

Halsey Beshears, Secretary

Ron DeSantis, Governor

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
June 22, 2020  
General Meeting (via teleconference)**

Chair Armando del Valle called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:30 a.m., in Orlando, Florida, on this Monday, 22<sup>nd</sup> of June, 2020.

The following Board members were present: Chair Armando del Valle, Vice-Chair Janet Rabin, Members Cristy Conolly, Justin Recca, JoAnn Rooney, Dawn Warren and Michael Roy. Member Fran Oreto was excused and not in attendance. Senior Assistant Attorney General Deborah Loucks appeared as counsel for the Board. Executive Director McDonald declared a quorum present.

Department and Division staff present at the meeting: Allison McDonald, Executive Director; Al Cheneler, Chief Attorney; James Fortunas, Deputy Chief Attorney; Del Braaten and Mackenzie Medich, Senior Attorneys, appeared by teleconference; Jocelyn Pomales, Education Coordinator; Whitley Ward, Government Analyst; Giuvanna Corona, Regulatory Consultant; Lori Crawford, Government Analyst; Amanda Bova and Heather Page, Senior Attorneys. Magnolia Court Reporting, (407.896.1813) provided court reporter services.

**General Session**

**Approval of Minutes**

The minutes of the October 7, 2019 General Meeting were presented. Ms. Conolly moved, seconded by Mr. Recca to approve the minutes as written; the motion passed without dissent.

The minutes of the December 9, 2019 General Meeting were presented. Ms. Rabin moved, seconded by Mr. Roy to approve the minutes as written; the motion passed without dissent.

The minutes of the February 10, 2020 General Meeting were presented. Mr. Recca moved, seconded by Ms. Rabin to approve the minutes as amended; the motion passed without dissent.

The minutes of the May 6, 2020 General Meeting were presented. Ms. Conolly moved, seconded by Ms. Rooney to approve the minutes as written; the motion passed without dissent.

**Reports**

The Board reviewed the Education Course, Exam Performance, Financial, and License Count reports. The Board had no questions.

**Legal Case Report**

Mr. Cheneler presented the Legal Year Old Case report. Mr. Cheneler stated there were three cases over 1-year old and requested the Board approve moving forward with prosecution of the cases. Ms. Conolly moved; Ms. Rabin seconded the motion to continue with prosecution of the cases; the motion passed without dissent.

## Legal Appearance Docket

The Board addressed the Legal Appearance Docket, hearing 8 docket items with the following results:

### Tab A – Case No. 2019014936; John Henry Jenson, II - Respondent’s Request for Informal Hearing

Respondent was present; Respondent was represented by Robert Keller, Qualified Representative also present. Mr. del Valle was recused due to participation on the probable cause panel.

Mr. Robert Keller requested to appear as Qualified Representative for Respondent Jenson. Ms. Conolly moved; Mr. Roy seconded; motion passed unanimously to grant the request.

Ms. Medich represented the Department and presented the case to the Board. The Board granted the informal hearing and entered into discussion. Following discussion, Ms. Conolly moved; Ms. Rooney seconded; the motion passed unanimously to dismiss the matter.

**Action taken:** Case dismissed.

### Tabs C–F – Heidi B. Marren; Case Nos. 2019050854; 2019051094; 2019051112; 2019051115 – Settlement Stipulation

Respondent was not present; Respondent was represented by Robert Keller, Qualified Representative, present. Ms. Conolly and Ms. Rooney were recused due to participation on the probable cause panel.

Mr. Robert Keller requested to appear as Qualified Representative for Respondent Marren. Ms. Rabin moved; Mr. Recca seconded; motion passed unanimously to grant the request.

Mr. Braaten represented the Department and presented the case to the Board. Following discussion, Mr. Roy moved; Ms. Warren seconded; motion passed without dissent to reject the proposed Settlement Stipulation. Mr. Roy moved; Ms. Warren seconded; the motion passed without dissent to propose the following counter offer:

**Penalty imposed:** Administrative fine of \$6,000.00; investigative costs of \$4,000.00; education: The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping”, “Report Certifications: What Am I Signing and Why.”

**Violation:** Section 475.624(4), Florida Statutes, by violating Rule 61J1-9.001, Florida Administrative Code, by violating the work file provisions of USPAP and various other Standards; Section 475.624(15), Florida Statutes, by failing or refusing to exercise reasonable diligence in developing an appraisal or preparing an appraisal report.

**Action Taken:** Counter Stipulation offered and accepted.

### Tab B – Jeanne A. Deweese; Case No. 2019-058249 – Settlement Stipulation

Respondent was present; Respondent was represented by John Samaan, Esquire. Ms. Conolly and Ms. Rooney were recused due to participation on the probable cause panel.

Ms. Medich represented the Department and presented the case to the Board. Following discussion, Ms. Rabin moved; Mr. Recca seconded; motion passed without dissent to reject the proposed Settlement Stipulation. Ms. Rabin moved; Mr. Recca seconded; the motion passed without dissent to propose the following counter offer:

**Penalty imposed:** Administrative fine of \$3,000.00; investigative costs of \$1,369.50; education: The Appraisal Foundation corrective course entitled “Residential Report Writing vs. Form Filling”, and the 15-hour National USPAP course (tested and monitored); attend one complete FREAB meeting.

**Violation:** Section 475.624(4), Florida Statutes, by failing to properly designate her role as supervisory appraiser; Section 475.624(4), Florida Statutes, by violating Rule 61J1-9.001, Florida Administrative Code, by violating one or more the following USPAP provisions: Record Keeping Rule, Ethics Rule; Standards Rule 1-2(c); Standards Rule 1-4(a); Standards Rule 2-1(a); Standards Rule 2-3; Section 475.624(4), Florida Statutes, through a violation of Section 455.227(1)(m), Florida Statutes, by making untrue representations in or related to the practice of a profession; Section 475.624(15), Florida Statutes, by failing or refusing to exercise reasonable diligence in developing an appraisal or preparing an appraisal report.

**Action Taken:** Counter Stipulation offered and accepted.

**Tab G – Murdock Thomas; Case No. 2019-017134 – Settlement Stipulation**

Respondent was present; Respondent was represented by Rickey Strong, Esquire. Mr. del Valle was recused due to participation on the probable cause panel.

Ms. Medich represented the Department and presented the case to the Board. Following discussion, Mr. Roy moved; Ms. Conolly seconded; motion passed without dissent to reject the proposed Settlement Stipulation. Mr. Roy moved; Mr. Recca seconded; the motion passed 4 to 1 to propose the following counter offer:

**Penalty imposed:** Administrative fine of \$2,500.00; investigative costs of \$3,085.00; education: 15-hour National USPAP course; attend two complete FREAB meetings; probation for 12 months (no early termination).

**Violation:** Section 475.624(4), Florida Statutes, through a violation of Section 475.611(1)(1), Florida Statutes, by developing and communicating an appraisal report for non-residential property in excess of 4 units; Section 475.624(4), Florida Statutes, through a violation of Rule 61J1-9.001, Florida Administrative Code, by violating one or more of the following USPAP provisions: Ethics Rule, Competency Rule, Scope of Work Rule; Standards Rules 1-1(a), (b) and (c); Standards Rules 1-2(f) and (g); Standards Rules 1-4(a) and (c); Standards Rules 2-1(a), (b) and (c); Standards Rule 2-2, 2-2(a)(vii), (viii) and (xi); Section 475.624(15), Florida Statutes, by failing or refusing to exercise reasonable diligence in developing an appraisal or preparing an appraisal report; Section 475.624(4), Florida Statutes, through a violation of Rule 61J1-7.001, Florida Administrative Code, by failing to sign the Report without the proper designation.

**Action Taken:** Counter Stipulation offered and accepted.

**Tab H – Christopher Wilson; Case No. 2019-036748 – Settlement Stipulation**

Respondent was present; Respondent was represented by Mr. Villazon, Esquire. Mr. del Valle was recused due to participation on the probable cause panel.

Ms. Medich represented the Department and presented the case to the Board. Following discussion, Mr. Roy moved; Ms. Rooney seconded; motion passed without dissent to reject the proposed Settlement Stipulation. Mr. Roy moved; Ms. Rooney seconded; the motion passed without dissent to propose the following counter offer:

**Penalty imposed:** Administrative fine of \$500.00; investigative costs of \$643.00; education: 20 hours of education to include The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping”, “Report Certifications: What Am I Signing and Why?”, “Residential Report Writing vs. Form Filling”, and “Scope of Work: Appraisals and Inspections”; the remaining 4 hours of education will be at the Respondent’s discretion.

**Violation:** Section 475.624(15), Florida Statutes, by failing or refusing to exercise reasonable diligence in developing an appraisal or prepare an appraisal report.

**Action Taken:** Counter Stipulation offered and accepted.

### **Summary of Applicants - New Applications**

**Tab A** – Louis W. Frillman – The applicant was present and was not represented counsel. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the application.

**Tab B** – Richard Glaspy – The applicant was present and was not represented by counsel. Following discussion, Ms. Rabin moved; Ms. Rooney seconded; the motion passed 4 to 2 to deny the application.

**Tab C** – Terrance O. Hutchinson – The applicant was present; the applicant was represented by Scott Margules, Esquire. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to deny the application.

**Tab D** – Michael Kozenko – The applicant was present. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the application.

**Tab E** – Gregory P. Michael – The applicant was present; the applicant was represented by Daniel Villazon, Esquire. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the application.

**Tab F** – Morgan Lucas Peeler – The applicant was present and was not represented by counsel. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the application.

**Tab G** – Mark Ambro Williams – The applicant was present and was not represented by counsel. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the application.

**Tab H** – Adam Josef Brown – The applicant was present and was not represented by counsel. Following discussion, the matter was continued. The applicant waived the 90-day requirement.

**Tab I** – Jessica Daniell Chaddock – The applicant was present and was not represented by counsel. Following discussion, the matter was continued. The applicant waived the 90-day requirement.

### **Real Estate Appraisal Education Courses for Approval or Denial**

A. What's Up in Technology for Real Estate Appraisers – New Course (7 hours specialty, classroom) – application number 8052 – Alabama Chapter Appraisal Institute

There was no appearance in support of the application. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the course.

B. 2020 Mid Atlantic Regional Conference – New Course (7 hours specialty, classroom) – application number 7933 – American Society of Appraisers

There was no appearance in support of the application. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the course.

C. Desktop Appraisals (Bifurcated/Hybrid) – New Course (7 hours specialty, classroom) – application number 8041 – Appraisal Institute

There was no appearance in support of the application. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to approve the course.

D. Learning Home Measurement – Video Series – New Course (5 hours specialty, distance) – application number 8021 – ELearning LLC

Mr. Hampton Thomas appeared in support of the application. Following discussion, the Board continued the matter to allow for review of the course material in the format as delivered.

E. National Appraising for the Supervisor and Trainee – New Course (4 hours S&T, distance) – application number 7980 – Corelogic Valuation Solutions dba The Columbia Institute

There was no appearance in support of the application. Following discussion, Ms. Conolly moved; Ms. Rabin seconded; the motion passed unanimously to deny the course.

### **Rules Report and Discussion**

Board Counsel Loucks provided the Rules Reports for February, March, April, May and June 2020. The Board had no questions.

### **Special Agenda - Board Business** – Allison McDonald, Executive Director

Ms. McDonald introduced the following items for the Board's consideration and action:

#### **Appraisal Board Delegations**

Ms. McDonald presented the 2020 Annual Review of Delegation of Authority for the Board's review and approval. Ms. McDonald and Ms. Loucks provided a brief explanation of various situations which benefit the Board in delegating its authority. Following discussion, Ms. Conolly moved; Ms. Rabin seconded the motion to approve the Delegation of Authority list as presented; the motion passed without dissent.

#### **Applicant Approvable Guidelines**

Ms. McDonald presented the updated guidelines the Board members reviewed in March 2018 and May 2019 (AMC's). Ms. McDonald reported that this document combines both guidelines approved by the Board in a more organized format and requested the Board approve the combined version as the 2020 Approvable Guidelines. Ms. Conolly moved; Ms. Rabin seconded the motion to approve the combined guidelines; the motion passed without dissent.

#### **Information Only Items**

Ms. McDonald introduced the following items as information only for the Board's consideration and responded to questions about the topics.

- The Appraisal Foundation (TAF) – Request for authorization of Government Accountability Office
- The Appraisal Foundation (TAF) – Announcement January 2020 Updated Criteria Handbook, Supervisory Discipline
- The Appraisal Foundation (TAF) – Breaking News: Congress Requests GAO Study of FIRREA
- The Appraisal Foundation (TAF) – USPAP Q & A (Issue date March 17, 2020)
- The Appraisal Foundation (TAF) – Press Release – Lisa Desmarais as Vice –President, Appraisal Issues
- Appraisal Standards Board (ASB) – New Q & As
- Appraiser Qualifications Board (AQB) and PSI Services LLC – Announce the commencement of a national job analysis study of real estate appraisal professionals starting May 4, 2020
- Appraiser Qualifications Board (AQB) – May 5, 2020, Announcement: National Real Estate Appraiser Job Analysis Study – Survey Study Now Open!
- Appraiser Qualifications Board (AQB) – Virtual meeting to discuss the Second Exposure Draft of a Proposed Change to the Real Property Appraiser Qualification Criteria – Licensed Residential Scope of Practice on May 15, 2020
- Appraisal Standards Board (ASB) – Webinar to discuss Second Exposure Draft of Proposed Changes to 2022-23 USPAP on June 18, 2020

- Appraiser Qualifications Board (AQB) – May 15, 2020: AQB Adopts Changes to Real Property Appraiser Qualification Criteria
- The Appraisal Foundation (TAF) – Announcement: Seeking Candidates for the AQB and the ASB
- Appraisal Standards Board (ASB) – Register for ASB Meeting July 31, 2020 – Virtual or In Person
- TAF/AARO/ASC – Crisis Guidance
- Appraiser Qualifications Board (AQB) – Letter to Appraisal Subcommittee
- Appraisal Subcommittee (ASB) – Memo
- TAF/ASB/AARO – Webinar Notice
- Appraisal Subcommittee (ASB) – COVID-19 Outbreak – State Appraisal/AMC Program Guidance
- TAF/ASB/AQB – Webinar Notice – General Update to Include Crisis-related Guidance
- TAF/ASB/AQB – Updated Crisis Guidance – New: Personal Inspection of Exterior plus Remote or Virtual Inspection of Interior
- Appraisal Subcommittee (ASB) – Responses/Opinions in response to COVID 19 FAQs from State Appraiser and AMC Regulatory Agencies
- Appraisal Qualifications Board (AQB) – Virtual AQB Public Meeting (May 15, 2020)
- Appraisal Qualifications Board (AQB) – March 18, 2020, Recommendations during COVID-19 Emergency
- Appraisal Qualifications Board (AQB) – Public Meeting Summary

### **Executive Director’s Comments**

- Appraisal Subcommittee Priority Contact Visit – Ms. McDonald provided a brief update relating to the Appraisal Subcommittee priority contact visit with Policy Manager Kristy Klamet, which occurred on February 27, 2020. Ms. Klamet met with various areas within the Department to learn more about Florida’s program. Ms. McDonald stated that Florida’s next review is scheduled for February 2021.
- Association of Appraiser Regulatory Officials (AARO) – Ms. McDonald reported that the Spring 2020 Conference was cancelled, but is still scheduled for October 2020. Ms. McDonald stated that she would keep the Board members informed whether Florida will be able to travel or attend.
- Trainee Outreach Program Information/Guidance – Ms. McDonald reported that the Appraisal Section had the pleasure of implementing the Trainee Outreach Program to provide trainees with general information which they may find helpful. Ms. McDonald thanked Mr. Frank Gregoire and Board Member Justin Recca for their help, guidance and leadership throughout the process. Ms. McDonald and Ms. Ward addressed questions and comments from the Board. The Board commended Mr. Gregoire and Mr. Recca for their assistance and commended the Division for implementing this program.

### **Chair’s Comments**

Mr. del Valle shared that Ms. Conolly is taking a new position out-of-state and this will be her last meeting serving as a Board member. Mr. del Valle stated he was fortunate to follow Ms. Conolly as Chair as she was a great role model and he learned a lot from her in how she conducted the Board meetings. Additionally, the Board expressed their appreciation of her contribution and passion to the appraisal industry. They will miss her greatly and wish her the best of luck and happiness in her new endeavor.

Ms. Conolly thanked the members for their kind words and stated that it has been a pleasure and great experience. She added that the Board members have all been amazing to work with and thanked them.

Ms. McDonald stated that a Resolution for Ms. Conolly will be on the August FREAB Agenda and a plaque from the Department thanking Ms. Conolly for her service will be mailed to her as well. On behalf of the Department and the Appraisal Section, Ms. McDonald expressed how much they have enjoyed working with Ms. Conolly and that she will be missed.

Mr. del Valle thanked the Department and staff for a smooth virtual meeting and for everything staff does for the Board.

**Public Comments**

The Board offered but did not receive any public comments.

**Next Meeting Date**

Monday, August 3, 2020 at 8:30 a.m. – Orlando

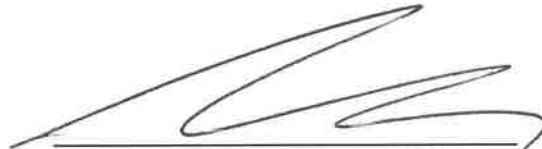
**Adjournment**

There being no other business, the Chair adjourned the meeting at approximately 3:20 p.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, August 3, 2020 in Orlando.

ATTEST:



Armando del Valle, Chair  
Florida Real Estate Appraisal Board



Allison McDonald, Executive Director  
Florida Real Estate Appraisal Board