

1 **Minutes**

2 **South Carolina Real Estate Appraisers Board**

3 **Thursday, August 13, 2020 at 10:00 a.m.**

4 **Via Video/Teleconference**

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7 **Meeting Called to Order:**

8 Jake Knight, Chairman, called the meeting of the South Carolina Real Estate Appraisers Board to
9 order at 10:00 a.m. Other members present for the meeting included: Chris Barczak, Chris
10 Donato, Mark Chapman, Rex Casterline and Mike Dodds.

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

15 Staff members participating during the meeting included: Georgia Lewis, Advice Counsel;
16 Charles Gwynne, Office of Disciplinary Counsel; Malcolm Burton, Office of Investigations;
17 Rodney Pigford, Office of Investigations; Laura Smith, Administrator; Lori W. Gibson,
18 Administrative Assistant, Courtney Clark, Office of Disciplinary Counsel.

19 The following members of the public were present: Austin Smallwood and Byron King.

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21 **Introduction of Board Members and All Other Persons Attending**

22 Laura Smith, Administrator introduced herself and all others in attendance.

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24 **Approval of Excused Absences**

25 **MOTION:**

26 Mr. Donato made the motion to excuse the absence of Mr. Clint Hammond for the reasons given
27 to the Administrator. Mr. Dodds seconded the motion, which carried unanimously.

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29 **Approval of Agenda:**

30 **MOTION:**

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

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34 **Approval of the Minutes from the February 12, 2020 Board Meeting**

35 **MOTION:**

36 Mr. Casterline made the motion to approve the minutes as written with the exception of two
37 amendments. Mr. Chapman seconded the motion, which carried unanimously.

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39 **Chairman's Remarks**

40 Mr. Knight stated his appreciation for those in attendance and spoke briefly about COVID-19
41 and the changes the Board and staff had to implement during this pandemic. Mr. Knight
42 discussed the Video/Teleconference Board meeting and the extension of renewals for licensees.

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

46 The IRC report dated April 28, 2020 presented for approval. Discussion ensued.

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48 **DISMISSALS**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-52	Malcolm Burton	ASC reports Respondent disciplined in another state	No violation

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54 **FORMAL COMPLAINT**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-54	Malcolm Burton	The appraiser did not adequately describe the property site or the home improvements	Statute violation
2019-60	Malcolm Burton	An additional sale was requested by complainant but felt that neither it nor the other sales are reasonable or properly adjusted. Report failed to analyze the contract with listing history. Sales. Geographic competency questioned.	Statute violation
2019-61	Malcolm Burton	License suspended in NC effective 1/1/2020, expires 3/31/2020	Statute violation

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57 **LETTER OF CAUTION**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-55	Malcolm Burton	Value disputed based on alleged incorrect GLA resulting in non-comparable sales being used in the report	Be mindful to discuss differences in contract or price and appraised value
2019-57	Malcolm Burton	Based on an opinion of value prepared by Respondent, he acted as an advocate for his client in a tax appeal before the Darlington County Assessor	Licensee needs to clearly designate their role as consultant or appraiser
2019-58	Malcolm Burton	Respondent is licensed appraiser who represented a client for tax valuation. Respondent provided an opinion of value, thus advocating for the client.	Licensee needs to clearly designate their role as consultant or appraiser
2020-5	Malcolm Burton	AMC disciplined and fined by the Pennsylvania Appraisers Board	Based on Resolution guidelines

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60 **MOTION:**

61 Mr. Casterline made the motion to accept the IRC recommendations for Dismissals, Formal
62 Complaints and Letters of Caution. Mr. Dodds seconded the motion, which carried unanimously.

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

67 The IRC report dated July 29, 2020 presented for approval. Discussion ensued.

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69 **DISMISSALS**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-62	Malcolm Burton	An appraisal review by Complainant of Respondent's appraisal identifies numerous areas of non-compliance with USPAP	No Violation
2019-64	Malcolm Burton	Appraisal report has numerous errors and false statements affecting conclusions of the report	No Violation
2020-2	Malcolm Burton	Respondent did not complete the site visit after measuring the home. She sent an unlicensed person to take pictures. The report was not completed.	No Violation

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72 **LETTER OF CAUTION**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2019-63	Malcolm Burton	Complainant upset because Respondent did not sit down with them to go over the report	
2019-66	Malcolm Burton	Disciplined by Oklahoma Appraisers Board effective 9/30/2019	Based on Resolution guidelines
2020-4	Malcolm Burton	Appraisal Logistics Solutions self-reported being sanctioned by the Oklahoma Appraisers Board	Based on resolution guidelines
2020-8	Malcolm Burton	Sanctioned in another state	Based on resolution guidelines

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75 **MOTION:**

76 Mr. Casterline made the motion to accept the IRC recommendations for Dismissals and Letters
77 of Caution. Mr. Dodds seconded the motion, which carried unanimously.

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OIE APPRAISER’S BOARD CASE REPORT

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Cases received since January 1, 2020

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Case Statuses	Total
Active Investigation (Avg days:59)	32
Do Not Open Case (Avg days: 21)	13
Pending Board Action (Avg days: 202)	5
Pending CA Review (Avg days: 18)	2
Pending Further Information (Avg days: 3)	1
Pending IRC (Avg days: 161	1
Total	54

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OIE INVESTIGATIONS	
2017 Real Estate Total Investigations	63
2018 Real Estate Total Investigations	77
2019 Real Estate Total Investigations	63
2020 Appraiser Total Investigations	54
	Active
	32
TOTAL	32

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Office of Disciplinary Counsel (ODC) Update – Charles Gwynne

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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	2	0	0	2	0	0	0	0	1

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*Closed Cases 4/27/20 to 8/3/20

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92 **Administrators Remarks - Laura Smith**

93 Mrs. Smith spoke briefly about the number of appraisers who have renewed, activated their CE
94 Broker account, and the number of appraiser's that downloaded the USPAP manual. A
95 discussion ensued.

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97 **Licensure Update**

98 **SC REAL ESTATE APPRAISERS BOARD NUMBER OF CREDENTIALS AS OF**
99 **August 7, 2020**

	ACTIVE	INACTIVE	ACTIVE IN RENEWAL	TOTAL
Apprentice	93	0	178	271
Licensed	76	10	70	156
Certified Residential	761	23	287	1071
Certified General	739	16	343	1098
Licensed Mass	24	0	30	54
Certified Residential Mass	26	0	43	69
Certified General Mass	8	0	23	31
Total	1727	49	974	2750

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101 AMC Active 138 AMC Inactive 7 AMC Lapsed 15

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103 **TEMPORARY PERMITS**

ISSUED IN 2019	ISSUED IN 2020
249	103

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105 **Budget Update**

106 Mrs. Smith provided the Budget Report for the Appraisers Board Account (\$895,854.28) for
107 review by the Board. The National Registry Account (\$136,592.08) was also presented to the
108 Board for review, this account is allocated to pay the National Registry fees to the Appraisal
109 Subcommittee. She stated these numbers are as of June 30, 2020, which is the State's year-end
110 figures.

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112 **Conferences and Travel Budget**

113 Mrs. Smith discussed with the board members about upcoming conferences that are available
114 through the end of 2020. These conferences will be virtual to include the AARO Conference.
115 She stated that the travel budget approved for this year was the same as last year's budget.
116 Discussion ensued.

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118 **New Business**

119 A discussion ensued concerning reinstatement applications. The Board approved by e-mail in
120 April to allow the Board Chairman to discuss with Board Administrator and Advice Counsel and
121 approve applications for reinstatement for the hearings that were scheduled for the May Board
122 meeting, which was cancelled. This was due to the Governor's declaration of the state
123 emergency concerning the COVID virus pandemic.

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125 **MOTION:**

126 Mr. Casterline made the motion to allow the Board Chairman, Board Administrator and Advice
127 Counsel to approve reinstatement applications until the Governor's emergency declaration is
128 lifted. Mr. Dodds seconded the motion, which carried unanimously.

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130 **Code of Ethics**

131 Georgia Lewis presented to the Board a request from Senior Management for Boards to consider
132 a Code of Ethics for their licensees. The current appraiser's statute (Section 40-60-38) adopts
133 the Uniform Standards of Professional Appraisal Practice (USPAP) standards, which includes
134 ethics for appraisers. Discussion ensued.

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136 **MOTION:**

137 Mr. Casterline made a motion to acknowledge and accept the Code of Ethics in USPAP as
138 adopted in the appraiser's statute (Section 40-60-38), which adequately covers code of ethics for
139 appraisers. Mr. Dodds seconded the motion, which carried unanimously.

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142 **Unfinished Business**

143 A discussion ensued regarding Appraisers Qualification Board (AQB) minimum requirements
144 and the statute (Section 40-60-39) that allows the Board to approve AQB requirements in part or
145 whole. The Board approved the education minimum requirements in May 2018.

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148 **MOTION:**

149 Mr. Donato made the motion to accept the AQB minimum requirements for education and
150 experience. Mr. Dodds seconded the motion, which carried unanimously.

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152 **Public Comments**

153 None.

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155 **Adjournment**

156 Mr. Casterline made the motion to adjourn the meeting. Mr. Donato seconded the motion, which
157 carried unanimously.

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159 The next Real Estate Appraisers board meeting is scheduled for November 12 & 13, 2020.