

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD
HEBER M WELLS BUILDING
Room 250
9:00 a.m.
January 25, 2023
Zoom

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Justin Barney, Hearing Officer
Mark Fagergren, Licensing & Education Director
Michael Genco, Appraisal Licensing
Maelynn Valentine, Board Secretary
Matt Hastings, Division Analyst
Melissa McGill, Licensing Specialist
Laurel North, Lead Investigator
Sandy Margulies, Assistant Attorney General
Steven Green, Assistant Attorney General

BOARD MEMBERS PRESENT:

Jeff Morley-Chair
Kevin Ewell-Vice Chair
Ben Brown-Board Member
Ron Jensen-Board Member
Rich Sloan- Board Member
Kelle Smart-Board Member

The January 25, 2023 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 December 28, 2022 minutes. Chair Morley, yes; Vice Chair Ewell, yes; Board Member Jensen, yes; Board Member Smart, yes; Board Member Brown, yes. The motion passes.

Public Comment Period

None

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported on Legislation. The Legislative Session began on January 17, 2023. The Division's Bill House, H.B. 211, 3rd Substitute was heard in House Business and Labor Committee yesterday. The Bill amends the AMC statute regarding the National Registry Fees and their reporting form. The Bill will go to the House floor to be heard next week. Director Stewart stated that there are currently no other Bills that would affect the Appraisal industry and will continue to monitor throughout the session.

Director Stewart reported that he and Mr. Fagergren spoke at the Appraisal Institute luncheon earlier this month. The topic of AMC reporting forms raised a question from Vern Myer about using this data to inform the industry about how many appraisals have been completed in the previous year. The data the Division has would not give an actual number, the calculation that AMC's use is the number of appraisers who completed at least one appraisal in the previous year, not the total number of appraisals completed by appraisers in Utah.

ENFORCEMENT REPORT – Mark Fagergren

Mr. Fagergren reported that in December the Division received five complaints, and closed two cases, leaving 45 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 on statistics and stated that there were a loss of 33 licensed appraisers between November and December and six fewer trainees.

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

- Brook L John; Approved to sit for the Licensed Appraiser exam.
- Lee McKay Wells; Approved to sit for the Certified Residential exam.
- TJ Adams; Approved to sit for the Licensed Appraiser exam.
- Trent Southwick; Approved to sit for the Licensed Appraiser exam.
- Matthew Fudge; Approved to sit for the Licensed Appraiser exam.

Mr. Fagergren reported there were two candidates denied by the experience review committees to sit for the corresponding exam.

- Jackson Cooney; Denied to sit for the Certified Residential Appraiser exam.

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

- David B. Fife

Mr. Fagergren reported that Michael Genco sent out an invite to all active experience reviewers for the Division and Appraisal Board Members for an Experience Review Committee Meeting. The Committee meeting will be held via zoom on Thursday February 16th at 9:00am. Mr. Fagergren suggested that Board members come to the meeting with any thoughts or suggestions for experience reviewers. Chair Morley suggested receiving feedback from experience reviewers committee once or twice a year.

Mr. Fagergren reported that Division staff has been invited to speak at the Appraisal Institutes Spring Symposium in St. George.

BOARD AND INDUSTRY REPORT- Justin Barney

Mr. Barney reported on the Division's recently approved proposed rule amendment regarding the AMC rule. The amendment is moving forward and will give another update at next month's meeting.

Mr. Barney addressed the Board in regards to a request by Chair Morley for discussion on a possible Rule Amendment to R162-2g-304d. Experience Hours.

(2) Appraisal experience obtained pursuant to Appendices 1 through 3 are restricted as follows:

(d) With regard to experience hours claimed from the schedules found in Appendices 1 and 2, no more than 25% of the total experience required for licensure or certification may be earned from appraisals where the interior of the subject property is not inspected.

R162-2g-601. Appendices.

Appendix 1. Residential Experience Hours Schedule.

Appendix 2. General Experience Hours Schedule.

This item was discussed in length by Board members and Division staff. Director Stewart stated that there are two rules and the requirement that a supervisor appraiser accompany a trainee on the first 35, so he suggested to combine the two rules and make it mandatory to complete 35 inspections. It was decided that Mr. Barney put together proposed language for a rule amendment to combine the two rules and remove the percentage of inspections needed to a minimum of 35 inspections needed.

Director Stewart informed the Board that the Division has seen an increase in appraisal complaints. In order to address this issue, the Division will have an opening for one or more contract appraisal investigators. Currently the Division has three contract appraisal investigators and would like to have five or six. In addition, the Division has a vacancy for a Division employee investigator to work with the contract investigators and, in addition, potentially investigate Real Estate complaints, depending on case load. The openings should be posted within the next couple of weeks. If Board members know of

anyone interested in becoming either a contract investigator or a Division employee investigator, please have them visit the state jobs website.

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

The meeting adjourned at approximately 9:53 a.m.