

Jonathan Zachem, Secretary

Rick Scott, Governor

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
April 9, 2018  
General Meeting**

Chair Mike Roy called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:35 a.m., in Orlando, Florida, on this Monday, the 9<sup>th</sup> of April, 2018.

The following Board members were present: Chair Mike Roy, Members Armando del Valle, Clay Ketcham, Fran Oreto, Janet Rabin, Justin Recca, JoAnn Rooney, and Dawn Warren. Vice-Chair Cristy Connolly had an excused absence. Assistant Attorney General Rachel Clark appeared as counsel for the Board. Executive Director Crawford declared a quorum present.

Department and Division staff present at the meeting: Katy McGinnis, Director; Lori Crawford, Executive Director; Al Cheneler, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Jocelyn Pomales, OMC; Whitley Ward, and Beverly Ridenauer, Government Analysts. American Court Reporting, Inc. (407.896.1813) provided court reporter services.

**General Session**  
**Approval of Minutes**

The minutes of the February 5, 2018, General Meeting were presented. Ms. Rabin moved, seconded by Ms. Oreto to approve the minutes as amended. The motion carried without dissent.

The amended minutes of the June 5, 2017, General Meeting were presented. Ms. Oreto moved, seconded by Ms. Rabin to approve the minutes as amended. The motion carried without dissent.

**Reports**

Executive Director Crawford presented the Exam Performance, Second Quarter Financial and the Licensee Count reports and addressed questions from the Board.

**Legal Case Report**

Ms. McDonald presented the Year Old Case report and addressed questions and comments from the Board.

**Legal Appearance Docket**

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

**Tab A – Case No. 2016000903, Tricia Eriksson – Respondent’s Request for an Extension**

Tricia Eriksson was present without counsel and addressed the Board. All members present participated in the discussion and vote.

Ms. McDonald represented the Department and presented the request to the Board. Following discussion, Ms. Oreto moved; Mr. del Valle seconded; motion carried unanimously to grant the extension as the respondent had completed all the requirements.

**General Session Continued**  
**Petitions for Variance or Waiver**

Petition for Rule Variance of Section 61J1-4.010(1) (b) (c), Florida Administrative Code – VW 2018-037 from Mr. Richard E. Hood

Board Counsel Rachel Clark presented the Petition. Ms. Clark reminded the Board of the statutory guidelines. Mr. Hood and his attorney, Edwin Bayó, were present to address the Board.

The Board heard comments from Mr. Bayó and discussed the petition. Following discussion, Mr. Ketcham moved; seconded by Mr. del Valle, to deny the petition. Upon vote, the motion failed with a split vote.

After further discussion, Ms. Oreto moved to grant the waiver for Subsection (c) of the rule based upon the hardship as demonstrated by the Petitioner in this particular instance. Ms. Rabin seconded and the motion carried by split vote.

**General Session Continued**  
**Real Estate Appraisal Education Courses for Approval or Denial**

Personal Property Auditing, Basic to Advanced IAAO 501 – New Course (20 hours classroom, specialty education) – application number 7003, Florida Department of Revenue/Property Tax Oversight Program

Withdrawn

Master Your Market with Metrics – New course (2 hours classroom, specialty) – application number 7031 – Florida Association of Realtors

No representative from the organization was present in support of the application. The Board discussed the matter. Following discussion, Mr. del Valle moved, Mr. Ketcham seconded to approve the application. The motion carried with a split vote.

**Rules Report**

Board Counsel Clark provided the Rules Report for April 2018. Ms. Clark noted that several rules have been published for Rule Development. She reported that, upon her return to her office, she will respond to comments she has recently received from the Joint Administrative Procedures Committee (JAPC) regarding some of the rules on this report.

**Rules Discussion**

**Rule 61J1-9.001 - Standards of Appraisal Practice and Evaluations**

Ms. Clark presented a draft of the proposed text to amend Rule 61J1-9.001. Ms. Clark responded to questions from the Board followed by discussion of the language. Following discussion, Mr. Ketcham moved; Ms. Rabin seconded; motion carried with a split vote to adopt the proposed changes.

Ms. Clark 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. Ms. Oreto moved; Ms. Rabin seconded; motion carried unanimously to find there will be no fiscal impact.

Counsel Clark asked the Board to consider if any violation of the changes to the rule could be considered to be minor violations. Following discussion, Ms. Oreto moved; Mr. Ketcham seconded; motion carried unanimously 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.

**Special Agenda**

**Board Member Training**

Board Counsel Rachel Clark and Chief Attorney Al Cheneler presented board member training.

**Appraisal Subcommittee (ASC) Revised Policy Statements**

Executive Director Crawford provided the Board with background information about the changes to the Policy Statements. The Policy Statements have been updated to include the guidelines for the monitoring of regulatory programs for Appraisal Management Companies and to establish procedures for maintaining the AMC National Registry.

**Revised AQB Real Property Appraiser Qualifying Criteria**

Ms. Crawford reported that on February 1, 2018, the Appraiser Qualifications Board (AQB) adopted changes to *The Real Property Appraiser Qualification Criteria*. Ms. Crawford asked the Board to consider whether or not they feel it is necessary to make subsequent changes to the Florida qualifying criteria.

Following discussion Ms. Oreto moved; Ms. Rabin seconded, motion carried unanimously to open Rules 61J1-4.001, 61J1-10.001 for discussion. The Board further discussed the item and upon motion by Ms. Oreto, seconded by Ms. Rabin, voted unanimously to discuss the rules in detail at the June meeting.

**The Appraisal Foundation (TAF) Bulletins and Notices**

Executive Director Crawford provided the bulletins and notices as information only, with no further action being taken by the Board at this meeting.

**Executive Director’s Comments**

Ms. Crawford provided the Board with a follow-up report to the Appraisal Subcommittee Priority Contact Visit, which took place on February 27, 2018. She reminded the Board that the Priority Contact Visit is not a full Compliance Review of Florida’s regulatory program.

Florida is identified as one of the top states for licensees and as such, the Priority Contact visit serves to maintain a close working relationship between the Policy Manager and State Staff by allowing discussion of regulatory issues and concerns.

**Chair’s Comments**

Chair Roy read into the record, a Resolution recognizing Former Member Tamara McKee. He then thanked her for her insightful contribution to the Board. Mr. Ketcham also commented on Ms. McKee’s professionalism while holding the seat of Consumer Member when her practical experience was not connected to the appraiser world.

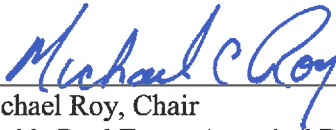
**Next Meeting Date**

Monday, June 4, 2018 at 8:30 a.m. – Orlando

**Adjournment**

There being no other business, the Chair adjourned the meeting at approximately 1:00 p.m. The next general meeting of the Florida Real Estate Appraisal Board will held Monday June 5, 2018 in Orlando.

ATTEST:



Michael Roy, Chair  
Florida Real Estate Appraisal Board



Lori Crawford, Executive Director  
Florida Real Estate Appraisal Board