

**UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**  
HEBER M WELLS BUILDING  
Room 250  
9:00 a.m.  
March 22, 2023  
Zoom

**MINUTES**

**DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Justin Barney, Hearing Officer  
Kadee Wright, Chief Investigator  
Michael Genco, Appraisal Licensing  
Maelynn Valentine, Board Secretary  
Melissa McGill, Licensing Specialist  
Laurel North, Lead Investigator  
Bryn Kaelin, Investigator  
Steven Green, Assistant Attorney General

**BOARD MEMBERS PRESENT:**

Jeff Morley-Chair  
Kevin Ewell-Vice Chair  
Ben Brown-Board Member  
Kris Poulsen-Board Member  
Rich Sloan- Board Member  
Ron Jensen-Board Member

The March 22, 2023 meeting of the Appraiser Licensing and Certification Board began at 9:02 a.m. with Chair Jeff Morley conducting.

**PLANNING AND ADMINISTRATIVE MATTERS**

**Approval of Minutes** –

A motion was made and seconded to approve the February 22, 2023 minutes. Chair Morley, yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Jensen, yes; Board member Sloan, yes; Board Member Brown, yes. The motion passes.

**Public Comment Period**

Vern Myer addressed the Board with two issues; the recent meeting of experience review appraisers led by the Division staff and also some unique issues that have come up regarding trainees and claimed experience. Mr. Myer stated that the Experience Review Committee should be held periodically, his recommendation would be to hold it quarterly. One item that he would like to see at the next meeting is an overview of how

the Division's Experience Review Committee operates, who its members are and what is expected of the reviewers in this process. Mr. Myer suggested the following – that the review committee and review appraiser meet via Zoom meeting or conference call to discuss each experience review. That a process is put into place in which the review appraiser could write a letter to the candidate explaining the strengths and weaknesses of the reports that were reviewed. Finally, the meeting of the review appraiser with the review committee could produce recommendations for the REALCB as to the work that did not merit a recommendation to allow the candidate to sit for an exam. Providing specific weaknesses, and recommendations to address them, would seem to be a valuable piece of information for the board instead of each board member having to review the appraiser trainee's work file as well as the appraisal reports that were submitted as examples of their work product.

Mr. Myer stated that the second part of his remarks deals with three specific issues that have recently occurred in experience reviews that he believes the Board and Division need to be aware of and provide guidance via policy statements or even rule changes. These include claiming third-party property inspection assignments for appraisal experience credit; claiming work accomplished in other states – states in which the candidate is not licensed as an appraiser or trainee; and proprietary, or desktop, appraisals that are completed and full experience time is claimed for the work (6-8 hours). His recommendation, would be that such inspections not count towards licensing experience. The second issue is candidates requesting experience credit for appraisal work accomplished in other states. Mr. Myer recommends that if the candidate and their supervisor are licensed in the other state, the work should be eligible for experience credit – up to some limit to be determined by the REALCB.

The third and final item is work experience credit for restricted appraisal assignments on proprietary forms (desktop assignments) where a candidate has claimed 'full credit' (6+ hours). Mr. Myer suggested that due to the limited reporting requirements, less experience credit (time) should be allocated. Currently, the time contribution allocation table in R162-2g-601 (Part 1) states that an appraisal assignment can earn up to 10 hours per appraisal assignment. The only time/credit limitation for a restricted appraisal report is in the 'Appraisal Report Preparation' task for which the limit is 30 minutes, whereas the limit is 1-hr and 45 minutes for a 'standard' appraisal. He maintains that essentially every aspect of an appraisal report is impacted by the difference in reporting standards for these two assignments – state versus summarize. In conclusion, Mr. Myer would recommend that each of the non-inspection tasks be reconsidered for time contributions, given that AMCs and lenders advertise that they expect these restricted appraisal reports to take from 30-45 minutes to complete.

Vice Chair Ewell agreed with Mr. Myer in the fact that he does not believe that a desktop appraisal should count as 6 hours of experience claimed and that the hours should be looked at as far as what should and could be claimed. Director Stewart stated that the Appraisal Sub Committee had mentioned this issue in a past compliance review and asked that the Division change the rule to state that only hours actually worked may be claimed for experience credit. Director Stewart suggested clarifying the log to state

that licensees may only claim up to a maximum number of hours based on the work that has been done. Chair Morley suggested addressing this issue in the Division's quarterly newsletter. It was further discussed that the experience available is clear in the Rule and just needs to be clarified on the log/spreadsheet and added to the instruction document on the Division's website. It was also decided to add the topic of adding points for eminent domain to the log.

Chair Morley addressed the issue of the amount of experience points a trainee may claim that is done out of state. Mr. Genco stated that a trainee may claim up to 50% of work that is done out of state and does not need to be registered/licensed as a trainee in that state. Director Stewart stated that if a trainee came to Utah from another state they would need to be registered with the Division and if not, it would be considered unlicensed activity. It was decided to look further and see if there needs to be a change in rule or statute and that verification be done when trainees claim credit from another state.

The topic discussed by the Board was whether an appraiser whose experience is being reviewed and the experience review committee should get together to discuss the experience review. Chair Morley stated that he would not want to add to the burden of the experience review committee and the further delay the review process. He suggested the possibility of a monthly voluntary committee meeting to discuss any reviews in question. Board Member Poulsen also suggested adding a forum to Reddit for instant answers. This would help and not delay the review process. Mr. Genco will reach out the experience review committee and see if they would be willing to attend a special meeting if an experience review is facing a challenging review or if they are simply on the fence and need further guidance in making a decision.

## **DIVISION REPORTS**

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

Director Stewart gave an update on Legislation. The Legislative session ends on Friday, March 3rd. The Division's Bill, H.B. 211, 4<sup>th</sup> Substitute has passed and was sent to the Governor for his signature. The Bill amends the AMC statute regarding the National Registry Fees and the national registry reporting form. Director Stewart stated that there are currently no other bills that would affect the appraisal industry.

Director Stewart addressed the Board and asked for members of the industry or Board to suggest topics for the Division's social media platforms. These would need to be short posts addressing certain issues, improvement ideas, advice, or changes within the Appraisal industry. The three industries that the Division regulates will rotate each month posting information. Director Stewart stated that if anyone is interested or has ideas to send them to him or Mr. Genco.

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

Ms. Wright reported that in February the Division received two complaints, and closed one case, leaving 45 appraisal cases open with the Division. There are two cases pending with the AG's office.

Ms. Wright informed the Board that the Division has hired a new Appraisal Investigator, she will introduce herself that the next meeting.

### **EDUCATION AND LICENSING REPORT – Michael Genco**

Mr. Genco reported on statistics and sated that the Division has seen any growth in appraisal licensees since last month.

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

- Marcus Hale; Approved to sit for the Licensed Appraiser exam.
- Steven Everett; Approved to sit for the Licensed Appraiser exam.
- Joseph Kasal; Approved to sit for the Licensed Appraiser exam.
- Daniel McKenna; Approved to sit for the Certified Residential exam.
- Anthony Cole Parkinson; Approved to sit for the Certified Residential exam.

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

- Lindsay Aucunas; Denied to sit for the Licensed Appraiser exam.

Mr. Genco reported on hybrid appraisals, currently hybrid appraisals allow for a third party, which may not be a licensed appraiser to complete interior and exterior inspections. Mr. Genco brought a topic of discussion to the Board and asked should trainees be allowed to preform third party inspections without their supervisor's permission or knowledge and should trainees be allowed to gain experience points used to become licensed. Vice Chair Ewell stated that as long as it's for a bifurcated appraisal or similar inspection then, yes, they should get points for those inspections. It was decided that they will be allowed to perform those inspections, but a limit of number of inspections and experience hours allowed will be imposed. This topic will be added to the agenda for next month to further discuss.

Mr. Genco reported that there are two resumes that were sent to the Board of potential experience reviewers for their consideration.

### **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.

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

**CLOSED TO PUBLIC**

An Executive Session was held.

**OPEN TO PUBLIC**

A motion was made and seconded to approve Benjamin Preisler and Kyle Westra as experience reviewers. Vote: Chair Morley, yes; Vice Chair Ewell, yes; Board Member Poulsen, yes; Board Member Sloan, yes; Board Member Brown, yes; Board Member Jensen, yes. The motion passes.

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

The meeting adjourned at approximately 10:24 a.m.