

1 **Minutes**

2 **South Carolina Real Estate Appraisers Board**

3 **Wednesday, November 30, 2022, 10:00 a.m.**

4

5 **Meeting Called to Order:**

6 Jake Knight, Chairman, called the meeting of the South Carolina Real Estate Appraisers Board to
7 order at 10:20 a.m. Other board members present for the meeting included: Mike Dodds and
8 Mark Chapman.

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

13 Staff members participating during the meeting included Wick Stuart, Office of Advice Counsel;
14 Malcolm Burton, Office of Investigations; Doc Smith, Office of Investigations; Erin Baldwin,
15 Office of Disciplinary Counsel; Laura Smith, Administrator; and Cory Griffin, Administrative
16 Assistant.

17 The following members of the public were present: Austin Smallwood, SC Realtors; Neal
18 Rashley, SC Banker’s Association; Malinda Griffin, Appraiser-Greenville & SCPAC; Barry
19 Phillips, Appraiser-Greenville & SCPAC; Beth Keys, Appraiser-Columbia & SCPAC; Scott
20 DiBiasio, Appraisal Institute; Logan Howard, Appraisal Institute; Paul Ryll, Oscar Mike
21 Appraisal Group, Greenville; Jeff Thordahl, REVAA; Stephanie Bell, CCRA & 803 Realty;
22 Frankie Griffin, Real Estate School for Success; Renae Casterline, guest. The following joined
23 the meeting virtually by WebEx: Sonya Morse, Office of Disciplinary Counsel; Mark Schiffman,
24 REVAA; Jamie Floyd, Florence County Assessor; and Tony Martin, Appraisal Institute.

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

27 The board members, LLR staff and all others in attendance introduced themselves.

28

29 **Approval of Excused Absences**

30 **MOTION:**

31 Mr. Dodds made the motion to excuse the absence of board members Chris Barczak and Chris
32 Donato. Mr. Chapman seconded the motion, which carried unanimously.

33

34 **Approval of Agenda**

35 **MOTION:**

36 Mr. Dodds made the motion to approve the amended agenda, removing the disciplinary hearing,
37 which settled prior to the meeting. Mr. Chapman seconded the motion, which carried
38 unanimously.

39

40 **Approval of the Minutes from Board Meeting and Task Force Meetings**

41 **MOTION:**

42 Mr. Chapman made the motion to approve the minutes from the August 11, 2022 board meeting.
43 Mr. Dodds seconded the motion, which carried unanimously.

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45 **MOTION:**

46 Mr. Dodds made the motion to approve the minutes from the September 20, 2022 and November
47 16, 2022 task force meetings. Mr. Chapman seconded the motion, which carried unanimously.

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49 **Chairman's Remarks**

50 Mr. Knight presented a plaque on behalf of the board to Mrs. Renae Casterline, widow of Rex
51 Casterline, public board member who served 2014-2022.

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53 **Approval of the Investigative Review Committee (IRC) Report- Malcolm Burton**

54 The IRC report dated November 17, 2022 presented for approval. Discussion ensued.

55 **DISMISSALS**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2022-6	Mac Burton	Respondent concurred with the value conclusion of an evaluation for a property in SC, in a checklist review. He is not licensed in SC, buy	Dismissal – No apparent violation of 40-60-30; Respondent’s company is aware of the problem and instituted procedures to prevent recurrence.

		employed with the AMC that ordered the evaluation	
2022-7	Mac Burton	Respondent completed an evaluation stating value for a property in SC and is not licensed as an appraiser in SC Respondent is not an employee of the bank.	Dismissal – Warning letter for violation of 40-60-30©; Respondent’s company is aware of the problem and instituted procedures to prevent recurrence.
2022-8	Mac Burton	Value dispute, comp selection questioned, possible racial bias, VA appraisal.	Dismissal – No evidence of alleged violations
2022-12	Mac Burton	Complaint is about GLA being inaccurate, recent updates not considered, value dispute.	Dismissal – Total living area calculated; no evidence of alleged violations
2022-23	Mac Burton	Value dispute. Didn’t use appropriate sales. Better sales in closer proximity. Subject is in a rural area. Possible bias.	Dismissal – No evidence of alleged violations.
2022-28	Mac Burton	Sanctioned in another state – NC	Dismissal – Voluntary surrender
2022-29	Mac Burton	Sanctioned by Virginia’s Appraisers Board for failing to report sanctions by another board within 30 days of the action.	Dismissal – Duplicate

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57 **FORMAL COMPLAINTS**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2022-2	Mac Burton	Sanctioned by NC Appraisers Board	Formal Complaint
2022-25	Mac Burton	Comparable adjustments are inadequate and are inappropriate comparables due to locational distances.	Formal Complaint

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59 **LETTERS OF CAUTION**

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2022-1	Mac Burton	Value dispute based on improper comps. Complainant provided another appraisal with an effective date of 09/23/2021. Respondent’s effective date is 08/31/2021.	Letter of Caution
2022-16	Mac Burton	The sales used in the report are not comparable nor properly adjusted resulting in an unsupported conclusion, it should have been lower based on sales from another nearby neighborhood.	Letter of Caution

2022-19	Mac Burton	Complainant contends Respondent miss-measured the second floor of the home resulting in a deficit of 226 sq. ft. which affected the value conclusion. However, based on the appraiser's report that is included with the complaint, it states that he did re measure, corrected the sketch, GLA, and adjusted the value. Need to get the original reports from Respondent.	Letter of Caution
2022-21	Mac Burton	The sales used in report are not comparable nor properly adjusted resulting in an unsupported conclusion, it should have been lower based on sales from another nearby neighborhood. Respondent signed as the supervisor. See 2022-16	Letter of Caution
2022-27	Mac Burton	Sanctioned in another state – GA	Letter of Caution
2022-41	Mac Burton	Appraisal has incorrect property description, sales used are two older sales & two older homes.	Letter of Caution
2022-57	Mac Burton	The sales used in the report are not comparable nor properly adjusted resulting in an unsupported conclusion, it should have been lower based on sales from another nearby neighborhood.	Letter of Caution

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61 **MOTION:**

62 Mr. Chapman made the motion to accept the IRC recommendations for formal complaints,
63 letters of caution and dismissals. Mr. Dodds seconded the motion, which carried unanimously.

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65 **OIE APPRAISERS BOARD CASE REPORT – Doc Smith**

66 **OIE Status Report as of November 23, 2022**

Total Complaints Received 1/1/2022-11/23/2022	69
Active Investigations (Average Age - 44)	15
Closed	3

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68 **Office of Disciplinary Counsel (ODC) Update – Erin Baldwin**

69 **ODC Case Load Statistics as of November 28, 2022**

Board	Open Cases	Pending Hearings & Agreements	Pending Closure	Closed	Appeals
Appraisers	2	2	0	3	0
			*Closed since last report: (7/27/22)	3	
			*Closed since 1/1/22	7	

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71 **Disciplinary Hearing**

72 Case #2021-19 & #2021-46, settled and removed from board agenda.

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74 **Administrators Remarks - Laura Smith**

75 **Licensure Update**

76 **SC REAL ESTATE APPRAISERS BOARD NUMBER OF CREDENTIALS**

77 **AS OF November 28, 2022**

	ACTIVE	INACTIVE	ACTIVE IN RENEWAL	TOTAL
Apprentice	260	0	55	315
Licensed	144	12	19	175
Certified Residential	1017	46	92	1155
Certified General	1024	31	97	1152
Licensed Mass	48	0	7	55
Certified Residential Mass	70	3	9	82
Certified General Mass	26	2	6	34
Total	2589	94	285	2968

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79 **AMC Active** **144** **AMC Inactive** **11** **AMC Lapsed** **14**

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81 **TEMPORARY PERMITS**

ISSUED IN 2021	ISSUED IN 2022
202	170

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83 **Budget Update**

84 Mrs. Smith provided the Budget Report for the Appraisers Board Account (\$1,354,165.00) for
85 review by the Board. The National Registry Account (\$136,427.08) was also presented to the
86 Board for review. This account is allocated to pay the National Registry fees to the Appraisal
87 Subcommittee. These numbers are ending balances as of October 31, 2022.

88

89 **Appraiser Conferences**

90 Mrs. Smith discussed the upcoming conferences for the 2023 year. SCPAC Conference will be
91 held in Myrtle Beach on February 23-24, 2023. ACTS Conference will be held in Sacramento,
92 CA on April 1-4, 2023 and the AARO Conference will be held in Savannah, GA on May 8-11,
93 2023.

94

95 **Unfinished Business**

96 **Supervisor/Trainee and PAREA Program – Paul Ryll**

97 Mr. Ryll presented to the board information about his current supervisor/trainee program and his
98 proposed PAREA program for SC potential appraisers.

99 Scott DiBiasio supplied the board with an update of the Appraisal Institute PAREA program.
100 Request was made for the board to approve PAREA in SC for appraisers as an alternative to the
101 traditional supervisor/trainee program. Both options are approved minimum requirements of the
102 Appraiser Qualifications Board (AQB).

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104 **MOTION:**

105 Mr. Dodds made the motion for the board to go in executive session for legal advice. Mr.
106 Chapman second the motion, which carried unanimously

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108 **MOTION:**

109 Mr. Chapman made the motion to return from executive session. Mr. Dodds second the motion,
110 which carried unanimously.

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112 **MOTION:**

113 Mr. Chapman made the motion to adopt the PAREA standards in SC as part of the minimum
114 requirements of the Appraiser Qualifications Board. Mr. Dodds seconded the motion, which
115 carried unanimously.

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117 **Statute and Regulations**

118 Mrs. Smith went over the proposed changes of the statute from the task force.

119 Public members: Malinda Griffin, Barry Phillips, Stephanie Bell, Mark Schiffman and Austin
120 Smallwood presented comments on behalf of their organizations to the board concerning statute
121 changes.

122

123 **MOTION:**

124 Mr. Dodds made the motion for the board to go in executive session for legal advice. Mr.
125 Chapman second the motion, which carried unanimously

126

127 **MOTION:**

128 Mr. Dodds made the motion to return from executive session. Mr. Chapman second the motion,
129 which carried unanimously.

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131 **MOTION:**

132 Mr. Chapman made the motion to approve changes to the statute as recommended by the task
133 force with stated amendments to 40-60-20 & 40-60-30. Mr. Dodds seconded the motion, which
134 carried unanimously.

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136 **Adjournment**

137 Mr. Chapman made the motion to adjourn. Mr. Dodds seconded, which carried unanimously.

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139 The next Real Estate Appraisers board meeting is scheduled for February 16, 2023.