

1 **Minutes**

2 **South Carolina Real Estate Appraisers Board**

3 **Thursday, November 16, 2023, 10:00 a.m.**

4 **Via WebEx**

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7 **Meeting Called to Order:**

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

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

15 Staff members participating during the meeting included Marcie Greene, Office of Advice
16 (OAC) Counsel; Donnell Jennings, Office of Investigations and Enforcement (OIE); Charles
17 Turkal, (OIE); Cindy Bagwell, (OIE); Wattie Wharton, (OIE); Erin Baldwin, Office of
18 Disciplinary Counsel (ODC); Holly Beeson, Communications and Governmental Affairs; Laura
19 Smith, Board Executive; Otis Richardson, Administrative Assistant, Cory Griffin,
20 Administrative Assistant.

21 The following members of the public were present: Malinda Griffin, Sarah Costilow

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

25 The board members, LLR staff and all others in attendance were introduced by Laura Smith.

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30 **Approval of Excused Absences**

31 **MOTION:**

32 Mr. Dodds made a motion to excuse Mr. Knight's absence. The motion was seconded by Mr.
33 Chapman, which carried unanimously.

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35 **Approval of Agenda**

36 **MOTION:**

37 Mr. Chapman made a motion to approve the agenda. The motion was seconded by Mr. Dodds,
38 which carried unanimously.

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40 **Approval of the Minutes from Board Meeting**

41 **MOTION:**

42 Mr. Dodds made the motion to approve the minutes from the August 17, 2023 board meeting.
43 Mr. Chapman seconded the motion, which carried unanimously.

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45 **Chairman's Remarks**

46 Mr. Donato thanked all of the board members, staff and public members for attending this
47 meeting.

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49 **Approval of the Investigative Review Committee (IRC) Report- Wattie Wharton**

50 The IRC report dated November 2, 2023 was presented for approval.

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57 DISMISSALS

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2023-21	Cindy Bagwell	<p>Subject was under contract that was at listing price and complainant (Agent) went to a backup contract and stated the buyer had his own appraisal report (completed by Respondent). Complainant - (Listing Agent) stated appraisal came in \$70,000 plus price discrepancy. Complainant stated that comparable sale #2 was surrounded by a Water treatment facility and no adjustment made for difference in location. Complainant also stated that she tried to provide the Respondent with more similar sales but, stated he declined. Per Complainant the time adjustments were not consistent with the MLS statistics that showed a 12% increase on IOP and a quality adjustment for comp#1 (siding vs brick).</p>	No USPAP Violations.
2023-37	Cindy Bagwell	<p>Notice received from Appraisal Subcommittee (National Registry) respondent was disciplined by the Oklahoma Appraisers Board on 05/05/2023 due to delinquent licensing fees.</p>	Relinquished license in Oklahoma. No violation of SC statute.
2023-40	Cindy Bagwell	<p>Fannie Mae Loan Control Center-Inappropriate Comparable Sale(s) selection due to location, Gross living area</p>	The respondent is deceased.

61 FORMAL COMPLAINTS

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2022-54	Cindy Bagwell	<p>Appraiser's client reviewed 3 appraisal reports and identified lack of support in the report for sales selection, lack of analysis of market conditions in one report. Two other reports were for the same property on different dates but contained same photos of the property which were not of the subject property, location is not as stated in the report.</p>	<p>The respondent issued an appraisal with erroneous information.</p>
2023-4	Cindy Bagwell	<p>This a Fannie Mae Loan Quality Center complaint concerning the following issues with Respondent's report: (1) Inadequate comparable adjustments, (2) inappropriate comparable sales selection due</p>	<p>The respondent issued an appraisal with erroneous information.</p>

		to location, (2) use of physically dissimilar comparable sales due to Condition/Quality of Construction and Gross Living area.	
2023-19	Cindy Bagwell	Appraiser did a commercial r geographical competency as Extracting business and pers interior corridor hotel.	The respondent issued an appraisal with erroneous information.

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LETTERS OF CAUTION

Case #	Investigator	Initial Complaint Allegations	IRC Logic
2022-59	Cindy Bagwell	Appraisal based on inaccurate square footage resulted in an alleged approximate \$100,000 loss to Complainant.	The respondent cautioned to analyze and disclose history of the subject property listings and contracts when it relates to the current market value and disclose items that may appear misleading, so the reader of the report will understand how information analyzed to conclude market value.

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MOTION:

66 Mr. Dodds made a motion to accept the IRC report. Mr. Chapman seconded, which carried
67 unanimously.

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69 **OIE APPRAISERS BOARD CASE REPORT – Wattie Wharton**

70 **OIE Status Report as of November 14, 2023**

Total Complaints Received 1/2/2023-11/8/2023	50
Active Investigations (Average Age - 96)	15
Closed	24

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

73 **ODC Case Load Statistics as of November 13, 2023**

Board	Open Cases	Pending Hearings & Agreements	Pending Closure	Closed	Appeals
Appraisers	4	4	0	0	0
			*Closed since last report: (8/15/23)	0	
			*Closed since 1/1/23	2	

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75 **Board Executive Remarks - Laura Smith**

76 **Licensure Update**

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

78 **AS OF NOVEMBER 9, 2023**

	ACTIVE	INACTIVE	ACTIVE IN RENEWAL	TOTAL
Apprentice	280	0	0	280
Licensed	153	12	0	165
Certified Residential	1083	45	0	1128
Certified General	1106	31	0	1137
Licensed Mass	59	0	0	59
Certified Residential Mass	70	3		73
Certified General Mass	30	2	0	32
Total	2781	93	0	2874

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80 **AMC Active 134 AMC Inactive 30**

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82 **TEMPORARY PERMITS**

ISSUED IN 2022	ISSUED IN 2023
185	126

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84 **Budget Update**

85 Mrs. Smith provided the Budget Report for the Appraisers Board Account (\$1,170,880.84) for
86 review by the Board. The National Registry Account (\$132,142.08) was also presented to the
87 Board for review. This account is allocated to pay the National Registry fees to the Appraisal
88 Subcommittee. These numbers are ending balances as of October 31, 2023.

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90 **Appraiser Conferences**

91 Mrs. Smith discussed the upcoming ACTS Conference and SCPAC Conference.

92 **MOTION:**

93 Mr. Dodds made the motion for the board to approve the administrator, investigator, and 2 board
94 members to attend the ACTS Conference in Colorado 4/20/24-4/23/24 and SCPAC Conference
95 in Charleston 2/9/24-2/10/24. The motion was seconded by Mr. Chapman, which carried
96 unanimously.

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98 **AQB/USPAP Update** – The Board discussed AQB updates and the 2024 USPAP manual. The
99 USPAP manual needs approval by the board to be placed in the State Register. The 2024 USPAP
100 manual is effective January 1, 2024, with no expiration date at this time.

101 **MOTION:**

102 Mr. Chapman made a motion to adopt the standards and amendments of the 2024 USPAP, as
103 promulgated by the Appraisal Foundation to be placed in the State Register. The motion was
104 seconded by Mr. Dodds, which carried unanimously.

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106 The Board discussed placing the USPAP manual on LLR's secure website for free download to
107 licensees.

108 **MOTION:**

109 Mr. Chapman made a motion to offer USPAP for download to licensees for free. The motion was
110 seconded by Mr. Dodds, which carried unanimously.

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112 **ASC Update** – Board staff received preliminary findings from the ASC audit. Letter was sent
113 by staff to answer to the findings. A letter will be received in the next couple of months with the
114 program ratings from the Appraisal Subcommittee (ASC).

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116 **Legislative Update** – Appraiser’s statute is ready for filing for legislative review when the
117 legislative session begins in January. The Board approved the amendments for the complete
118 revision of the statute to be submitted and hopes it will make it through the House and Senate to
119 pass before the end of session in May.

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121 **New Business** – None.

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123 **Public Comments** – None.

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125 **Adjournment**

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

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128 The next Real Estate Appraisers Board meeting is scheduled for February 15, 2024.