

Minutes

South Carolina Real Estate Appraisers Board

Wednesday, February 12, 2020 at 10:00 a.m.

Synergy Business Park, Kingtree 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 10:00 a.m. Other members present for the meeting included: Chris Barczak, Clint Hammond, Mark Chapman and Mike Dodds,

Mr. Knight announced that public notice of this meeting was properly posted at the S.C. Real Estate Appraisers office, Synergy Business Park, Kingtree 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; Charles Gwynne, Office of Disciplinary Counsel; Malcolm Burton, Office of Investigations; Rodney Pigford, Office of Investigations; Laura Smith, Administrator; Lori W. Gibson, Administrative Assistant.

Several members of the public were present. They are as follows: Kyle Johnson, Jerry Meehan, Victor Grant, James Myrick, Tom Schatzman and Herb Sass.

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. Chapman made the motion to excuse the absence of Mr. Donato and Mr. Casterline for the reasons given to the Administrator. Mr. Dodds seconded the motion, which carried unanimously.

Approval of Agenda:

MOTION:

Mr. Dodds made the motion to approve the amended agenda. Mr. Hammond seconded the motion, which carried unanimously.

Approval of the Minutes from the October 31, 2019 Board Meeting

MOTION:

Mr. Chapman made the motion to approve the minutes as written. Both Mr. Barczak and Mr. Chapman seconded the motion, which carried unanimously.

Chairman's Remarks

Mr. Knight kept his remarks at a minimum. He showed appreciation for those in attendance.

Approval of the Investigative Review Committee (IRC) Report- Rodney Pigford

The IRC report dated February 4, 2020 presented for approval. Discussion ensued.

DISMISSALS

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-44	Malcolm Burton	As a non-bank employee, Respondent completed an eval for a bank. This is an old report dated 2/26/2013.	No Violation
2019-48	Malcolm Burton	Value dispute. Appraiser did not use the best comps, Complainant provides 5 to the appraiser via the lender.	No violation.

MOTION:

Mr. Dodds made the motion to accept the IRC recommendations of dismissal. Mr. Barczak seconded the motion. The votes carried unanimously.

FORMAL COMPLAINT

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-30	Malcolm Burton	Used older sales and none that recently sold in the condo complex. Numerous factual errors in the report	Statute Violation

MOTION:

Mr. Dodds made a motion to approve the Formal Complaint report. Mr. Barczak seconded the motion. The votes carried unanimously.

LETTER OF CAUTION

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-40	Malcolm Burton	Value dispute. Appraisal value \$63,500 less than contract price. Complainant provided different sales for consideration.	When analyzing a contract be cautious to discuss differences in contract price and market value.
2019-50	Malcolm Burton	Respondent appraised the wrong property two times.	Record keeping rule
2019-51	Malcolm Burton	Self-reported discipline by another state & ASC notification of discipline by another state.	Based on resolution guidelines.
2019-52	Malcolm Burton	ASC reports Respondent disciplined in another state.	Back to IRC per Charles Gwynne
2019-53	Malcolm Burton	Respondent was sanctioned by the Iowa Appraisers Board.	Based on resolution guidelines.
2019-56	Malcolm Burton	ASC notification that Respondent was fined by Virginia Appraisers Board	Based on resolution guidelines.

MOTION:

Mr. Dodds made the motion to approve to Letter of Caution report with the removal of Case# 2019-52 so that it may be returned to IRC. Mr. Barczak seconded the motion. The votes carried unanimously.

OIE APPRAISER'S BOARD CASE REPORT

Cases received from January 1, 2020 – February 7, 2020

Case Statuses	Total
Active Investigation	4
Do Not Open Case	1
Pending CA Review	2
Pending Further Information	2
Total	9

Alleged Issues	Total
Unknown	2
Improper Comps	1
Misconduct	2
Sanctioned by another Board	3
Value Dispute	2
Total	10

***This is a new report that indicates where complaints are generating.

Office of Disciplinary Counsel (ODC) Update – Charles Gwynne

ODC Case Load Statistics as of January 30, 2020

Board	Open Cases	Pending Review	Pending CA/MOAs	Pending Hearings	Pending Board Action	Pending Appeal	Pending Final Orders	Pending Closure	Closed*
Appraisers	3	0	0	2	0	1	0	0	6

****Closed Cases 10/21/2019 to 1/30/2020

APPLICATION HEARING

Testimony given in regard to reinstate license for Mr. Jerry Meehan.

MOTION FOR REINSTATEMENT

Mr. Dodds made the motion to reinstate the license for Mr. Jerry Meehan. Mr. Barczak seconded the motion. The votes carried unanimously.

HEARING TO MODIFY/SET ASSIDE CONSENT AGREEMENT:

Testimony given in regard to modifying/setting aside consent agreement for case # 2017-9.

MOTION

Mr. Dodds made a motion to go into executive session to obtain legal advice. Mr. Chapman seconded the motion. The votes carried unanimously.

MOTION

Mr. Dodds made a motion to come out of executive session. Mr. Barczak seconded the motion. The votes carried unanimously.

MOTION TO MODIFY/ SET ASIDE CONSENT AGREEMENT:

Mr. Dodds made a motion to modify consent agreement as to allow for the respondent not to pay the remaining fine for case# 2017-9 due to medical hardship. Mr. Barczak seconded the motion. The votes carried unanimously.

Administrators Remarks - Laura Smith

Mrs. Smith spoke briefly about the number of Appraisers who have activated their CE Broker account, the number of appraiser's that have downloaded the USPAP manual and conference updates. A conversation ensued.

Budget Update

Mrs. Smith provided the Budget Report for the Appraisers Board Account (\$689,766.13) for review by the Board. The National Registry Account (\$71,387.08) was also presented to the Board for review. This account is allocated to the Appraisal Subcommittee to pay the National Registry fees. She stated these numbers are as of December 31, 2019.

Licensure Update

SC REAL ESTATE APPRAISERS BOARD NUMBER OF CREDENTIALS AS OF February 5, 2020

	ACTIVE	INACTIVE	TOTAL
Apprentice	256	0	256
Licensed	131	20	151
Certified Residential	1014	45	1059
Certified General	1040	22	1062
Licensed Mass	51	0	51
Certified Residential Mass	65	2	67
Certified General Mass	27	2	29
Total	2585	91	2675

AMC Active 136

AMC Inactive 4

Lapsed AMC 15

TEMPORARY PERMITS

ISSUED IN 2019	ISSUED IN 2020
249	25

DISCIPLINARY HEARING CASE # 2018-19

Testimony given regarding Case #2018-19.

MOTION

Mr. Dodds made a motion to go into executive session to obtain legal advice. Mr. Barczak seconded the motion. The votes carried unanimously.

MOTION

Mr. Dodds made a motion to come out of executive session. Mr. Hammond seconded the motion. The votes carried unanimously.

MOTION

Mr. Chapman made a motion to dismiss with a letter of caution for Case # 2018-19. Mr. Hammond seconded the motion. The votes carried unanimously.

Unfinished Business

A conversation ensued regarding Statute & Regulation updates.

Public Comments

None.

Adjournment

Mr. Hammond made the motion to adjourn the meeting. Mr. Dodds seconded the motion, which carried unanimously.

The next Real Estate Appraisers board meeting is scheduled for May 7& 8, 2020.