

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**  
**HEBER M WELLS BUILDING**  
Room 250  
9:00 a.m.  
April 28, 2021  
Zoom

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathon Stewart, Division Director  
Justin Barney, Hearing Officer  
Joy Natale, Division Analyst  
Mark Fagergren, Licensing & Education Director  
Kadee Wright, Chief Investigator  
Maelynn Valentine, Board Secretary  
Laurel North, Investigator  
Michael Genco, Licensing Specialist  
Sydney Joy, Licensing Specialist

**BOARD MEMBERS PRESENT:**

Jeffrey T. Morley, Chair  
Keven Ewell, Vice Chair  
Kris Poulsen, Board Member  
Rich Sloan, Board Member  
Ben Brown, Board Member

The April 28, 2021 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 scheduled for April 28, 2021 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 27th day of April, 2021  
Jeff Morley-Chair

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes –

A motion was made and seconded to approve the March 24, 2021 minutes. Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Sloan, yes. The motion passes.

**Public Comment Period**

**DIVISION REPORTS**

**DIRECTOR’S REPORT – Jonathon Stewart**

Director Stewart reported on the legislative session and informed the Board that H.B. 234 did pass, it will become effective May 5, 2021. The Bill does expand the Board from five to seven members, including a representative from an appraisal management company and a representative from a lending institution. Director Stewart has checked the Boards and Commissions website and it does show that the Board has been expanded to seven members, but it does not show the openings allowing for individuals to apply as of yet. Once the application option is open the Governor’s office will then consider names for the two new positions.

Director Stewart gave an update on the Governor’s Executive order requiring all licensing agencies to review all statutes and rules for unreasonable barriers for licensure as well as unreasonable regulations. The Division staff has been going through all statutes and rules in the industries that are regulated and are still in the process of reviewing the recommendations from staff as far as what is going to be recommended to the Governor’s office, the report is due to the Governor’s office on June 1, 2021. The Divisions recommendations will be shared with the Board at the May Board meeting.

**ENFORCEMENT REPORT – Kadee Wright**

Ms. Wright reported that in March the Division received four complaints, closed one case, leaving 15 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 that the Division has recently hired Michael Genco and Sydney Joy as appraisal licensing specialists

“Yes” answers approved by Division Representatives.

- Julie Johnson
- Joseph Torzewski
- Alexander Shermom Cloward
- Adam Dembowitz
- Steven L. Mitchell

Mr. Fagergren reported there were three candidates denied by both the education and experience review committees to sit for the corresponding exam.

- Jill Tucker-Staska; denied to sit for the Certified Residential Appraiser exam.
- Christian Pate; denied to sit for the Licensed Appraiser exam.
- Dalton Hamblin; denied to sit for the Licensed Appraiser exam.

Mr. Fagergren continued the discussion from last month regarding Jesse Palmer from JLP Appraisal Group and his request to be granted an exception to the one supervising certified appraiser to train three individuals that they are supervising. They would like the ability to train six individuals and interchange between the two supervisors. Mr. Fagergren has discussed this with Director Stewart and they believe that if the Board is considering his request, that the Board generalize their direction. If the Board would like to establish standards that are broader than what the AQB currently requires and set standards for progress oversight and responsibilities, this allow for anyone to take advantage of the new changes. Director Stewart commented that the decision is solely up to the Board and if they do consider the proposal that the Board set parameters and that it not just be tailored to the request that is being introduced.

Vice-Chair Ewell suggested putting together a committee so that the Board can come up with general rules and guidelines so that it can be made available to other trainers and trainees. Mr. Fagergren stated that if the trainers/supervisors have a responsibility to multiple trainees then that could diminish their accountability. Vice-Chair Ewell agrees with the accountability issues, but believes there are some rare instances where it would be beneficial to have multiple supervisors, provided there are some strict guidelines to ensure there is accountability.

Mr. Fagergren reported on the supervisory trainee course. The state of Utah is unique in that the ABQ requires a four-hour supervisory trainee course and the state of Utah has expanded that to a six-hour course. The only courses that a trainee/applicant in the state can take are only available by three providers, The Utah Chapter of Appraisal Institute, The Utah State Tax Commission and Dynasty Education. Mr. Fagergren has received feedback from individuals that it is difficult to get into a live class. Mr. Fagergren encourages instructors to offer a more frequent instruction of the supervisory trainee course. Jared, an instructor with the Appraisal Institute stated that they are addressing this issue and have taught the course four times since September 2020 and because of the provision in teaching virtually they are allowed to teach the course on a Saturday if enough individuals sign up.

Mr. Fagergren stated that Tammy Melling, an employee with the Utah State Tax Commission updated the 319-page course outline and will distribute the updated outline to course providers. Vice-Chair Ewell asked if the course can be taught in four hours or if the full six hours is needed. Jared stated that he would be hesitant in cutting the class down to four hours uses all six hours and if there is any time left in the class, he uses that to fill out the experience log. Mr. Fagergren asked if an individual were to come to Utah from another state if they could offer a 2-hour course since they have done the 4-

hour course in their state. Jared stated that may be something to look at and offering a 2-hour addendum to the course for those individuals. Tammy stated that she agrees with Jared's comments and does think there should be a 2-hour supplement to the 4-hour course. Jared commented that he would like to compare the courses side-by-side to ensure nothing is lost in the 2-hour supplemental course. Chair Morley stated that he would like this topic of supervisory trainee course added to next month's agenda.

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

Mr. Barney reported that there was a statutory public comment period that ran through March 31, 2021 and the Division has received a number of written public comments and those have been distributed to Board members prior to the meeting. In addition to public comments there was a request from the Utah Coalition of Appraisal Professionals to hold a Public Hearing.

### **Public Hearing**

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 Poulsen, yes; Board Member Sloan, yes; Board Member Brown, yes. The motion passes.

### **CLOSED TO PUBLIC**

An Executive Session was held.

### **OPEN TO PUBLIC**

A motion was made to uphold the recommendation of the experience review committee to deny Jill Tucker-Staska, Christian Pate and Dalton Hamblin to sit for the licensing exam, the motion was seconded. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Brown; yes; Board Member Poulsen, yes; Board Member Sloan, yes. The motion passes.

A motion was made and seconded to adjourn the meeting. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown; yes; Board Member Sloan, yes. The motion passes. The meeting adjourned at approximately 10:54 a.m.