

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
April 4, 2022  
General Meeting (via hybrid in-person/virtual)**

Chair Evalyn “Fran” Oreto called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:30 a.m., in Orlando, Florida, on this Monday, April 4, 2022.

The following Board members were present: Chair Evalyn “Fran” Oreto; Vice-Chair Herbert Jourdan, Jr.; Members Janet Rabin and Shawn Wilson. Members Armando del Valle and Prakash Patel were 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 (via videoconference); James Fortunas and Mackenzie Medich, Deputy Chief Attorneys (via videoconference); Daniel David, Delhon Braaten (via videoconference), Assistant General Counsels; 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**

**Approval of Minutes**

The Minutes of the February 7, 2022, General Meeting was presented. Ms. Wilson moved, seconded by Ms. Rabin to approve the minutes as written; the motion passed without dissent.

**Reports**

The Board reviewed the Education, Exam Performance, Financial 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 is 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.

**Rules Report**

Board Counsel Loucks provided the Rules Report.

**Legal Appearance Docket**

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

**Tab A – Daniel N. Ferran; Case No. 2021-012815 – Petitioner’s Request for Informal Hearing to Adopt DOAH Final Order**

Case continued to June 6, 2022.

**Tab B – Jeffrey Lyle Hansen; Case No. 2021-034753 – Petitioner’s Request for Informal Hearing**

Respondent was present via videoconference; Respondent was represented by AJ Ferate, Esquire, also present via videoconference. Mr. del Valle served on the probable cause panel. Mr. del Valle was excused and not present.

Ms. Medich represented the Department and presented the case to the Board. Following discussion, Mr. Jourdan moved; Ms. Wilson seconded; motion passed 3 to 1 to dismiss the Administrative Complaint.

**Action Taken:** Case dismissed.

**Tab C – Kristen D. Gonzalez; Case No. 2021-046151 – Settlement Stipulation**

Case continued to June 6, 2022.

**Summary of Applicants**

**Tab C – Robert Ernest O’Connor –** The applicant was present and was not represented by counsel. Following discussion, Ms. Rabin moved; Mr. Jourdan seconded; the motion passed without dissent to approve the application for Certified Residential Appraiser by mutual recognition of Massachusetts.

**Tab A – Christopher Lind –** The applicant was present and was not represented by counsel. Following discussion, the applicant requested to withdraw his application. Ms. Wilson moved; Ms. Rabin seconded; the motion passed without dissent to grant the withdrawal.

**Tab B – Ryne Neer –** The applicant was present and was not represented by counsel. Following discussion, the Board requested the applicant provide additional reports and an updated work log form. Ms. Wilson moved; Mr. Jourdan seconded; the motion passed 3 to 1 to continue the application for Certified General Appraiser until June 6, 2022.

**Tab D – Kelly Neil Parker –** The applicant was present and was not represented by counsel. Following discussion, Ms. Wilson moved; Mr. Jourdan seconded; the motion passed without dissent to approve the application for Certified Residential Appraiser by mutual recognition of Utah.

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

**A. Focus on FHA Minimum Property Requirements –** New Course (4 hours Specialty, Classroom) – application number 9028 – McKissock LP

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

**B. Live Webinar: Focus on FHA Minimum Property Requirements –** New Course (4 hours Specialty, Synchronous) – application number 8999 – McKissock LP

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

**C. Live Webinar: Issues in Appraiser Liability –** New Course (4 hours Specialty, Synchronous) – application number 8996 – McKissock LP

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

D. IAAO 852 AAS Case Study Review Workshop – New Course (18.50 hours Specialty, Classroom) – application number 9023 – Florida Department of Revenue/Property Tax Oversight Program

There was no appearance in support of the application. Following discussion, Ms. Rabin moved, Ms. Wilson seconded; the motion passed unanimously to approve the course for 18 hours.

E. IAAO 854 – CMS Case Study Review Workshop – New Course (15.00 hours Specialty, Classroom) – application number 9025 – Florida Department of Revenue/Property Tax Oversight Program

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

F. IAAO 851 – RES Case Study Review Workshop – New Course (18.50 hours Specialty, Classroom) – application number 9026 – Florida Department of Revenue/Property Tax Oversight Program

There was no appearance in support of the application. Following discussion, Ms. Rabin moved, Ms. Wilson seconded; the motion passed unanimously to approve the course for 18 hours.

G. Capital Reserve Studies: A Business Opportunity for Appraisers – New Course (4.00 hours Specialty, Synchronous) – application number 9043 – Region X of the Appraisal Institute

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

H. Appraiser's Guide to the Income Approach – New Course (7.00 hours Specialty, Synchronous) – application number 9060 – Appraiser ELearning LLC

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

I. Evaluations for Commercial and Residential Appraisers – New Course (3.00 hours Specialty, Synchronous) – application number 9016 – Region X of the Appraisal Institute

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

J. Stats, Graphs, and Data Science I – New Course (14.00 hours Specialty, Synchronous) – application number 9010 – Valuemetrics, Inc.

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

### **General Session Continued**

### **Special Agenda – Board Business**

#### **FREAB Board Survey to Florida Appraiser Licensees**

Ms. McDonald provided the survey results the Board requested relating to the Practical Applications of Real Estate Appraisal experience program (PAREA) for their review and discussion. The Board provided comments and stated they were pleased at the responsiveness from the appraisers.

## Rules Discussion

Board Counsel Loucks provided the following rules for discussion:

**61J1-6.003 – Experience Requirement – Practical Applications of Real Estate Appraisal** – Ms. Loucks presented this rule for the Board’s consideration. Following discussion, Ms. Rabin moved; Mr. Jourdan seconded; motion carried unanimously to adopt the proposed language as discussed and move into rule development.

Ms. Loucks asked the Board if the proposed amendment to the rule will not have a negative impact on small business or a regulatory impact in excess of \$200,000 within one year of implementation of the rule. The Board unanimously agreed that there will be no fiscal impact.

Ms. Loucks asked the Board to consider if any violation of the changes to the rule could be considered to be minor violations. The Board unanimously agreed to find that if there is a violation of the rule based upon the changes to the rule, the violations would not be identified as minor violations.

Ms. Loucks asked the Board to consider whether the Board wanted to include sunset language within the rule. The Board unanimously agreed not to include sunset language.

**61J1-7.003 – Advertising** – Ms. Loucks asked the Board to consider the proposed language amending what designations or abbreviations denoting licensure may be used in advertising. Following discussion, Ms. Oretomoved; Ms. Rabin seconded; motion carried unanimously to adopt the proposed language as presented and move into rule development.

Ms. Loucks asked the Board if the proposed amendment to the rule will not have a negative impact on small business or a regulatory impact in excess of \$200,000 within one year of implementation of the rule. The Board unanimously agreed that there will be no fiscal impact.

Ms. Loucks asked the Board to consider if any violation of the changes to the rule could be considered to be minor violations. The Board unanimously agreed to find that if there is a violation of the rule based upon the changes to the rule, the violation would be identified as a minor violation.

Ms. Loucks asked the Board to consider whether the Board wanted to include sunset language within the rule. The Board unanimously agreed not to include sunset language.

**61J1-4.001 – Qualifying Education and 61J1-4.003 – Continuing Education** – Ms. McDonald reported that these rules are being brought before the Board upon request of Scott DiBiasio, Appraisal Institute. Ms. McDonald stated that for Rule 4.001 Mr. DiBiasio is requesting the Board consider reducing the number of questions to 25 for QE courses up to 15 hours in length. The rule currently requires 50 questions for courses 30 hours or less. Also, Mr. DiBiasio is requesting the Board visit the requirement for 2 forms of the end-of-course examinations relating to both Rules 4.001 and 4.003.

Additionally, Ms. McDonald reported that while Rule 4.003 was up for discussion the Department would like to clarify the language relating to alternative methods available in lieu of proctoring the final examination.

After significant discussion, the Board tabled the discussion of these rules until the June 2022 meeting.

## Special Agenda – Board Business continued

### Tab A – Case No. 2020-0009533: Richard McGreal – Respondent’s Request for an Extension of Time to Comply with Final Order

Respondent was present and was not represented by counsel. No members were recused. Ms. McDonald presented the request to the Board. Following discussion, Ms. Wilson moved; Mr. Jourdan seconded; motion carried without dissent to grant an extension until June 6, 2022, to complete the Final Order requirements.

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

- FREAB Board Survey to Florida Licensees
- The Appraisal Foundation (TAF) – February, 2022 Newsletter
- The Appraisal Foundation (TAF) – March, 2022 Newsletter
- Upcoming Events from The Appraisal Foundation's Webpage
- Appraisal Subcommittee (ASC) – February 24, 2022, Memorandum to All States Validating PAREA and Practicum Course Experience

**Executive Director's Comments**

Ms. McDonald reported the results of the Appraisal Subcommittee's Priority Contact Visit.

**Chair's Comments**

Ms. Oreto stated that it was good to be back in the Chair seat again and wanted to thank the Board members and staff for their hard work.

**Public Comments**

The Board received comments from Francois Gregoire, Certified Residential Appraiser, relating to PAREA and incentivizing supervisors to take on trainees; Scott DiBisio, Appraisal Institute, relating to incentivizing supervisors to take on trainees and the Property Appraisal and Valuation Equity (PAVE) report; and Dana Chapman relating to supervisor/trainee challenges. The Board thanked everyone for their comments.

**Next Meeting Date**

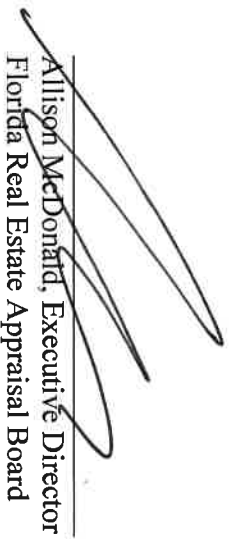
Monday, June 6, 2022 at 8:30 a.m. – Orlando

**Adjournment**

There being no other business, the Chair adjourned the meeting at approximately 12:22 p.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, June 6, 2022, in Orlando.

ATTEST:

  
Evelyn "Tran" Oreto, Chair  
Florida Real Estate Appraisal Board

  
Allison McDonald, Executive Director  
Florida Real Estate Appraisal Board