

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M WELLS BUILDING
Room 250
9:00 a.m.
May 25, 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
Laurel North, Investigator
Sandy Margullies, Assistant Attorney General
Matt Hastings, Division Analyst
Alex Pitz, Investigator
Melissa McGill, Licensing Specialist

BOARD MEMBERS PRESENT:

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

The May 25, 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 April 27, 2022 minutes. Chair Morley, Yes; Vice Chair Ewell, yes; Board member Smart, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Poulson, yes. The motion passes.

Public Comment Period

Tony Reese addressed the Board and asked the Board to consider the following request:

- Providing Andrew Shaw, whose license has been in good standing with the division in the state of Washington for more than three years and was granted a Certified Residential license in Utah through reciprocity, approval to act as a Supervisory Appraiser in the state of Utah.

Mr. Fagergren will discuss this in his portion of the meeting.

Vern Meyer stated on the record that he sent a letter to the Appraiser Board.

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart received an email back in March, requesting the Division to write about a topic in the Newsletter. Unfortunately, by the time the request was received the first quarter Newsletter was about to be published. Director Stewart addressed the Board with a consideration for the second quarter Newsletter in regards to the ANSI Standard.

“Appraisers will be required to use the Square Footage-Method for Calculating: ANSI® Z765-2021 (American National Standards Institute®) Measuring Standard for measuring, calculating, and reporting gross living area (GLA) and non-GLA areas of subject properties for appraisals requiring interior and exterior inspections with effective dates of April 1, 2022 or later for loans sold to Fannie Mae.”

The individual who sent the email is requesting that the Newsletter include the newly adopted standard so that appraisers are aware of this new requirement. It was discussed among Board members that the topic did not need to be addressed in the upcoming Newsletter. Director Stewart stated that if the topic is addressed in the Newsletter that it will be a small portion stating that Utah does not require a specific standard, but it may be best practice to specifically identify within the appraisal report what standard they are using.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported that in April the Division received two complaints, closed eight cases, leaving 37 appraisal cases open with the Division. There are two cases pending with the AG's office.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported that the Division recently hired a new Appraisal Licensing Specialist, Mellissa McGill. Mr. Fagergren reported on statistics and stated that the Division has seen 5 additional trainees, 2 additional licensed appraisers and five additional certified residential appraisers.

Mr. Fagergren discussed the topic of AMC's using trainees for inspections of hybrid appraisals. Mr. Fagergren explained the position of licensing and that the Division would recommend that trainees be allowed to inspect hybrid appraisals, however, that they only receive experience points towards their license advancement if signed off by their supervising appraiser.

Mr. Fagergren discussed the topic of primary and secondary trainee status and stated that it would be a challenge for the Division as there has already been some confusion if added to that by having a different category. Mr. Fagergren suggested having trainees be on an inactive status, in order to accomplish the same goal of a secondary status of trainees.

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

- Brock Jongeward; Approved to sit for the Licensed Appraiser exam.
- Brooke Jewkes; Approved to sit for the Certified Residential Appraiser exam.
- Cody Rogers; Approved to sit for the Licensed Appraiser exam.
- Sidney Hayward; Approved to sit for the Licensed Appraiser exam.

Mr. Fagergren reported there were no candidates denied by the experience review committees to sit for the corresponding exam.

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

- Frisco Lender Services, LLC
- Ted Whitmer
- Kenneth Johnson

Mr. Fagergren continued the discussion on a supervisor coming to Utah from out of state and having the ability to immediately supervise an individual. The current rule R162-2g-502a paragraph 5 (d) states A supervisory appraiser shall be state-certified and in good standing with the division for a period of at least three years prior to being eligible to become a supervisory appraiser. It was interpreted that "with the division" meant with the Utah Division of Real Estate. After further discussion it was agreed to have the language be clarified and to mirror the AQB's rule that states "Supervisory appraisers shall be state certified and in good standing for at least three years prior to being eligible to become a supervisory appraiser. Supervisory appraisers do not need to be state certified and in good standing in the jurisdiction in which the trainee appraiser practices for any specific minimum period of time." This clarification requires a rule amendment and Mr. Barney will work on that in the near future.

Mr. Fagergren continued the discussion regarding a supervisor having the ability to train more than three trainees at a time. In Texas they have approximately 7,000 appraisers and about 45 of them exceed having more than three trainees. Prior to the meeting, a

spreadsheet and pie-chart was sent to the Board and Division staff showing the number of supervisors and how many trainees they currently have. Some of the take always from this data shows that not a lot of CR and CG's are supervising and a majority of them that are supervising only has one trainee. Only about 3% of the total number of CR's are at the maximum of three and about 2% of CG's. After looking at and discussing the data it does not seem to be an emergent issue that needs to be addressed at this time. This topic may be discussed on a later date.

Mr. Fagergren reported on the successful Spring CARAVAN 2022. The Division recently resumed CARAVAN after a 2-year hiatus due to Covid-19. The Division has completed 6 of the 7 scheduled CARAVAN's. The next and final CARAVAN will be in Logan, UT.

BOARD AND INDUSTRY REPORT- Justin Barney

Mr. Barney reported on the proposed rule amendment. The current rule covers PARI, Experience modules and Virtual Live Education. It has been submitted to the Office of Administrative Rules with their feedback to make a few minor changes and corrections. The proposed rule amendment should be open for public comment in the coming weeks.

Supplemental Experience Review

Zach McClelland

A motion was made and seconded to approve Zach McClelland to sit for the appraiser exam. Vote: Chair Morley, Yes; Vice Chair Ewell, yes; Board member Smart, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Poulson, yes. The motion passes.

A motion was made and seconded to adjourn the meeting. Vote. Chair Morley, Yes; Vice Chair Ewell, yes; Board member Smart, yes; Board Member Brown, yes; Board Member Jensen, yes; Board Member Poulson, yes. The motion passes. The meeting adjourned at approximately 10:30 a.m.