

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**Minutes of
THE FLORIDA REAL ESTATE APPRAISAL BOARD
February 7, 2022
General Meeting (via hybrid in-person/virtual)**

Chair Janet Rabin called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:30 a.m., in Orlando, Florida, on this Monday, February 7, 2022.

The following Board members were present: Chair Janet Rabin, Vice-Chair Fran Oreto, Members Armando del Valle, Herbert Jourdan, Jr. and Shawn Wilson. Member Prakash Patel was excused and not in attendance. Member Jared Hirsch was 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 and Mackenzie Medich, Deputy Chief Attorneys (via videoconference); Daniel David (via videoconference), Assistant General Counsel; Whitley Ward, Government Analyst II; Jocelyn Pomales, Education Coordinator; Damon Boodram, Operation Review Specialist; Lori Crawford, Government Analyst I. Magnolia Court Reporting (407.896.1813) provided court reporter services.

General Session

Real Estate Appraisal Education Courses for Approval or Denial

A. *Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book) Course* – New Course (21 hours Specialty, Classroom) – application number 8845 – American Society of Farm Managers & Rural Appraisers

There was no appearance in support of the application. Following discussion, Mr. del Valle moved; Ms. Oreto seconded; the motion passed unanimously to approve the course for 20 hours.

B. *Valuation Overview of Accessory Dwelling Units* – New Course (7 hours Specialty, Synchronous) – application number 8904 – Region X of the Appraisal Institute

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

Appraisal Subcommittee Priority Contact Visit

Ms. McDonald announced that Kristi Klamet would be virtually observing the FREAB meeting today for the 2022 ASC Priority Contact Visit.

Approval of Minutes

The minutes of the December 6, 2021, General Meeting were presented. Ms. Oreto moved, seconded by Ms. Wilson to approve the minutes as written; the motion passed without dissent.

Nominations for 2022 Chair and Vice-Chair

Chair Rabin opened the floor for nominations for Chair and Vice-Chair for 2022. Ms. Rabin nominated Vice-Chair Fran Oreto for Chair; Ms. Wilson seconded; the motion passed without dissent. Upon unanimous vote, Vice-Chair Oreto was elected Chair.

Mr. del Valle nominated Member Herb Jourdan for Vice-Chair; Ms. Oreto seconded; the motion passed without dissent. Upon unanimous vote, Member Jourdan was elected Vice-Chair.

Reports

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

Legal Case Report

Mr. Cheneler presented the Legal Year Old Case report. Mr. Cheneler stated there were no cases over one year old.

Legal Appearance Docket

The Board addressed the Legal Appearance Docket, hearing 1 docket item with the following result:

Tab A – Joseph A. Tavormina; Case No. 2021-031622 – Settlement Stipulation

Respondent was present; Respondent was not represented by counsel. Ms. Oreto was recused due to participation on the probable cause panel.

Mr. David represented the Department and presented the case to the Board. Following discussion, Mr. del Valle moved; Ms. Wilson seconded; motion passed without dissent to accept the Settlement Stipulation as presented:

Stipulated settlement: Administrative fine of \$3,000.00; investigative costs of \$1,419.00; education: The Appraisal Foundation corrective courses entitled Appraiser Self Protection: Documentation and Record Keeping; Report Certifications: What am I Signing and Why?; Missing Explanations; and Ethics, Competency and Negligence; attend 2 FREAB meetings; probation for 12 months with eligibility for early termination.

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

Summary of Applicants – Agenda B

Tab A – Gilbert Xavier Ponce – 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 for Trainee Appraiser.

Summary of Applicants – Agenda A

Tab B – Kevin Gregory Bulford – The applicant was present and was not represented by counsel. Following discussion, Ms. Wilson moved; Mr. Jourdan seconded; the motion passed 3 to 2 to approve the application for Trainee Appraiser.

Tab C – Justine Maher – The applicant was present and was not represented by counsel. Following discussion, Ms. Oreto moved; Mr. Jourdan seconded; the motion passed 4 to 1 to approve the application for Trainee Appraiser.

Tab D – Emma Kim Tashis Harrison – The applicant was not present and was not represented by counsel. Following discussion, Ms. Wilson moved; Mr. del Valle seconded; the motion passed without dissent to deny the application for Certified Residential Appraiser.

Tab E – United States of America Government – The applicant was not present and was not represented by counsel. Following discussion, Mr. del Valle moved; Ms. Wilson seconded; the motion passed without dissent to deny the application for Appraisal Management Company.

Tab A – Appraisal Scout Corp – The applicant was present and was not represented by counsel. Following discussion, Ms. Wilson moved; Ms. Oreto seconded; the motion passed 4 to 1 to approve the application for Appraisal Management Company.

General Session Continued

Special Agenda – Board Business

FREAB Board Survey Draft to Florida Appraiser Licensees

Ms. McDonald presented the draft survey language for the Board’s consideration and guidance. The Board entered into discussion and provided guidance. The Board approved moving forward with the PAREA survey language as discussed and requested that this topic be placed on the April agenda to discuss the survey results. The Board thanked Ms. McDonald and Ms. Ward for their work on this.

Presentation From Brad Swinney, Vice-Chair, AQB Regarding the Practical Applications of Real Estate Appraisal (PAREA) Program

Chair Rabin and Ms. McDonald introduced Mr. Brad Swinney, Vice-Chair of the Appraiser Qualifications Board (AQB), who was present to provide the AQB prospective relating to the PAREA program. Mr. Swinney stated he had a PowerPoint that provides a brief overview explaining the evolution of PAREA and what program is designed to accomplish, recent developments, frequently asked questions and what participants may expect from the program. Mr. Swinney addressed questions from the Board members. The Board thanked Mr. Swinney for his presentation.

The Board received comments from Scott DiBiasio, Appraisal Institute, relating to the PAREA discussion.

Following further discussion, Ms. Wilson moved to open rule development for Rules 6.001 and 4.010 with language to adopt PAREA at 100%; Mr. Jourdan seconded the motion; the motion passed 4 to 1.

Mr. Jourdan moved to have proposed language presented at the next FREAB meeting; Ms. Wilson seconded the motion; the motion passed 4 to 1.

Rules Report and Discussion

Board Counsel Loucks provided the Rules Report and reported that Rules 61J1-4.001, 4.003 and 4.008 became effective January 4, 2022.

Special Agenda – Board Business continued

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

- The Appraisal Foundation (TAF) – December, 2021 Newsletter
- The Appraisal Foundation (TAF) – January, 2022 Newsletter
- The Appraisal Foundation (TAF) – Second Exposure Draft of Proposed Changes for the 2023 USPAP, 12/06/2021 (ASB)
- Upcoming Events from The Appraisal Foundation’s Webpage
- Appraisal Subcommittee (ASC) – January 20, 2022, Email, Notice of Proposed Rulemaking on Temporary Waiver Proceedings

- Appraisal Subcommittee (ASC) – January 20, 2022, ASC Press Release, Report Released on Review of USPAP and AQB Criteria
- The Appraisal Foundation (TAF) – January 24, 2022, Email, Board of Trustees Call for Applications
- Fannie May Newsletter – December 2021

Executive Director’s Comments

- Ms. McDonald reported that the Appraisal Subcommittee is conducting its Priority Contact Visit this week, and that she will keep the Board informed as to the Policy Manager’s visit at next month’s meeting.
- Ms. McDonald reported that the AARO Conference is scheduled for May in San Antonio and wanted to get a tally of the Board members who are interested in attending to provide to the Department for discussion and consideration.
- Ms. McDonald stated that she looks forward to working with our new Chair and Vice-Chair.

Chair’s Comments

Ms. Rabin stated that this was her last meeting as Chair and commented that it is a very rewarding experience to serve on the Board and added that reward has increased exponentially while serving as the Chair. Ms. Rabin stated that it has been amazing to see firsthand the dedication of everyone and that she has appreciated everything she has learned this year as Chair.

Mr. Jourdan provided comments relating to various concerns that have been brought to his attention and hopes that the Board may have future discussions to possibly provide positive suggestions.

Public Comments

The Board received comments from Scott DiBiasio, Appraisal Institute relating to education rules that went into effect January 4, 2022. The Board thanked Mr. DiBiasio for his comments.

Next Meeting Date

Monday, April 4, 2022 at 8:30 a.m. – Orlando

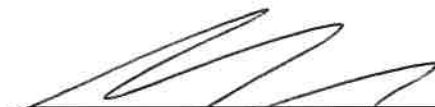
Adjournment

There being no other business, the Chair adjourned the meeting at approximately 12:05 p.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, April 4, 2022, in Orlando.

ATTEST:



 Janet Rabin, Chair
 Florida Real Estate Appraisal Board



 Allison McDonald, Executive Director
 Florida Real Estate Appraisal Board