

Charles W. Drago, Secretary

Charlie Crist, Governor

Minutes of
THE FLORIDA REAL ESTATE APPRAISAL BOARD
March 30 & 31, 2009
General Meeting
(As amended)

Chair Joni Herndon called the meeting of the Florida Real Estate Board to order, at approximately 8:35 a.m., in Orlando, Florida, on this Monday, The 30th day of March, 2009.

Member Dailey offered the Invocation and Vice-Chair Rogers led the Pledge of Allegiance. The Chair introduced the members present: Vice-Chair Michael Rogers, and Susan Dailey and Evalyn "Fran" Oreto. Member Cynthia Wright had an excused absence. Mary Ellen Clark, Assistant Attorney General, appeared as counsel for the Board. Ms. Clark declared a quorum present.

Division staff present at the meeting: Thomas O'Bryant, Jr., Division Director and Executive Director for the Board; Juana Watkins, Deputy Director; Bradford Koshland, Chief, Bureau of Enforcement; James Harwood, Chief Attorney; Chris Lindamood, Robert Minarcin, Jason Holtz, and Allison McDonald, Senior Attorneys; Beverly Ridenauer, Government Analyst II; Peter Patterson, Government Analyst I; and Lori Crawford, Deputy Clerk. American Court Reporting (407.896.1813) provided court reporter services.

Approval of the Minutes

Upon motion by Member Dailey, with second by Vice-Chair Rogers, the Board unanimously approved the Minutes of the February 9 & 10, 2009 General Meeting as written.

Reconsideration of Applicant

Board Counsel Clark presented the application of Thomas J. Eipper for reconsideration by the Board. Upon motion by Member Oreto, with second by Vice-Chair Rogers the Board voted to reconsider the Notice of Intent to Deny issued in June 2008.

Following discussion, Vice-Chair Rogers motioned to approve the application. Member Dailey seconded the motion. By a vote of three to one, with Chair Herndon voting against the motion, the Board voted to approve the application of Mr. Eipper to be eligible to take the examination for certified general appraiser.

Legal Matters:

Legal Docket

The Board addressed the Legal Agenda, consisting forty-eight docket items, with four items being withdrawn. The Board's decisions on these matters are retained at the Division of Real Estate headquarters.

Adjournment

There being no further business, the Chair adjourned the meeting at 5:34 .m.

March 31, 2009

Chair Joni Herndon reconvened the meeting of the Florida Real Estate Board at approximately 8:30 a.m., in Orlando, Florida, on this Tuesday, the 31st day of March 2009.

Chair Herndon offered the Invocation and Vice-Chair Rogers led the Pledge of Allegiance. The Chair introduced the members present: Vice-Chair Michael Rogers, Susan Dailey, and Evalyn "Fran" Oreto. Member Cynthia Wright had an excused absence. Mary Ellen Clark, Assistant Attorney General, appeared as counsel for the Board. Ms. Clark declared a quorum present.

Division staff present at the meeting: Thomas O'Bryant, Jr., Division Director and Executive Director for the Board; Bradford Koshland, Chief, Bureau of Enforcement; Robert Minarcin, Senior Attorney; JoEllen Peacock, Education Coordinator; Beverly Ridenauer, Government Analyst II; Peggy Hanna, Government Analyst I; and Peter Patterson, Government Analyst I. American Court Reporting (407.896.1813) provided court reporter services.

Board Business

Rules Report

Counsel Clark provided the Board with a report on the pending rule changes. She noted that five rule changes became effective March 24, 2009, and two rules are still pending. Rule 61J1-4.010 is awaiting adoption of proposed language. The language for Rule 61J1-6.001 was approved in December 2008. The Statement of Estimated Regulatory Cost (SERC) for the rule must be approved before it can move forward.

Director O'Bryant explained the process used to determine the estimated cost. Member Oreto made a motion to approve the SERC for Rule 61J1-6.001, with second by Member Dailey, the Board voted to approve the SERC and move the rule forward in the rulemaking process.

61J1-6.001 Experience Requirement.

(1) through (4) No change.

(5) Experience as defined in subsection (2) above shall be accounted for on an appraisal experience log, which shall include the following minimum information: type of property, date of report, address of appraised property, description of work performed by the registered trainee/applicant and scope of the review and supervision of the supervising appraiser, number of work hours, and signature and license number of supervising appraiser ~~(if applicable)~~. The log and supporting documents shall be retained for a minimum of 5 years after licensure or certification. All work submitted for experience shall comply with the Uniform Standards of Professional Appraisal Practice, as defined in Section 475.611(1)(~~q~~)(~~e~~), Florida Statutes. Types of acceptable experience are, as follows:

(a) No change.

1. through 2. No change.

(b) Mass appraisals ~~Ad valorem tax appraisals~~:

1. ~~Mass appraisals must be as set forth in Standard Rule 6 of the 2008-2009 Edition of the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(q), F.S. Experience credit shall be credited when it is demonstrated that the applicant:~~

- ~~a. Used techniques to value properties similar to those used by appraisers; and~~
- ~~b. Effectively used the appraisal process.~~

2. ~~Mass appraisal experience claimed by the applicant should be given credit to the extent that it demonstrates proficiency in appraisal practices, techniques, or skills used by appraisers practicing under USPAP Standard 1 adopted in June 1997. Components of the mass appraisal process on which credit will be given are:~~

- ~~a. Highest and best use analysis;~~
- ~~b. Model specification (developing the model); and~~
- ~~c. Model calibration (developing adjustments to the model).~~

~~All other components of the mass appraisal process are not eligible for experience credit.~~

3. In developing a mass appraisal, an appraiser must be aware of, understand, and correctly employ those recognized methods and techniques necessary to produce and communicate credible mass appraisals. Mass appraisals must be as set forth in Standard Rule 6 of the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(q), F.S.

4. Mass appraisal experience shall include:

- a. Identifying properties to be appraised;
- b. Defining market area of consistent behavior that applies to properties;
- c. Identifying characteristics (supply and demand) that affect the creation of value in that market area;

d.(I) Determining highest and best use;

(II) Demonstrating proficiency with elements and concept of highest and best use through separate analysis if not contained in appraisals submitted for audit;

e. Developing a model structure to determine the contribution of the individual characteristics affecting value;

f. Calibrating the model structure to determine the contribution of the individual characteristics affecting value;

g. Applying the conclusions reflected in the model to the characteristics of the property or properties being appraised; and

h. Reviewing the mass appraisal results.

All other components of the mass appraisal process are not eligible for experience credit.

5.4- Experience will be granted for appraisals of individual parcels of real estate.

(c) through (e) No change.

1. through 2. No change.

(6) No change.

Rulemaking Specific Authority 475.614, FS. Law Implemented 475.611(1)(q), 475.615(2), 475.617, 475.628 FS. History—New 10-15-91, Formerly 21VV-6.001, Amended 9-22-93, 9-6-94, 2-19-98, 9-6-98, 12-12-99, 10-1-00, 6-1-04, 3-1-06, 12-4-06, 4-18-07, 11-25-07,_____.

The rules that became effective March 24, 2009 are as follows:

61J1-3.004 Issuance of Certification.

Any applicant requesting the issuance of his or her certification shall submit an application after completing the required education and experience components and shall submit to the Board the following in order for the applicant's certification to be issued:

(1) Have completed and submitted an application for certification in the manner prescribed by Rule 61J1-3.001, F.A.C., that demonstrates compliance with qualifications for certification as specified in Section 475.615, F.S.;

(2) Provide the Board with proof of successful completion of the education component as specified in Section 475.617, F.S., and as further defined in Rules 61J1-10.002, 61J1-10.003, 61J1-10.004, F.A.C. The education component completed by the applicant for certification must have conformed to the Appraisal Qualifications Board's ("AQB's") education criteria in effect at the time the applicant's education component was completed. Specifically, the education component completed by the applicant for certification prior to January 1, 2008, must have conformed to the AQB's education criteria effective on January 1, 2003. Education completed on or after January 1, 2008, must comply with the AQB's education criteria in effect on January 1, 2008;

(3) Provide the Board with proof of completion of the experience component for certification as specified in Section 475.617, F.S., and as further defined in Rule 61J1-6.001, F.A.C. The experience component completed by the applicant for certification must have conformed to the AQB's experience criteria in effect at the time the applicant's experience component was completed. Specifically, the experience component must be completed by the applicant for certification prior to January 1, 2008, must have conformed to the AQB's experience criteria effective on January 1, 2003. Experience completed on or after January 1, 2008, must comply with the AQB's experience criteria in effect on January 1, 2008; and

(4) Effective January 1, 2009, the education and experience for all applicants requesting appraiser certification must conform to the AQB's education and experience criteria effective January 1, 2008.

(5) Effective January 1, 2008, the Department of Business and Professional Regulation shall issue a license to an applicant without evidence of the required education and experience who:

(a) Demonstrates that the applicant is currently licensed to practice real estate appraisal with an equivalent appraisal credential under the law of another state or jurisdiction;

(b) Demonstrates that the applicant has met the minimal Appraisal Qualifications Board (AQB)'s criteria for education;

(c) Demonstrates that the applicant has met the minimal Appraisal Qualifications Board (AQB)'s criteria for experience;

(d) Demonstrates that the applicant has passed an Appraisal Qualifications Board (AQB) approved qualifying examination for that credential within 24 months of the date of application;

(e) Demonstrates successful completion of the Florida Supplemental exam with a passing score; and

(f) Demonstrates that the applicant has complied with subsections 61J1-3.001(1), (2), (5), (6), and (7), F.A.C.

Specific Authority 475.613(2), 475.614, 475.6171 FS. Law Implemented 475.6171 FS. History—New 5-14-07, Amended 12-11-07, 3-24-09.

61J1-4.001 Education.

(1) Board prescribed or approved courses and end-of-course examinations shall be offered by a nationally or state recognized appraisal organization, accredited universities, colleges, community colleges, area vocational-technical centers, state or federal agencies or commissions, or proprietary real estate schools registered pursuant to Section 475.451, F.S. A copy of the course application shall be submitted to the board for evaluation at least 90 days prior to use. The provider must submit two complete copies of the course materials, a detailed course timeline, learning objectives and end-of-course examinations. The Board will notify the entity within 60 days whether the course and exams

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meet the criteria set out in subsection (2) below and Rules 61J1-10.001, 61J1-10.002, 61J1-10.003, 61J1-10.004, F.A.C. Approval must be granted before the course is conducted. Institutions, entities and schools offering Board prescribed or approved appraisal educational courses are responsible for keeping the course subject matter current and accurate.

(2) The Board shall also approve past appraisal courses which cover substantially the same subject matter, classroom hours of attendance, and completion standards as the board approved courses offered by the entities as set out in subsections (1) and (3) and Rules 61J1-10.001, 61J1-10.002, 61J1-10.003, 61J1-10.004, F.A.C. If the requested information is found lacking to show course equivalency the Board may request supportive documentation to determine course equivalency.

(3) Satisfactory course completion is demonstrated by achieving a grade of 75% or higher on a Board approved end-of-course examination. The provider shall develop at least two forms of the end-of-course examinations and submit them for approval with a detailed course syllabus, detailed timeline and two copies of the course material. The answer key must be unique for each form of the examination and reference the page numbers containing the information on which each question and correct answer is based. At least 70% of the questions on each examination form shall be application oriented. Application level means the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information. No more than 10% of the questions on each form of the test shall be at the knowledge level. Knowledge level means the recall of specific fact, patterns, methods, terms, rules, dates, formulas, names or other information that should be committed to memory. A provider offering prescribed courses must maintain a sufficient bank of questions to assure examination validity. A course that is more than 30 hours shall contain at least 100 items. A course that is 30 hours or less shall contain a minimum of 50 items. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. No examination shall contain more than 20% duplication of questions. The examination shall comply with the Item Writing Guidelines as of January 29, 2004, incorporated herein by reference. Approval of satisfactory course completion shall not be issued to any student having absences in excess of 10% of the classroom hours.

(4) The institution or school offering these Board prescribed or approved courses shall fully inform each student of the standards and requirements at the commencement of each course. Each student shall receive a copy of the most current course approval letter, issued by the Board, at the commencement of each course. Notice of course completion shall be made on the form prescribed by the Board in Rule 61J1-4.005, F.A.C.

(5) Where any national or state recognized appraisal organization, accredited university, college, community college, area vocational-technical center, state or federal agency or commission, or proprietary real estate school allows the Board approved end-of-course examination to be retaken, students failing the Board approved end-of-course examination must wait at least 30 days from the date of the original examination to take the alternate end-of-course examination. Within one year of the original end-of-course examination, a student may retake the prescribed end-of-course exam a maximum of one time. Otherwise, students failing the appraisal education course examination must repeat the Board prescribed or approved course prior to being eligible to again take the end-of-course examinations. Makeup classes to enable the student to take the end-of-course examination and makeup examination, which are due to student or family illness, may not extend more than 30 days beyond the class scheduled examination without approval from the Board.

(6) Credit towards the classroom hour requirement may also be satisfied by teaching appraisal courses. Registered trainee appraisers may not satisfy any requirement of this rule with any course they have instructed. The appraisal courses must cover substantially the same subject matter as the Board prescribed courses. Credit shall be awarded on an hour-for-hour basis. Credit shall only be granted on a one time basis for teaching a particular appraisal course. The Board may request supportive documentation to ascertain course content and to verify the date(s), time, place and hours taught.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New 10-15-

91, Formerly 21VV-4.001, Amended 1-9-94, 3-10-98, 9-6-98, 10-10-99, 5-25-04, 5-15-05, 1-17-06, 2-6-07, 12-6-07, 3-24-09.

61J1-5.001 Appraisal Examination Areas of Competency.

(1) To be certified as an appraiser, the applicant must demonstrate by passing an examination that is appropriate for the classification applied for, that he or she possesses:

(a) A knowledge of technical terms commonly used in real estate appraisal.

(b) An understanding of the principles of land economics, real estate appraisal processes, reliable sources of appraising data, and problems likely to be encountered in the gathering, interpreting, and processing of data in carrying out appraisal disciplines.

(c) An understanding of the standards for the development and communication of real estate appraisals as provided in the Real Estate Appraisal License Law.

(d) An understanding of the types of misconduct for which disciplinary proceedings may be initiated against a licensed or certified appraiser as provided in the Real Estate Appraisal License Law.

(e) Knowledge of theories of depreciation, cost estimating, methods of capitalization, and the mathematics of real estate appraisal.

(2)(a) The Board adopts the passing score for the national uniform examination as determined by the Appraisal Qualifications Board (AQB) of the Appraisal Foundation or any successor body recognized by federal law.

(b) A passing score on the Florida Supplemental examination shall be a score of 75% or better. All questions shall be weighed equally and percentages shall be rounded off to whole numbers. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be dropped. The passing score is valid for 24 months from the date of the examination.

(3) The subject content of the examination shall be as endorsed by the Appraisal Foundation as defined in Section 475.611(1)(b), F.S.

Specific Authority 455.217, 475.614 FS. Law Implemented 455.217, 475.616 FS. History–New 10-15-91, Formerly 21VV-5.001, Amended 2-16-04, 12-11-07, 3-24-09.

61J1-7.003 Advertising.

(1) All appraisers registered, licensed or certified pursuant to Part II, Chapter 475, F.S., shall include the appropriate designation and number as required in Section 475.622, F.S., and Rule 61J1-7.001, F.A.C., in the following forms of advertising:

(a) Newspaper advertisement when displaying the services of the appraiser.

(b) A yellow page telephone advertisement when displaying the services of the appraiser. A white page listing need not contain the designation and number if a yellow page advertisement of the same publisher and locality contains the designation and number of the individual appraiser.

(c) Magazine advertisements when displaying the services of the appraiser.

(d) Controlled publications which display the services of the appraiser when the publication is printed or produced in the State of Florida.

(e) Business cards which display the services of the appraiser. An appraiser who is employed by a governmental entity need not display the designation or number on a business card when the appraiser is prohibited from engaging in an independent fee appraisal.

(f) Television and radio advertisements which display the services of the individual appraiser.

(g) Letterhead which contains the name(s) of one or more individual appraisers and the letter is being used for appraisal related activities.

(h) Internet advertising.

(i) Any other type or form of advertising intended to display the services of the appraiser.

(2) The following are not considered to be advertisement for purposes of this rule and Section 475.622(1), F.S.:

(a) Invoices or billing statements.

(b) Checks or other type of negotiable instruments.

- (c) Return address on an envelope.
 - (d) The use of a private trade association designation unless used to display the services of the appraiser.
- (3) All trainee advertising must include the following:
- (a) The trainee's name;
 - (b) The trainee's designation as a "state-registered trainee real estate appraiser", "registered trainee", or "trainee";
 - (c) The trainee's license number; and
 - (d) The name and license number of the trainee's supervisory appraiser.

Specific Authority 475.614 FS. Law Implemented 475.622 FS. History–New 10-15-91, Formerly 21VV-7.003, Amended 7-5-94, 7-23-97, 1-8-06, 3-24-09.

61J1-9.001 Standards of Appraisal Practice.

All registered, licensed, or certified appraisers shall comply with the 2008-2009 Uniform Standards of Professional Appraisal Practice (USPAP), which is incorporated by reference.

Specific Authority 475.613(2), 475.628 FS. Law Implemented 475.613(2), 475.628 FS. History–New 8-29-06, Amended 3-24-09.

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

Member Dailey made a motion to approve proposed language for Rule 61J1-4.010 and notice changes and moved to accept the Statement of Economic Costs (SERC). Member Oreto seconded the motion, which carried unanimously. The proposed text is as follows:

61J1-4.010: Supervision and Training of Registered Trainee Appraisers

(1) All registered trainee appraisers shall be subject to direct supervision by a supervisory supervising appraiser who shall be state licensed or certified in good standing. In order to qualify as a supervisory appraiser and be responsible for the direct supervision of registered trainee appraisers, not to exceed three (3), the following conditions must be met:

(a) A supervisory appraiser must be fully responsible for appraisal and appraisal reports prepared by registered trainee appraisers;

(b) A supervisory appraiser must be a current licensed appraiser, certified general or certified residential appraiser in good standing with the Board;

(c) Effective December 10, 2010, a supervisory appraiser must have been licensed as an appraiser or certified as a residential or general appraiser for at least 48 months;

(d) A supervisory appraiser must not have had a registration, certification, or license suspended by the Board or have been disciplined by the Board in two (2) or more disciplinary cases in the past five (5) years; and

(e) A supervisory appraiser's registration, certification, or license must not be currently subjected to discipline or practice restrictions by the Board. A supervisory appraiser who is currently subjected to discipline may not act as a supervisory appraiser until he or she successfully completes all disciplinary terms and conditions.

(2) The supervisory supervising appraiser shall be responsible for the training and direct supervision of the appraiser trainee by:

(a) Accepting responsibility for the appraisal report by signing and certifying the report is in compliance with the Uniform Standards of Professional Appraisal Practice, as defined in Section 475.611(1)(o), F.S.;

(b) Reviewing the appraiser trainee appraisal reports; and

(c) Personally inspecting each appraised property with the appraiser trainee until the trainee is competent in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, as defined in Section 475.611(1)(o), F.S.; and

(d) Registering the appraiser trainee with Department through use of DBPR form RE-2060, effective November 2007, hereby incorporated by reference and available at <http://www.myflorida.com/dbpr/re/documents/RE-2060Reqfor ChngofStatusRTA1107.pdf>

(3) A registered trainee appraiser is permitted to have more than one supervisory supervising appraiser as specified in Section 475.6221, F.S.

(4) Any supervisory appraiser, whether acting as primary or secondary supervisor, may not supervise more than three (3) registered trainee appraisers at one time.

(5) When supervising any aspect of the appraisal process, a supervisory supervising appraiser shall train or supervise registered trainee appraisers located in:

(a) The county where the supervisory appraiser's primary business address is located and registered with the Department; and

(b) Any county contiguous to the county where the supervisory appraiser's primary business address is located and registered with the Department.

(6) Separate appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser in a format determined by the Department and shall, at a minimum, include the following for each appraisal:

(a) Report Date and Transmittal Date; Type of property

(b) Form Type; Date of report

(c) Property Address City, State, Zip; Address of appraised property

(d) Property Type (SFR, condo, or 2-4 Units) Commercial; Description of work performed; and

(e) Description of Registered Trainee's work performed; Number of work hours

(f) Scope of Supervisory Appraiser's Review;

(g) Level of Supervisory Appraiser's Supervision;

(h) Number of Actual Hours Worked By Registered Trainee;

(i) Supervisory Appraiser Signature, Designation and License Number; and

(j) Registered Trainee Signature, Designation and License Number.

~~(7) Separate appraisal logs shall be maintained for each supervising appraiser and signed by each supervising appraiser.~~

~~(7)(8)~~ A supervisory appraiser may not be employed by a trainee or by a corporation, partnership, firm, or group in which the trainee has a controlling interest.

~~(8)(9)~~ A registered trainee appraiser may accept appraisal assignments only from his or her primary or secondary supervisory appraiser.

~~(9)(10)~~ A registered trainee appraiser may only receive compensation for appraisal services from his or her authorized certified or licensed appraiser.

Rulemaking Specific Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS.
History—New 2-16-04, Amended 3-1-06, 12-4-06, 8-12-07, 11-25-07, _____.

Plain Language Report

Chair Herndon asked for an update on the matter of simplifying the language used to describe why a licensee was disciplined. Director O'Bryant and Senior Attorney Bob Minarcin addressed the Board's questions explaining that the language being used in current stipulations is being simplified. He reminded the Board that much of the language seen now are from cases that were agreed upon before this request was made by the Board. They will see more simplified language as the older cases work out of the prosecution case flow.

Appraisal Management Company Legislation Update

Chair Herndon reported that a bill has been proposed to regulate appraisal management companies. She stated the bill is sponsored by Representative Plankton of the House of Representatives and Senator Nancy Detert of the Florida Senate. The Florida Association of Realtors® is also supporting the legislation. Former Board Chair, Frank Gregoire, is working with Director O'Bryant to address the department's concerns about the economic impact to the industry. The Chair said she will provide an update at each coming meeting.

FAQ Update

Director O'Bryant provided the Board with an update of the FAQs as they requested during the February meeting. The update includes the questions and answers suggested by the Board.

Emergency Suspension Orders

Director O'Bryant provided the Board with a brief explanation of how an emergency suspension order is used by the department.

Administrative Matters

Ratification of Course Approvals

Upon motion by Member Oreto with second by Member Dailey, the Board voted unanimously to ratify the course approvals for the weeks of January 27, 2009; February 9, 2009; and February 24, 2009.

Review and Consideration of Appraiser Continuing Education Courses

Director O'Bryant presented two appraiser continuing education courses for consideration. The Board's are as follows:

Member Dailey moved to deny the course titled FNMA 1004MC as presented on March 31, 2009, Agenda Item 6(b)(1) on the basis that it does not clearly state the course objective; no course syllabus or outline was provided and it does not explain the desired learning outcome. Upon second by Member Oreto, the Board voted unanimously to deny the course.

Member Dailey moved to deny the course titled HVCC Appraiser Independence Regulations as presented on March 31, 2009, Agenda Item 6(b)(2) on the basis that it does not clearly state the course objective; it does not explain the desired learning outcome or outcome, and no specific course syllabus or outline was provided. Upon second by Member Oreto, the Board voted unanimously to deny the course.

Director's Comments

Director O'Bryant advised the Board that due to state budget conditions, out of state travel is not being approved at this time. Travel to the meeting of the Association of Appraiser Regulatory Officials (AARO) being held in April in New Orleans, Louisiana will not be possible for Board or staff members.

The Director reported to the Board the continuing education seminars for instructors have been scheduled for 2009. The dates and locations are:

- July 27, 2009 – Kent Campus @ Florida Community College at Jacksonville
3939 Roosevelt Blvd., Jacksonville, FL
- July 29, 2009 – Lakewood Ranch @ Manatee Community College
7131 Professional Parkway East, Sarasota, FL
- August 6, 2009 – Palm Beach Gardens @ Palm Beach Community College
3160 PGA Blvd. Palm Beach Gardens, FL
- September 4, 2009 - Seminole Community College
100 Weldon Boulevard, Sanford, FL

Chair's Comments

Chair Herndon appointed Vice-Chair Rogers to be the point person to gather and review information from educators and the public pertaining to the term "contiguous county". The objective is to provide a clear definition of what the term means and explain the intent of the language. All information that is gathered will be presented at future Board meetings for discussion.

Correspondence

The Board reviewed correspondence from Susan S. Brewer regarding appraisals for insurance purposes and from Nanette Johnson-Smith regarding hotel / motel conversions to condominiums. Ms. Johnson-Smith appeared before the Board to personally comment on the issues discussed in her correspondence.

Board Counsel Clark explained to Ms. Johnson-Smith and the audience that correspondence such as submitted by Ms. Johnson-Smith to the Board could have been written as a request for a Declaratory Statement and sent to the Division of Real Estate. When submitted in compliance with Chapter 120.565, Florida Statutes, a Declaratory Statement is a useful tool because it is published in the Florida Administrative Weekly and benefits individuals not present when the topic is discussed in a Board meeting.

Public Comment

The Board heard comments from the Public.

Adjournment

There being no other business, the Chair adjourned the meeting at 1:00 p.m.

ATTEST:

Joni L. Herndon, Chair
Florida Real Estate Appraisal Board

Thomas W. O'Bryant, Jr., Executive Director
Florida Real Estate Appraisal Board

Date _____

Date _____

Prepared by: _____
Beverly Ridenauer
Government Analyst II

Date _____