

## **Minutes**

### **South Carolina Real Estate Appraisers Board**

**Thursday, November 12, 2015 at 10:00 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 10:05 a.m. Other members present for the meeting included: Andrew Johnson, Christopher Donato, Chris Barczak, Michael Dodds, Ann King and Rex Casterline.

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; Natalye Jackson, Athletic Commission Administrative Assistant; Malcolm Burton, Office of Investigations; Sharon Wolfe, Office of Investigations; Rod Atkinson, Real Estate Commission Administrator,

Public members present were: Jeff Bradshaw, Leslie Young, Willie King and Austin Smallwood.

**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**

None

**Approval of Agenda:**

**MOTION:**

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

**Approval of the Minutes from August 15, 2015 meeting**

**MOTION:**

Mr. Casterline made the motion to make the following changes:

Line 42- Inserting into text “made the motion”

Line 46- Capitalizing the letter “B” in the word Board.

Line 73- Missing the remainder of the report, including the double \*\* definition.

Line 79- The possessive of William’s

Line 84-The possessive of Williams’s

Line 105- Spelling correction of the word Counsel

Line 233- Insertion of who seconded the motion and it was passed unanimously.

Mr. Casterline made the motion for the minutes to be approved with suggested changes. Mr. Donato seconded the motion which carried unanimously.

## **Chairman's Remarks**

Mr. Knight spoke of the success of the two Task Force meetings. He welcomed Mr. Malcolm “Mack” Burton as the new Investigator for the Real Estate Appraisers Board. He also welcomed all to the meeting.

## **Application Hearings**

### **Leslie Young**

The board held a hearing to determine the reinstatement of Leslie Young’s Certified Residential Appraiser License. Ms. Young did not have legal counsel. Ms. Young presented testimony regarding the reinstatement of her license. Discussion ensued.

### **MOTION:**

Mr. Donato made the motion to approve the reinstatement of Ms. Young’s Certified Residential license. Mr. Johnson seconded the motion which carried unanimously.

### **Jeffrey Bradshaw**

The board held a hearing to determine the reinstatement of Mr. Bradshaw’s Certified Residential Appraisers License. Mr. Bradshaw did not have legal counsel. Mr. Bradshaw provided testimony regarding the reinstatement of his license. Discussion ensued.

### **MOTION**

Mr. Donato made the motion to approve the reinstatement of Mr. Bradshaw Certified Residential Appraisers License. Mr. Dodds 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.)*

**Administrators Remarks - Laura Smith**

**1.) Budget Update - Laura Smith**

Mrs. Smith shared the fiscal year end budget with the board. Discussion ensued.

**2.) Licensure Update - Laura Smith**

**Number of Credentials as of November 9, 2015**

	<b><u>ACTIVE</u></b>	<b><u>INACTIVE</u></b>	<b><u>TOTAL</u></b>
<b>APPRENTICE</b>	137	0	137
<b>LICENSED</b>	162	23	185
<b>CERTIFIED RESIDENTIAL</b>	1026	54	1080
<b>CERTIFIED GENERAL</b>	987	28	1015
<b>LICENSED MASS</b>	55	1	56
<b>CERTIFIED RESIDENTIAL MASS</b>	65	4	69
<b>CERTIFIED GENERAL MASS</b>	<u>29</u>	<u>1</u>	<u>30</u>
<b>TOTAL</b>	2461	111	2572

**TEMPORARY PERMITS ISSUED IN 2015 180**

Discussion ensued regarding statistical trends of licensed appraisers.

**ASC Audit Results**

ASC Compliance Review of South Carolina’s Appraiser Regulatory Program is completed. The preliminary results of the Review gave the program an ASC finding of “Needs Improvement”. The ASC identified the areas of non-compliance. Discussion ensued.

**AARO UPDATE**

Mrs. Smith presented information from the Fall AARO Conference. Topics of discussion included ways to get more Appraisers into the business and other alternative options of education and experience. Discussion ensued.

**2016-17 USPAP**

Mrs. Smith indicated the new book is out and she has ordered the hard and electronic copy. It was suggested by Mr. Knight that the budget could allow each license appraiser to download one free electronic copy. Discussion ensued.

**MOTION:**

Mr. Casterline made a motion to allow each licensed Appraiser at the expense of the State to receive one free download of the USPAP until March 1, 2016. Mr. Johnson amended and seconded the motion by adding the USPAP download to be paid out of the Board’s budget which carried unanimously.

**New Business**

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

The IRC report dated October 27, 2015 was presented for approval. Discussion ensued.

**Dismiss**

<b>Case#</b>	<b>Investigator</b>	<b>Initial complaint Allegations</b>	<b>IRC Logic</b>
2015-19	Malcolm Burton	Improper Comps	No violation

**MOTION:**

Mr. Donato made a motion to approve the IRC report dated October 27, 2015. Mr. Dodds seconded the motion which carried unanimously.

**Investigations & Enforcement Update – Sharon Wolfe**

Mrs. Wolfe introduced the newest staff member in the Office of Investigations. Mr. Burton gave a small introduction of himself and past experience.

**OIE Appraiser’s Board Case Report**

**Cases received from January 1, 2015 – November 2, 2015**

<b>Case Statuses</b>	<b>Total</b>
<b>Active Investigation</b>	<b>22</b>
<b>Closed</b>	<b>2</b>
<b>Do Not Open Case</b>	<b>9</b>
<b>Pending Expert Review</b>	<b>2</b>
<b>Pending Board Action</b>	<b>1</b>
<b>Pending IRC</b>	<b>4</b>
<b>Total</b>	<b>40</b>

**23 Total Active Cases**

**Cases closed January 1, 2015 – November 2, 2015**

<b>Case Statuses</b>	<b>Total</b>
<b>Closed</b>	<b>27</b>
<b>Do Not Open Case</b>	<b>12</b>
<b>Total</b>	<b>39</b>

### **Office of Disciplinary Counsel (ODC) Update - Erin Baldwin**

Mrs. Baldwin gave an update of 4 active Cases and 2 pending Cases before IRC to bring back before the Board for dismissal. She also gave an update to staffing changes within the Office of Disciplinary Counsel noting that the Department is on the path of being fully staffed. She stated there were no foreseen changes of reorganization of board assignments. Discussion ensued.

### **Unfinished Business**

#### **MOTION:**

Mr. Donato made the motion to enter Executive Session for legal advice on the AMC Bill and Appraisers Bill. Mr. Casterline seconded the motion. Ms. Lewis amended the previous motion to enter Executive Session to include the Administrator. Mr. Donato accepted the amended motion. Mr. Casterline seconded the motion which carried unanimously.

#### **MOTION:**

Mr. Donato made the motion to enter Open Session. Mr. Dodds seconded the motion which carried unanimously.

Rich Parsons with Capital Consultants joined by telephone.

### **Appraisal Management Company (AMC) Bill**

The Task Force approved the draft of the Regulatory and Statutory changes needed to regulate Appraisal Management Companies. It will now be up to the Board to accept or comment.

#### **MOTION:**

Mr. Casterline made a collective motion to approve the Task Force recommendation as submitted with the following 4 revisions.

### Revision #1

Remove the words “within a given year” to make it consistent with 40-60-340 (4), and to clarify that anytime there are 15 or 25 Certified Licensed Appraisers who are Independent Contractors that registration would be required.

### Revision #2

40-60-450 ( E) remove Subsection 2 and adjust Subsection 1 to strike reference to Subsection 2 and clean up the language

### Revision #3

Subsection 40-60-470 (A) insert the words “or privately” between the words “publicly” and “reprimanded”.

Subsection 40-60-470 (C) approve adding “publicly or privately reprimanded, fine,” after the words “a decision by the board to”

### Revision #4

40-60-480 (1) Add the words “or privately” between the words “publicly” and “reprimanding” and add the word “fining”.

Mr. Dodds seconded the motion which carried unanimously.

## **Appraisers Bill**

Mr. Casterline made a motion to make the following 2 amendments:

1. Name of the Act- Change to Real Estate Appraisers, Appraisal Management Companies
2. Address the ability of the Board to privately reprimand  
40-60-36 (C) and 40-60-120 (B) that the words “or privately” be added between “publicly” and “reprimand.”

Mr. Donato seconded the motion which carried unanimously.

Mr. Knight mentioned the completion of the Newsletter by Mr. Dodds. Discussion ensued.

**Public Comments**

None.

**Executive Session**

None.

**Adjournment**

Mr. Donato made the motion to adjourn the meeting at 12:49 p.m. Mrs. King seconded the motion which carried unanimously. The next Real Estate Appraisers board meetings are scheduled for February 4 and 5, 2016.