2020 minutes. Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes, Board member Sloan, yes. The motion passes.

### **Public Comment Period**

Vern Myer directed his comment to Director Stewart "Director Stewart – Speaking personally, I strongly endorse and support your decision to create a committee comprised of appraisers, AMCs, and market participants to address issues relating to the valuation process. Such a committee has the benefits of being able to delve deeply into various issues, inconsistencies, and limitations in the current valuation process and provide contextual information and suggestions to the Appraisal Board and the Utah Division of Real Estate.

The one caveat to this support is that independent fee appraisers must be permitted to participate. Jeff Morley and Keven Ewell are highly qualified and well-respected appraisers and I have the utmost respect and admiration for both of them. However, your well-intentioned idea to have them represent independent fee appraisers on this committee puts them in an untenable position. As members of the Appraisal Board, it would seem that they are severely limited in their ability to advocate for appraisers and their issues without running afoul of the mission of the Appraiser Education and Certification Board's mission and authority. Unfortunately, in today's world, there are market participants who will readily invoke federal lawsuits to delay, or halt, actions which they perceive to be detrimental to their cause – we need only look as far as Louisiana to see an example of this.

It is my understanding that The Utah Association of Appraisers has sent you a list of appraisers, chosen by the various state and national appraisal organizations, that have volunteered to participate on this committee. Having advocates for other market participants such as AMCs and lenders but not appraisers is not only unseemly, it has the appearance of being inappropriate and biased which has the potential of tainting the committee's recommendations and thereby the resulting rules and legislative actions supported by the Division.

Having independent fee appraisers participate in this standing committee makes the process more transparent and will provide the Appraisal Board and the Division with a fuller understanding of industry issues and potential solutions. Again, the committee idea is a particularly good idea and is sound policy – but it needs representation by all industries. Not allowing the Utah Association of Appraisers and its member associations and coalitions select their representatives robs this committee of insight and support of the very industry members that the Division oversees and regulates. Thank you for your time and consideration."

Director Stewart informed Mr. Myer that the Division does not currently have a committee and that the next time a committee is formed he will take into consideration his suggestions.

Mr. Myer stated that there are dozens of issues they would like the Board to address. He believes it would be a good idea to have a committee in place to address these issues. Director Stewart explained that he did not know there were issues that needed to be discussed. Director Stewart informed Mr. Myer that the purpose of public comment during Commission/Board meetings is to bring any issues to the Board's attention and informed Mr. Myer that he can request to be put on the Agenda for next month's meeting to go into depth on any issues.

## **DIVISION REPORTS**

### **DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart publicly congratulated Craig Morley as he has been added the Appraisal Standards Board.

Director Stewart reported that the Appraisal Subcommittee had approved the Division's grant application. It is a three year grant and the Division has been approved for the first of three years. The grant money will be used for travel for Division staff and Board members to attend AARO conferences, contract appraisers, and equipment for appraisal staff. The grant money will help due to recent budget cuts.

Director Stewart reported that the Division has created a Facebook page. The Division held its first Facebook Live last month and it has had over 77 views. Director Stewart encouraged people to follow the Facebook page. The Division plans to hold a monthly Facebook Live as long as there is interest. The Division's Facebook Live is currently a Q&A format, and licensees from all three industries are encouraged to view. Director Stewart advised the Board that if there are ideas they would like the Division to cover, to inform him and they will be covered during the next Facebook Live.

### **ENFORCEMENT REPORT – Kadee Wright**

Ms. Wright reported that the Division has received grant money for contract appraisers. The Division will begin sending appraisals out for review in the next couple of weeks and will give the Board an update on the process at the next Board meeting.

Ms. Wright reported that in September the Division received one complaint; closed one case; leaving nine appraisal cases open with the Division. There is one case pending with the AG's office.

### **EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren reported on statistics. There has been an increase of four certified residential appraisers from last month.

Mr. Fagergren reported there were eight candidates approved by both the education and experience review committees for exams.

- Christopher Franco; approved to sit for the licensed appraiser exam.
- John Wallace Pace; approved to sit for the licensed appraiser exam.
- Trevor Morrill; approved to sit for the certified residential appraiser exam.
- Kelsey Wilson; approved to sit for the certified residential appraiser exam.

- Weston Lemon; approved to sit for the certified general appraiser exam.
- Breiton J. Andersen; approved to sit for the certified residential appraiser exam.
- Daniel McKenna; approved to sit for the licensed appraiser exam.
- Jennifer Adams; approved to sit for the licensed appraiser exam.

'Yes' answers approved by Division Representatives.

- Timothy Manning
- Steven Cory Luttrell
- Michael A. Elggren

Mr. Fagergren reported that the Division held a IDW (Instructor Development Workshop). There were 83 attendees and Cheryl Knowlton did an amazing job as the instructor. Ms. Knowlton shared tips and pointers on how to enhance skills as an instructor. The features of the virtual platform for the workshop were highly affective and the feedback on the workshop was positive.

Vice Chair Ewell added a comment that the IDW was very informative and the format was great.

Mr. Fagergren reported that the Appraisal Foundation has approved virtual training for everything other than qualifying courses through 2021.

### **BOARD AND INDUSTRY REPORT- Justin Barney**

Mr. Barney reported that the Board approved a proposal to amend a rule that was recently amended. The Board instructed the Division to eliminate the recently approved rule which required an individual to be registered to report assignment results of an inspection. The Division of Administrative Rules has not published the recent amendment, but once they do it will be amended.

### **EXPERIENCE REVIEW**

Joe Perschon  
Joseph Palmer

### **LICENSING HEARING**

Craig D. Johnson

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: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes; Board Member Sloan, yes. The motion passes.

**CLOSED TO PUBLIC**

An Executive Session was held.

### **OPEN TO PUBLIC**

Vice-chair Ewell made a motion to approve Joe Perschon to sit for the exam. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes; Board Member Sloan, yes. The motion passes.

Vice-chair Ewell made a motion to approve Joseph Palmer to sit for the exam. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes; Board Member Sloan, yes.

A motion was made and seconded to approve Craig D. Johnson's application as an appraiser trainee. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes; Board Member Sloan, yes. The motion passes with concurrence from the Division.

A motion was made and seconded to adjourn the meeting. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown, yes; Board Member Poulsen, yes; Board Member Sloan, yes. The motion passes. The meeting adjourned at approximately 12:04 p.m.