

**Julie I. Brown, Secretary**

**Ron DeSantis, Governor**

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
April 12, 2021  
General Meeting (via teleconference)**

Chair Janet Rabin called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:35 a.m., in Orlando, Florida, on this Monday, 12<sup>th</sup> of April, 2021.

The following Board members were present: Chair Janet Rabin, Vice-Chair Justin Recca, Members Armando del Valle, Herbert Jourdan, Jr., Fran Oreto, JoAnn Rooney, Dawn Warren and Shawn Wilson. 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: Julie Brown, Secretary; Katy McGinnis, Director; Allison McDonald, Executive Director; Al Cheneler, Chief Attorney; James Fortunas and Mackenzie Medich, Deputy Chief Attorneys, Del Braaten, Senior Attorney; Jocelyn Pomales, Education Coordinator; Whitley Ward, Government Analyst II; Lori Crawford, Government Analyst I.

**Secretary's Welcome**

Ms. McDonald welcomed Secretary Brown to the Department and to this Board meeting.

Secretary Brown thanked the Board and the Division for allowing her the privilege to introduce herself. Secretary Brown provided a brief summary of her experience leading up to her appointment to the Department of Business and Professional Regulation by Governor DeSantis. Secretary Brown stated that she is confident her experience history will assist her in serving the businesses and occupations the Department works with every day. Secretary Brown further stated that she has worked with real estate appraisers throughout her 20 plus years as a licensed real estate broker. She understands the importance of ensuring that real estate appraisers are sufficiently trained and tested to assure competency and independent judgment, according to uniform, high performance standards and ethics in support of The Appraisal Foundation's mission. Additionally, Secretary Brown stated that she is looking forward to working with Florida's policy manager from the Appraisal Subcommittee to strive for Florida's continued compliance with federal regulations.

Secretary Brown thanked the Board members for their dedication and volunteer service to the appraisal industry and she looks forward to meeting together in person.

Ms. McDonald thanked Secretary Brown for the warm welcome she extended to the Board members, Board Counsel Loucks, division staff and attendees.

**General Session**

**Approval of Minutes**

The minutes of the February 1, 2021, General Meeting were presented. Ms. Oreto moved, seconded by Mr. del Valle to approve the minutes as written; the motion passed without dissent.

The minutes of the March 31, 2021, Special General Meeting were presented. Ms. Oreto moved, seconded by Mr. del Valle to approve the minutes as written; the motion passed without dissent.

## 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 were two cases over one year old and requested the Board approve moving forward with prosecution of the cases. The Board unanimously approved continuing the prosecution of the cases.

## Legal Appearance Docket

The Board addressed the Legal Appearance Docket, hearing 3 docket items with the following results:

### Tab C – Bernard Wayne Caton; Case No. 2021-006934 – Voluntary Relinquishment for Permanent Revocation

Respondent was present; Respondent was not represented by counsel. No members were recused.

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

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

### Tab A – Stacy L. Fretina; Case No. 2019-048803 – DOAH Recommended Order; No Exceptions Filed

Respondent was present; Respondent was represented by Daniel Villazon, Esquire. 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. Following discussion, Ms. Oreto moved; Ms. Rooney seconded; the motion passed without dissent to adopt the Findings of Fact. Following discussion, Ms. Oreto moved; Mr. Recca seconded; the motion passed without dissent to adopt the Conclusions of Law. The Board considered the Recommended Order of the Administrative law Judge. Ms. Oreto moved; Mr. Recca seconded; the motion passed without dissent to adopt the Recommended Order and impose the following sanctions:

**Penalty:** Administrative fine of \$1,500.00; investigative costs of \$1,000.00; 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 Filling", and "Report Certifications: What Am I Signing and Why?"; attend 3 complete FREAB meetings; probation for 12 months with early termination.

**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, Scope of Work Rule, Standards Rules 1-2(e)(i), 1-4(a) and 2-1(a); 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.

**Action Taken:** DOAH Recommended Order adopted with the additional term of probation.

### Tab B – AMR Appraisals, Inc.; Case No. 2020-053001 – Settlement Stipulation

Respondent was not present nor represented by counsel. 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, Ms. Oreto moved; Ms. Rooney seconded; motion passed without dissent to accept the proposed Settlement Stipulation.

**Stipulated Settlement:** Administrative fine of \$1,000.00; investigative costs of \$437.25; probation for 6 months.

**Violation:** Section 475.6245(1)(f), Florida Statutes, by having had a registration revoked, suspended or otherwise acted against by the Minnesota Department of Commerce.

**Action Taken:** Settlement Stipulation accepted.

### **Summary of Applicants – New Applications**

**Tab A – Robert Cole – Informal Hearing –** The applicant was present and was not represented by counsel. Following discussion, Mr. Recca moved; Mr. Jourdan seconded; the motion passed 5 to 3 to vacate the previous Notice of Intent to Deny and approve the application with conditions.

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

**Tab C – Bradley M. Freedman –** The applicant was not present and was not represented by counsel. Following discussion, Mr. del Valle moved; Ms. Oreto seconded; the motion passed without dissent to approve the application.

**Tab D – Terrance Scott McCue, Jr. –** The applicant was present and was not represented by counsel. Following discussion, Mr. del Valle moved; Mr. Recca seconded; the motion passed without dissent to approve the application with conditions.

### **Rules Report and Discussion**

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

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

#### **Annual Review of Board Delegations to Division Staff**

Chair Rabin approved the request to defer this item to the June 2021 general meeting.

#### **Resolution for Board Member Michael Roy**

Chair Rabin read the Resolution of Recognition for former Member Michael Roy.

### **Information Only Items**

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

- The Appraisal Foundation (TAF) – Announcement: Open Call for Board of Trustees Members
- The Appraisal Foundation (TAF) – February, 2021 Newsletter
- The Appraisal Foundation (TAF) – February, 2021 Special Edition Newsletter – ASB Extends USPAP and 2020-21 USPAP Extension Frequently Asked Questions; Ms. Loucks and Ms. McDonald addressed questions and comments from the Board.
- The Appraisal Foundation (TAF) – February 25, 2021, email; Now Available: First Exposure Draft of The Real Property Appraiser Qualifications Criteria
- Appraiser Qualifications Board (AQB) – Join Webinar on First Exposure Draft of Real Property Appraiser Qualification Criteria – April 1, 2021

- Appraiser Qualifications Board (AQB) – Virtual Public Meeting – April 30, 2021
- The Appraisal Foundation (TAF) – First Exposure Draft of Advisory Opinion on Fair Housing Laws
- The Appraisal Foundation (TAF) – March, 2021 Newsletter
- Appraisal Subcommittee (ASC) – Email and draft federal legislation: Real Estate Valuation and Fairness Act of 2021
- The Appraisal Foundation (TAF) – April, 2021 Newsletter

### **Executive Director’s Comments**

- Ms. McDonald reported that the Spring 2021 Association of Appraiser Regulatory Officials (AARO) Virtual Conference is scheduled for May 3-5, 2021. The registration fees will be waived and anyone who would like to attend may register from AARO’s home page website under “Events.”
- Ms. McDonald reported that the Appraisal Subcommittee’s (ASC) policy manager and assistant policy manager virtually conducted an assessment of Florida’s appraisal program Monday, February 8-11, 2021. Ms. McDonald further reported that the ASC had some questions relating to the AMC forms. The Division will be looking at the forms and will present any updated forms to the Board for review and approval. The ASC will mail a letter with its report within 60 days of the assessment.
- Ms. McDonald thanked the Board members for a great job, giving a special thanks to Chair Rabin and Vice-Chair Recca and again welcomed new Board members Herbert Jourdan and Shawn Wilson.

### **Chair’s Comments**

Ms. Rabin also wanted to thank the Board for a great meeting and wanted to give a big welcome to the new Board members. Ms. Rabin also wanted to thank Board Counsel Loucks and the Department staff for their hard work in putting together the Board member training in March of 2021.

### **Public Comments**

The Board did not receive any public comments.

### **Next Meeting Date**

Monday, June 7, 2021 at 8:30 a.m. – Orlando

### **Adjournment**

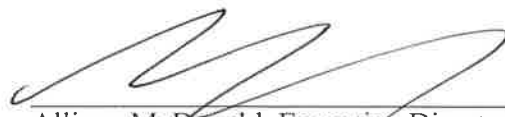
There being no other business, the Chair adjourned the meeting at approximately 10:30 a.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, June 7, 2021, in Orlando.

ATTEST:

*Janet Rabin*

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Janet Rabin, Chair  
Florida Real Estate Appraisal Board




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Allison McDonald, Executive Director  
Florida Real Estate Appraisal Board