

Halsey Beshears, Secretary

Ron DeSantis, Governor

**Minutes of  
THE FLORIDA REAL ESTATE APPRAISAL BOARD  
February 4, 2019  
General Meeting**

Chair Mike Roy called the meeting of the Florida Real Estate Appraisal Board to order at approximately 8:30 a.m., in Orlando, Florida, on this Monday, the 4th day of February, 2019.

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

Department and Division staff present at the meeting: Katy McGinnis, Director; Allison McDonald, Executive Director; Lori Crawford, Executive Director, Florida Real Estate Commission; Amrita Singh, Deputy Director; Al Cheneler, Chief Attorney; Roger Maas, Assistant General Counsel; Jocelyn Pomales, OMC; Dana Chapman, Mike Hanson, Investigations Specialists; Whitley Ward, and Beverly Ridenauer, Government Analysts. Also in attendance were Vicki Metcalf and Kristi Klamet, Appraisal Subcommittee Policy Managers. American Court Reporting, Inc. (407.896.1813) provided court reporter services.

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

Ms. Oreto moved, seconded by Ms. Rabin to approve the minutes of the December 3, 2018, General Meeting minutes as amended. The motion carried without dissent.

**Nominations for 2019 Chair and Vice-Chair**

Chair Roy opened the floor for nominations for Chair and Vice-Chair for 2019. Member del Valle nominated Vice-Chair Conolly for Chair. Hearing no objections, Chair Roy closed nominations. Upon unanimous vote, Ms. Conolly was elected Chair

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

**General Session**  
**Reports**

The Board reviewed the Education Course, Exam Performance, and License Count reports. Ms. McDonald responded to questions about the license renewal.

**Legal Case Report**

Mr. Cheneler reported that there are no cases over 365 days to place on the Year Old Case report. Chair Roy thanked staff for the work they have done with prosecuting cases over the last year.

## **Legal Appearance Docket**

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

### **Ronald William Ortiz – 2018028855 – Respondent’s Request for Informal**

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

Mr. Maas represented the Department and presented the case to the Board. The Board granted the informal hearing and entered into discussion. Following discussion, Mr. Ketcham moved; Mr. del Valle seconded; motion for suspension. Following discussion, motion was withdrawn.

After further discussion Ms. Rabin moved; Mr. del Valle seconded motion to revoke the license. Upon vote motion failed with a split vote of two yea votes and six nay votes.

The Board received guidance from Board Counsel and further discussed the topic. Mr. del Valle moved; Ms. Conolly seconded; motion carried, with Ms. Rabin voting against the motion, to impose the following:

**Penalty imposed:** Suspension; Costs.

**Violation:** Florida Statutes 475.624(5) having been found guilty of a crime in any jurisdiction that involves moral turpitude or fraudulent or dishonest conduct by being found guilty of a felony.

## **General Session Continued** **Petitions**

Petition for Rule Variance or Waiver received from Suzanne S. Long, VW2019-013

Board Counsel Deborah Loucks presented the Petition. Ms. Loucks reminded the Board of the statutory guidelines. Ms. Long was present to address the Board.

The Board heard comments from Ms. Long. The Board discussed the petition. Following discussion, Ms. Conolly moved; Ms. Oreto seconded motion to grant the petition in this instance; motion carried without dissent.

## **Appraisal Subcommittee Presentation**

Chair Roy introduced Appraisal Subcommittee (ASC) Policy Managers Vicki Metcalf. Ms. Metcalf is the Policy Manager who will lead the Field Review of Florida’s appraisal program this year. She will be joined in the review by Jenny Tidwell and Kristi Klamet, who was present at this meeting. He also welcomed several Department staff members who attended by teleconference from Tallahassee.

Ms. Metcalf presented the Board with information about the Appraisal Subcommittee, The Appraisal Foundation (TAF) and its boards, the Appraisal Standards Board (ASB) and the Appraiser Qualifications Board (AQB). She provided information from the Annual Report about the ASC and its obligations under Title XI, explained the regulatory history and process, and reviewed the Policy Statements. She noted that the Policy Statements and the AQB’s Real Property Appraiser Qualification Criteria are the primary sources for the guidelines used for the review.

Ms. Metcalf explained that this review will not include a review of Florida's Appraisal Management Company regulatory process as Florida requested and was granted a twelve month extension to fully implement that program. She further stated that this review is a little different than previous reviews because the preliminary report will be sent via letter to the State rather than presented verbally at the meeting. Ms. Metcalf thanked Orlando and Tallahassee staff for their efforts in provided requested information in a timely and orderly manner, including the specific reports they had requested.

She stated that the Florida program is well known as a forerunner in the industry. Florida's staff is well respected and highly regarded nationwide for their contributions to outreach events such as the Association of Appraiser Regulatory Officials (AARO), for participating on committees such as the Appraisal Subcommittee Advisory Committee (ASCAC), and a willingness to answer questions about Florida's program if asked. Executive Director McDonald has been called upon to speak at AARO several times, as have other senior staff members.

### **Summary of Applicants** **Informal Hearing**

U S Real Estate Services, Inc. – The applicant was represented by Mr. Rida Sharaf, who addressed the Board. Following discussion, Mr. del Valle moved; Ms. Oreto seconded; motion carried unanimously to grant a continuance to the next meeting.

### **New Applications**

CoreLogic Valuation Solutions, LLC – The applicant was not present, but was represented by Counsel Nancy Weissgold, who addressed the Board. Following discussion, Mr. del Valle moved; Ms. Conolly seconded; motion carried to approve the application. Member Oreto and Member Rabin recused themselves and did not participate.

Lori Ann Carroll – The applicant was present to address the Board. Following discussion the applicant verbally waived the 90-day processing time and requested a continuance for the application. Ms. Oreto moved; Ms. Rabin seconded; motion carried unanimously to grant the continuance.

The applicant requested continuing education credit for attending this meeting. Ms. Oreto moved; Ms. Rabin seconded motion to deny the request because attendance at the meeting is not on a voluntary basis. The motion carried with dissenting votes from Member Roy, Member del Valle, and Member Ketcham.

Casey Duggan – The applicant was present and addressed the Board. Following discussion the applicant requested a continuance and waived the 90-day processing time verbally at the meeting. Ms. Conolly moved; Ms. Oreto seconded; motion carried unanimously to grant the continuance.

Stephen P. Grashof – The applicant was present to address the Board. Following discussion, Ms. Oreto moved; Ms. Conolly seconded; motion carried unanimously to approve the application.

Thomas R. Jeffries – The applicant was not present to address the Board. Following discussion, Mr. del Valle moved to approve the application; Ms. Oreto seconded; motion carried with Ms. Rabin dissenting.

Libby Kavoulakis – The applicant was present to address the Board. Following discussion, Mr. Ketcham moved; Ms. Oreto seconded; motion carried to deny the application with Ms. Conolly voting against the motion.

Inta K. Moylan – The applicant was not present to address the Board. Following discussion, Ms. Oreto moved; Ms. Conolly seconded; motion carried unanimously to approve the application.

Gregory P. White – The applicant was present to address the Board. Following discussion, Ms. Oreto moved; Mr. Ketcham seconded; motion carried to approve the application. Member Rabin and Member del Valle voted against the motion.

### **General Session Continued**

#### **Real Estate Appraisal Education Courses for Approval or Denial** – *Jocelyn Pomales, Education Coordinator*

Desktop Appraisals: Next Generation Valuations – New Course (5 hours classroom, specialty) – application number 7097– CoreLogic Valuation Solutions DBA The Columbia Institute

No representative of the provider attended the meeting in support of the application. The Board discussed the course. Following discussion, Mr. Ketcham moved to grant conditional approval because the provider failed to submit the DBPR Form 22 to register the instructor; Oreto seconded; motion carried without dissent.

Marshall & Swift Cost Approach to Value – Reconsideration / Informal Hearing (8 hours distance, specialty) – application number 7124 – CoreLogic Valuation Solutions DBA The Columbia Institute

No representative of the provider attended the meeting in support of the application. The Board discussed the course. Following discussion, Ms. Oreto moved to remove the denial and approve the course; Mr. Ketcham seconded; motion carried without dissent.

FHA Appraisals Standards – Reconsideration / Informal Hearing (8 hours distance, specialty) – application number 7292 – OREP Education Network

No representative of the provider attended the meeting in support of the application. The Board discussed the course. Following discussion, Mr. Ketcham moved to deny the course because the exam does not meet requirements of model as stated in rule; Mr. del Valle seconded; motion carried without dissent.

### **Rules Report and Rules Discussion** – *Deborah Loucks, Board Counsel*

#### **Rules Report**

Board Counsel Loucks presented the Rules Report for January 2019 and provided a brief update. She noted that the Joint Administrative Procedures Committee (JAPC) has asked for an update on Rule 61J1-9.002, which was published for rulemaking in January 2018. She told the Board of the question posed by JAPC. The reasoning for the language was discussed. Ms. Loucks said she will respond to JAPC with that information.

#### **Rules Discussion**

##### **Rule 61J1-10.003 Certified Residential Appraiser**

Counsel Loucks introduced the rule and noted that although the Board discussed the proposed changes at the previous meeting, they did not take action to approve the language and move the rule forward. She commented that the version before them at this time is different than the version discussed at the last meeting as it now includes text that was not included earlier. The Board discussed the rule in depth. Following discussion, Ms. Conolly moved; Ms. Oreto seconded; motion carried unanimously to notice the rule for development with the proposed changes as discussed at this meeting.

Ms. Loucks asked the Board if the proposed amendment to the rule will have an adverse impact on small business or directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Ms. Conolly moved; Mr. Ketcham seconded; motion carried unanimously to find there will be no fiscal impact.

Ms. Loucks asked the Board to consider if any violation the rule be considered a minor violation. Following discussion, Mr. del Valle moved; Mr. Ketcham seconded; motion carried unanimously to find that if there is a violation of the rule, the violations would not be identified as minor violations.

### **Rule 61J1- 6.001 Experience Requirements**

Ms. Loucks presented the proposed amendments to Rule 61J1-6.001. The Board considered and discussed the various elements that constitute qualifying experience and the impact of future changes to the Uniform Standards of Professional Appraisal Practice (USPAP).

Ms. Metcalf responded to questions from the Board about the requirements of the AQB Criteria. Following lengthy discussion Board Counsel Loucks said she will work with incoming Chair Conolly and Staff to clarify the proposed language of the rule for the April meeting. The Board took no other action at this meeting.

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

#### **Possible Amendment of Section 475.617, Florida Statutes**

Chair Roy addressed the topic by stating his concerns have been clarified based upon Board Counsel Loucks' earlier comments and the ensuing discussion. He is satisfied that the efforts of the Board in adopting the AQB's 2018 changes to the Criteria are within the authority granted by Section 475.615, Florida Statutes. The Board took no action on this matter.

### **Executive Director's Comments**

Ms. McDonald's comments included the following:

- Recent attendance at Governor DeSantis' "Deregathon" meeting on January 31, 2019.
- Acknowledged the contributions by Chair Roy and the other Members in attendance
- Mr. Halsey Beshears has been appointed as the new Secretary at the Department of Business and Professional Regulation
- Thanked Mr. Roy for his service as Chair to the Board for this past year.

### **Chair's Comments**

Chair Roy commented as follows:

- Attending the "Deregathon" was a great opportunity to provide other agencies with information about the appraisal program and to consider ideas for future discussions.
- Thanked Members Fran Oreto, Janet Rabin and Justin Recca and Staff for attending and participating in the discussions
- He has had an interesting year as Chair and is grateful to have had the opportunity.
- Thanked Staff for all the assistance over the past year

### **Public Comments**

The Board heard comments from the audience.

### **Next Meeting Date**

Monday, April 1, 2019 at 8:30 a.m. – Orlando

**Adjournment**

There being no other business, the Chair adjourned the meeting at approximately 3:45 p.m. The next general meeting of the Florida Real Estate Appraisal Board will be held Monday, April 1, 2019 in Orlando.

ATTEST:



Michael Roy, Chair  
Florida Real Estate Appraisal Board



Allison Carmine McDonald, Executive Director  
Florida Real Estate Appraisal Board

**RESOLUTION**  
**OF THE**  
**FLORIDA REAL ESTATE APPRAISAL BOARD**

**IN RECOGNITION OF**

**CLAY B. KETCHAM**

**WHEREAS**, Clay Ketcham served from November 11, 2011 to October 31, 2014 and from December 23, 2014 to February 4, 2018, as a Certified General Appraiser Member of the Florida Real Estate Appraisal Board; having served as Vice-Chair from February 9, 2015 to February 9, 2016 and Chair from February 13, 2017 to February 5, 2018; and

**WHEREAS**, he diligently discharged his responsibilities as a member and has worked to ensure a smooth transition of appraisal regulation in the state so as to meet those requirements imposed under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989; and

**WHEREAS**, he has faithfully contributed as a member of the Appraisal Board since November 2011 to develop fundamental philosophy of appraisal regulation and has selflessly given of his time and knowledge which has enabled Florida to be a leader at the national level; and

**WHEREAS**, the members of the Florida Real Estate Appraisal Board, mindful of his extraordinary contributions to the State of Florida and the appraisal industry, desire to recognize his hard work,

**BE IT THEREFORE RESOLVED**, THAT THE MEMBERS OF THE FLORIDA REAL ESTATE APPRAISAL BOARD attest to the exemplary standards of leadership and service which Clay Ketcham brought to the real estate appraisal profession and the people of this State; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be made a part of the minutes and permanent records of the Florida Real Estate Appraisal Board.

*Adopted this 1<sup>st</sup> day of April, 2019 in Orlando, Orange County, Florida*

**FLORIDA REAL ESTATE APPRAISAL BOARD**

*Cristy Conolly*

Cristy Conolly, Chair

*Evalyn "Fran" Oreto*

Evalyn "Fran" Oreto, Member

*Justin Recca*

Justin Recca, Member

*Michael Roy*

Michael Roy, Member



*Armando del Valle*  
Armando del Valle, Vice-Chair

*Janet Rabin*

Janet Rabin, Member

*Joann Rooney*

Joann Rooney, Member

*Dawn Warren*  
Dawn Warren, Member