

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M WELLS BUILDING
Room 250
9:00 a.m.
January 26, 2022
Zoom

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Justin Barney, Hearing Officer
Mark Fagergren, Licensing & Education Director
Kadee Wright, Chief Investigator
Maelynn Valentine, Board Secretary
Michael Genco, Licensing Specialist
Sydney Joy, Licensing Specialist
Laurel North, Investigator
Judi Jensen, Assistant Attorney General
Sandy Margullies, Assistant Attorney General
Matt Hastings, Division Analyst

BOARD MEMBERS PRESENT:

Jeffrey T. Morley, Chair
Keven Ewell, Vice Chair
Kris Poulsen, Board Member
Ben Brown, Board Member
Ron Jensen, Board Member
Kelle Smart, Board Member

The January 26, 2022 meeting of the Appraiser Licensing and Certification Board began at 9:01 a.m. with Chair Jeff Morley conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –

A motion was made and seconded to approve the December 22, 2021 minutes. Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes.

Public Comment Period

None

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart introduced and swore in the newest Board member, Kelle Smart-Okazaki.

Elections were held and Jeff Morley was nominated and voted as Chair. Keven Ewell was nominated and voted as Vice-Chair.

Director Stewart reported that the Legislative session is in its second week and that HB69 has passed the House and could be heard in a senate committee meeting as early as tomorrow. There is only one AMC change within the bill that would affect the Appraisal industry and it's in statute 61-2e-401 deleting one provision that states "If an AMC is found in violation of the law, then they have to reimburse the Division for the costs incurred by the Division for investigation." The Division has never charged any fees, so that provision is being removed. Senator Bramble addressed the issue of data collection had suggested that it may be addressed legislatively

Director Stewart reported that he received an email from the Appraisal Foundation regarding a study they commissioned called "Identifying Bias and Barriers Promoting Equity". The goal of the review was to ensure that USPAP standards and the appraiser criteria do not encourage or systemize bias and that the standards and criteria consistently support or promote fairness, equity, objectivity and diversity in both appraisals and the training and credentialing of appraisers. Within the summary the foundation mentions several recommendations. Director Stewart will send a copy of the study to Board members for their review.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported that in December the Division received two complaints, closed two cases, leaving 35 appraisal cases open with the Division. There is one case pending with the AG's office.

Stipulation Presented by Judith Jensen

Yvette Visser

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported on statistics and stated that there has been an increase of one licensed appraiser, a decrease of 9 certified residential and 3 certified general. There has been a decrease of 7 appraiser trainees over the last month.

Mr. Fagergren reported there were five candidates approved by both the education and experience review committees to sit for their corresponding exams.

- Anthony Cole Parkinson; Approved to sit for the Licensed Appraiser exam.
- Quinn Blake; Approved to sit for the Licensed Appraiser exam.
- Megan McKenna; Approved to sit for the Certified Residential exam.
- Oscar Hoggan; Approved to sit for the Certified Residential exam.
- Camille Dickerson; 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.

- Scott Byington; denied to sit for the Certified Residential Exam.

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

- David Mark Anderson
- David J. Warren
- Jared Cuddeback
- Soldifi US Inc.

BOARD AND INDUSTRY REPORT- Justin Barney

Mr. Barney reported on the possible amendment to R162-2e-305 that requires AMC employees to take the 15-hour USPAP course. Chair Morley stated that he was under the impression that there was a 4-hour class offered for AMC employees. It was further discussed that there will need to be more research on the topic and will be added to the agenda next month.

Mr. Barney reported on the proposed rule amendment that was sent to the Board last month. The changes that were suggested have been addressed and the amendment is ready to move forward. Director Stewart suggested that if the Board is comfortable they should vote today so that once the Appraisal Sub Committee approves it then it will be moved to public comment period.

A motion was made and seconded to approve the proposed rule amendment as written. Vote. Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes.

Experience Review

Scott Byington

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 Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held.

OPEN TO PUBLIC

A motion was made and seconded to keep Scott Byington's application open for 90 days and submit a log of the 90-day period where the Division will select two appraisals to review for reconsideration. Vote: Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes.

A motion was made and seconded to approve Jayce Williams to sit for the appraisal exam. Vote: Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes.

A motion was made and seconded to approve the Stipulation and Order for Yvette Visser. Vote: Chair Morley, Yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Smart, yes. The motion passes with concurrence of the Division.

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 Jensen, yes; Board Member Smart, yes. The motion passes. The meeting adjourned at approximately 12:19 p.m.