

Minutes

South Carolina Real Estate Appraisers Board

Thursday, August 18, 2016 at 9:00 a.m.

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Jake Knight, Chairman, called the meeting of the South Carolina Real Estate Appraisers Board to order at 9:07 a.m. Other members present for the meeting included: Christopher Barczak, Rex Casterline, Andrew Johnson, and Christopher Donato.

Mr. Knight announced that public notice of this meeting was properly posted at the S.C Real Estate Appraisers office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Staff members participating during the meeting included: Georgia Lewis, Advice Counsel; Erin Baldwin, Office of Disciplinary Counsel; Laura Smith, Administrator; Ty' Yona Schofield, Appraisers Board Administrative Assistant; Sharon Wolfe, Office of Investigations; Rebecca Leach, Communications and Governmental Affairs.

Public members present were: Austin Smallwood, and Jeff Thordale.

Pledge of Allegiance was recited by all present.

Introduction of Board Members and All Other Persons Attending

All board members, staff and public attendees introduced themselves.

Approval of Excused Absences

MOTION:

Mr. Casterline made the motion to excuse Ann King and Michael Dodds(joined meeting at break) for the reasons they gave to the Administration. Mr. Donato seconded the motion which carried unanimously.

Approval of Agenda:

MOTION:

Mr. Donato made the motion to approve the agenda. Mr. Casterline seconded the motion which carried unanimously.

Approval of the Minutes from May 05, 2016 Meeting

MOTION:

Mr. Casterline made the motion that the minutes be accepted with the exceptions below and to be adopted as amended. Mr. Johnson seconded the motion which carried unanimously.

Page 5- Change the wording “personal matter” to “personnel matter”

Page 6- Change “Mr. Galphin” to “Mr. Galphin’s”

Page 7- Insert “by further order of the Board Chairman” instead of “by word of the Board Chairman”

Chairman's Remarks

Mr. Knight briefly mentioned that Advice Counsel Georgia Lewis has to be in another meeting today, hence as to why the meeting is earlier than normal. Therefore, moving as quickly as possible to get on with the business of the meeting is necessary.

Executive Session

MOTION:

Mr. Casterline made the motion to enter Executive session in order to obtain legal advice on a licensing issue with Administration remaining present if Advice Counsel believes it is necessary. Mr. Donato seconded the motion which carried unanimously.

MOTION:

Mr. Donato made the motion to return from Executive Session. Mr. Casterline seconded the motion which carried unanimously.

Return to Public Session

Application Hearing

John Disher

The Board held a hearing to determine should the license of Mr. Disher be reinstated as a Certified Residential Appraiser. Due to health circumstances Mr. Disher was not present. Ms. Smith presented testimony regarding the reinstatement of Mr. Disher's license and placement on inactive status if approved. Discussion ensued.

MOTION:

Mr. Donato made the motion to accept Mr. Disher's application for reinstatement. Mr. Barczak seconded the motion which carried unanimously.

Mr. Donato amended the motion to approve for reinstatement pending on the amount of money paid, whether it's the \$190.00 for the inactive status, or \$390.00 for active status. Mr. Barczak seconded the motion which carried unanimously.

(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested in accordance with the law.)

New Business

Approval of the Investigative Review Committee (IRC) Report- Sharon Wolfe

The IRC report dated August 10, 2016 was presented for approval. Discussion ensued.

DISMISS

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2015-16	Malcolm Burton	Improper Comps	No Violation
2015-17	Malcolm Burton	Improper Comps	No Violation
2015-18	Malcolm Burton	Improper Comps	No Violation
2015-20	Malcolm Burton	False or misleading statement on Appraisal and Uniform Standards Violation.	No Violation
2015-21	Malcolm Burton	Uniform Standards Violation.	No Violation
2015-22	Malcolm Burton	Value Dispute	No Violation
2015-23	Malcolm Burton	Improper Comps	No Violation
2015-31	Malcolm Burton	Improper comps and value dispute.	No Violation
2015-32	Malcolm Burton	Improper Comps	No Violation
2015-33	Malcolm Burton	False or misleading statement on Appraisal, Uniform Standards Violation and improper comps.	No jurisdiction due to ad valorem tax dispute.
2015-35	Malcolm Burton	Improper Comps	No Violation

DISMISS – CEASE AND DESIST

Case#	Investigator	Initial Complaint Allegations	IRC Logic
2016-15	Malcolm Burton	Practicing outside scope of Practice	C&D
2016-32	Malcolm Burton	Unlicensed Practice	C&D

FORMAL COMPLAINT

Case#	Investigator	Initial Complaint Allegations	IRC Logic
2015-13	Malcolm Burton	Dishonest Fraudulent or Improper Conduct	Statute violation
2015-39	Malcolm Burton	False or misleading statement on Appraisal and Improper comps	Statute violation
2016-25	Malcolm Burton	Sanctioned by another	Statute violation

LETTER OF CAUTION

Case#	Investigator	Initial Complaint Allegations	IRC Logic
2015-11	Malcolm Burton	Uniform Standards Violation and improper comps.	Be mindful of concerns raised by the expert reviewer.
2015-28	Malcolm Burton	Improper Comps	Be mindful of providing full explanations in all appraisals and supporting adjustments in a report.
2015-38	Malcolm Burton	Improper Comps	Be mindful of providing full explanations in all appraisals and supporting adjustments in a report.

MOTION:

Mr. Donato made a motion to approve the IRC report. Mr. Johnson seconded the motion. The votes carried unanimously.

Investigations & Enforcement Update – Sharon Wolfe

OIE Appraiser’s Board Case Report

Cases received January 1, 2016 – August 10, 2016

Case Statuses	Total
Active Investigation	22
Closed	2
Do Not Open Case	7
Opened	4
Pending Board Action	3
Total	38

29 Total Active Cases

Cases closed January 1, 2016 – August 10, 2016

Case Statuses	Total
Closed	22
Do Not Open Case	7
Total	29

Office of Disciplinary Counsel (ODC) Update - Erin Baldwin

OGC Case Load Statistics as of August 10, 2016

Board	Open Cases	Pending actions	Pending CA/MOAs	Pending Hearings	Pending Board Action	Pending Final Orders	Closed
Appraisers	3	1	1	1			1
					Closed Cases on or after 5/3/16		1

Ms. Baldwin gave an update of the five active cases currently on her desk. Presuming there aren't any issues and this is acceptable by the Board, Ms. Baldwin proposed having a two day meeting scheduled for November 17, 2016 and November 18, 2016 on a rolling docket that will allow open slots to assist with the backlog. Discussion ensued.

Unfinished Business

Appraisal Management Company (AMC) Bill

Mr. Jeff Thordale (Real Estate Valuation) arrived during this portion of the meeting and introduced himself. Mr. Knight stated the Bill is still being discussed amongst interested parties regarding the language and key points. Mr. Knight wanted all Appraisers to be aware that they are open to take part in this process. His involvement in the conference calls has been for his personal clarification as an Appraiser and member of the Appraisal Institute.

Appraisal Fee Study Information

Ms. Smith told staff she has provided documents for them to review. Mr. Barczak has reached out to the Director of South Louisiana University and good information was provided. Ms. Smith, by the next Board Meeting will provide information from Finance and Procurement regarding the process for bid quotes and information regarding the Contracts.

Administrators Remarks - Laura Smith

1.) Budget Update - Laura Smith

Ms. Smith shared the budget for the General Appraiser Board and the National Registry fees. The Appraisers General Budget has increased based upon the completion of renewals on June 30, 2016. Discussion ensued regarding the budget and creating a Newsletter.

2.) Licensure Update - Laura Smith

Number of Credentials as of August 15, 2016

	<u>ACTIVE</u>	<u>INACTIVE</u>	<u>ACTIVE IN RENEWAL</u>	<u>TOTAL</u>
APPRENTICE	119	0	38	157
LICENSED	132	30	26	188
CERTIFIED RESIDENTIAL	943	56	98	1097
CERTIFIED GENERAL	875	33	167	1075
LICENSED MASS	47	1	10	58
CERTIFIED RESIDENTIAL MASS	60	3	8	71
CERTIFIED GENERAL MASS	<u>28</u>	<u>2</u>	<u>1</u>	<u>31</u>
TOTAL	2204	125	348	2677
TEMPORARY PERMITS	ISSUED IN 2015		206	
	ISSUED IN 2016		155	

Discussion ensued regarding licenses that have not renewed and phone calls from Appraisers notifying Staff of retirement.

3.) AARO Conference

The 2016 Fall Conference held in Washington, DC will be October 21, 2016 thru October 24, 2016.

MOTION:

Mr. Casterline made a motion to approve two Board Members and Administrator to attend the Conference. Mr. Johnson seconded the motion which carried unanimously.

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Public Comments

None.

Disciplinary Hearing

Julian F. Sharpe

Disciplinary Case has been resolved and will not need to be heard by the Board.

Adjournment

Mr. Casterline made the motion to adjourn the meeting. Mr. Donato seconded the motion which carried unanimously. The next Real Estate Appraisers board meeting is scheduled for November 17 and 18, 2016.