

Julie I. Brown, Secretary

Ron DeSantis, Governor

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
February 1, 2021  
General Meeting (via teleconference)**

Chair Armando del Valle called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:35 a.m., in Orlando, Florida, on this Monday, 1<sup>st</sup> of February, 2021.

The following Board members were present: Chair Armando del Valle, Vice-Chair Janet Rabin, Members Fran Oreto, Justin Recca, JoAnn Rooney, Michael Roy and Dawn Warren. 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; Jocelyn Pomales, Education Coordinator; Whitley Ward, Government Analyst; Lori Crawford, Government Analyst. Magnolia Court Reporting, (407.896.1813) provided court reporter services.

**General Session**

**Approval of Minutes**

The minutes of the December 7, 2020 General Meeting were presented. Ms. Oreto moved, seconded by Ms. Rabin to approve the minutes as written; the motion passed without dissent.

**Nominations for 2021 Chair and Vice-Chair**

Chair del Valle opened the floor for nominations for Chair and Vice-Chair for 2021. Ms. Oreto nominated Vice-Chair Janet Rabin for Chair. Hearing no objections, Chair del Valle closed nominations. Upon unanimous vote, Vice-Chair Rabin was elected Chair.

Mr. Roy nominated Member Justin Recca for Vice-Chair. Hearing no objections, Chair del Valle closed nominations. Upon unanimous vote, Member Recca was elected Vice-Chair.

**Reports**

The Board reviewed the Education Course, Exam Performance 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 was one case over one year old and requested the Board approve moving forward with prosecution of the case. The Board unanimously approved continuing the prosecution of the case.

## **Legal Appearance Docket**

The Board addressed the Legal Appearance Docket, hearing 6 docket items with the following results:

### **Tab B and C – Case Nos. 2020-022886 and 2020-023981; Floyd J. Kenyon - Settlement Stipulation**

Respondent was not present; Respondent was represented by Nancy Campiglia, Esquire. Mr. Roy was recused due to participation on the probable cause panel. Mr. del Valle and Ms. Oreto were also recused.

Mr. Braaten represented the Department and presented the case to the Board. Following discussion, Mr. Recca moved; Ms. Rooney seconded; motion passed without dissent to accept the proposed Settlement Stipulation.

**Stipulated Settlement:** Administrative fine of \$1,500.00; investigative costs of \$2,000.00; education: The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping” and “Scope of Work: Appraisals and Inspections”; attend 3 complete FREAB meetings.

**Violation:** Section 475.624(4), Florida Statutes, through Rule 61J1-9.001, Florida Administrative Code, by violating the following USPAP provisions: Record Keeping Rule, Ethics Rule, Standards Rules 1-1(a), (b) and (c); 1-4(a); 2-1(a).

**Action Taken:** Settlement Stipulation accepted.

### **Tab A – Donald James Blake; Case No. 2020-024436 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire. Mr. Roy was recused due to participation on the probable cause panel.

Mr. Braaten represented the Department and presented the case to the Board. Following discussion, Ms. Oreto moved; Mr. Recca seconded; motion passed without dissent to accept the proposed Settlement Stipulation.

**Stipulated Settlement:** Administrative fine of \$1,000.00; investigative costs of \$1,500.00; education: The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping”, “Scope of Work: Appraisals and Inspections”, “Residential Report Writing vs. Form Filing”, and “Report Certifications: What Am I Signing and Why?”; attend 1 complete FREAB meeting.

**Violation:** 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:** Settlement Stipulation accepted.

### **Tab D – Melody Hughes Pitts; Case No. 2020-033505 – Settlement Stipulation**

Respondent was not present; Respondent was represented by Daniel Villazon, Esquire. Mr. Roy and Mr. Recca were recused due to participation on the probable cause panel.

Mr. Braaten represented the Department and presented the case to the Board. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; motion passed without dissent to accept the proposed Settlement Stipulation.

**Stipulated Settlement:** Administrative fine of \$2,000.00; investigative costs of \$2,227.50; education: The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping”, “Scope of Work: Appraisals and Inspections”, “Residential Report Writing vs. Form Filing”, and “Report Certifications: What Am I Signing and Why?”; attend 1 complete FREAB meeting.

**Violation:** 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 Section 475.629, Florida Statutes, by failing to ensure that the work file contains original or true copies of supporting data assembled and formulated by the appraiser in preparing appraisal reports.

**Action Taken:** Settlement Stipulation accepted.

**Tab F – Richard Dan McGreal; Case No. 2020-009533 – Motion for Waiver Hearing**

Respondent was present and was not represented by counsel. Mr. del Valle was recused due to participation on the probable cause panel.

Mr. Braaten represented the Department and presented the case to the Board. The Board granted the waiver hearing and entered into discussion. Following discussion, Ms. Oreto moved; Mr. Recca seconded; motions carried without dissent to adopt the Findings of Fact, as amended, and Conclusions of Law.

Following all discussion, Ms. Oreto moved; Mr. Recca seconded; motion passed without dissent to impose the following penalty:

**Penalty imposed:** Administrative fine of \$1,000.00; investigative costs of \$1,287.00; education: The Appraisal Foundation corrective courses entitled “Appraiser Self Protection: Documentation and Record Keeping”, “Ethics, Competency, and Negligence” and “Missing Explanations”; attend 1 complete FREAB meeting.

**Violation:** Section 475.624(4), Florida Statutes, through Rule 61J1-9.001, Florida Administrative Code, by violating the following USPAP provisions: Record Keeping Rule, Scope of Work Rule, Ethics Rule, Standards Rules 1-2(d); 1-4(b)(i); 2-1(a) and (c), 2-2(a)(vii); Section 475.624(4), Florida Statutes, violating any provision of Chapter 475, Florida Statutes, or any rule issued under Chapter 475 or 455, Florida Statutes, by violating Section 455.227(1)(m), Florida Statutes, by making untrue representations in the practice of a profession.

**Tab E – James V. O’Keefe; Case No. 2020-041295 – Voluntary Relinquishment for Permanent Revocation**

Respondent neither was present nor represented by counsel. Mr. Roy and Mr. Recca were recused due to participation on the probable cause panel.

Mr. Braaten represented the Department and presented the case to the Board. The Board entered into discussion. Following discussion, Ms. Oreto moved; Ms. Rabin seconded to accept the Voluntary Relinquishment of License for Permanent Revocation. The motion passed without dissent.

**Action Taken:** Voluntary Relinquishment of License for Permanent Revocation accepted.

**Summary of Applicants – New Applications**

**Tab A – Karen Lynn Blosser –** The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to approve the application.

**Tab B – William Chapman –** The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to approve the application.

**Tab C – Robert Cole –** The applicant was not present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed 6 to 1 to deny the application.

## **Appraisal Subcommittee Presentation**

Ms. McDonald introduced Florida's Policy Manager Kristi Klamet and Assisting Policy Manager Claire Brooks from the Appraisal Subcommittee. Ms. Klamet thanked the Board Members for giving her the opportunity to provide a brief presentation. Ms. Klamet stated that the ASC is conducting virtual off-site assessments of the states' appraisal programs due to the current circumstances. She explained that this assessment is being conducted to identify any potential risks to the appraiser program and the states will not be receiving a rating for this review. However, when the ASC is able to conduct a review in person they will be asking to review files for the current review as well as the information from this assessment.

Ms. Klamet also provided information relating to the Appraisal Subcommittee's Grant program which is also available on their website. Ms. Klamet addressed questions and comments from the Board.

The Board thanked Ms. Klamet for her presentation.

## **Summary of Applicants – continued**

**Tab D** – John Konrath – The applicant was present and was not represented by counsel. The applicant requested to withdraw his application. Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to grant the withdrawal.

**Tab E** – Craig O'Neill – The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to approve the application.

**Tab F** – Ronald J. Saar, Sr. – The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to approve the application.

**Tab G** – Carissa Smith – The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed without dissent to approve the application with conditions.

**Tab H** – Toby Jack Tait – The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Ms. Rabin seconded; the motion passed 4 to 3 to approve the application.

## **Rules Report and Discussion**

Board Counsel Loucks provided the Rules Report. The Board had no questions.

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

Ms. McDonald introduced the following items as information only for the Board's consideration.

- The Appraisal Foundation (TAF) – Hold First Joint Valuation Symposium on Public Trust
- Appraisal Standards Board (ASB) – ASB Meeting Scheduled for 2/5/2021
- The Appraisal Foundation (TAF) – November Newsletter
- The Appraisal Foundation (TAF) – December Newsletter
- The Appraisal Foundation (TAF) – January Newsletter
- The Appraisal Foundation (TAF) – Corrective Education Courses
- The Appraisal Foundation (TAF) – Opens Call for Board of Trustees Members
- Appraisal Standards Board (ASB) – Fourth Exposure Draft USPAP for 2022-23
- Appraisal Standards Board (ASB) – Webinar January 7, 2021, Fourth Exposure Draft USPAP 2022-23
- Federal Housing Finance Agency (FHFA) – Press Release, FHFA Issues RFI on Appraisal-Related Policies, Practices and Processes

- Florida Realtor News Article – FHFA Seeking Comments on Appraisal Process Overhaul
- Appraisal Buzz News Article – Louisiana Appraiser Board Seeks to Have Appraisal Fee Price-Fixing Case Heard by Supreme Court

**Executive Director’s Comments**

- Ms. McDonald reported that next week, beginning Monday, February 8<sup>th</sup> through the 11<sup>th</sup>, the Appraisal Subcommittee will be assessing Florida’s Appraisal Program and she would apprise the Board of the assessment.
- Ms. McDonald announced that Governor DeSantis reappointed Ms. Rabin to the FREAB and appointed two new Board Members; Shawn Wilson and Herbert Jourdan. Ms. McDonald congratulated all and that we are looking forward to Ms. Wilson and Mr. Jourdan joining the Board. Ms. McDonald addressed questions and comments from the Board Members.
- Ms. McDonald informed the Board of Secretary Beshears’ resignation and added that we are looking forward to working with the new Secretary upon appointment.

**Chair’s Comments**

Mr. del Valle thanked the Board Members and Division staff for all their hard work in putting this meeting together. He stated that it has been a pleasure and honor to serve as Chair and it was a great learning experience especially this past year. Mr. del Valle further stated that he looks forward to working under Ms. Rabin and Mr. Recca’s leadership.

**Public Comments**

The Board received a written comment from Francois Gregoire, which Ms. McDonald read into the record.

**Next Meeting Date**

Monday, April 12, 2021 at 8:30 a.m. – Orlando

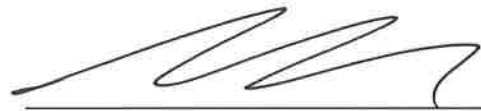
**Adjournment**

There being no other business, the Chair adjourned the meeting at approximately 11:01 a.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, April 12, 2021, in Orlando.

ATTEST:

*Armando del Valle*

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Armando del Valle, Chair  
Florida Real Estate Appraisal Board



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Allison McDonald, Executive Director  
Florida Real Estate Appraisal Board