

1 **Minutes**

2 **South Carolina Real Estate Appraisers Board**

3 **Friday, August 15, 2015 at 10:00 a.m.**

4 Synergy Business Park, Kingstree Building, Conference Room 105

5 110 Centerview Drive, Columbia, South Carolina 29210

6

7

8 **Meeting Called to Order:**

9 Jake Knight, Chairman, called the meeting of the South Carolina Real Estate Appraisers Board to  
10 order at 10:00 a.m. Other members present for the meeting included: Christopher Donato, Chris  
11 Barczak, Michael Dodds, Ann King and Rex Casterline.

12 Mr. Knight announced that public notice of this meeting was properly posted at the S.C Real  
13 Estate Appraisers office, Synergy Business Park, Kingstree Building, and provided to all  
14 requesting persons, organizations, and news media in compliance with Section 30-4-80 of the  
15 South Carolina Freedom of Information Act.

16 Staff members participating during the meeting included: Georgia Lewis, Advice Counsel; Erin  
17 Baldwin, Office of Disciplinary Counsel; Laura Smith, Administrator; Natalye Jackson, Athletic  
18 Commission Administrative Assistant.

19 Public members present were: Christopher Burrell, Roger Williams, Timothy Tucker, Paul de  
20 Holczer, Willie King and Austin Smallwood.

21

22 **Pledge of Allegiance** was recited by all present.

23

24 **Introduction of Board Members and All Other Persons Attending**

25 All board members, staff and public attendees introduced themselves.

26

27 **Approval of Excused Absences**

28

29 **MOTION:**

30 Mr. Casterline made the motion to excuse the absence of Andrew Johnson. Mr. Donato seconded  
31 the motion which carried unanimously.

32

33 **Approval of Agenda:**

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35 **MOTION:**

36 Mr. Donato made the motion to approve the agenda. Mr. Casterline seconded the motion which  
37 carried unanimously.

38

39 **Approval of the Minutes from May 15, 2015 meeting**

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41 **MOTION:**

42 Mr. Casterline made the motion to approve the minutes as written. Mr. Dodds seconded the  
43 motion which carried unanimously.

44

45 **Chairman's Remarks**

46 Mr. Knight welcomed Mrs. Smith as the new Administrator for the Real Estate Appraisers Board  
47 and welcomed all to the meeting.

48

49 **Advice Counsel Review - Georgia Lewis**

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51 **MOTION:**

52 Mr. Donato made the motion to go into Executive Session to receive legal advice. Mr. Casterline  
53 seconded the motion which carried unanimously.

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56 **MOTION:**

57 Mr. Casterline made the motion to return to Open Session, noting that no decisions or votes were  
58 taken during Executive Session. Mr. Dodds seconded the motion which carried unanimously.

59

60 **Administrators Remarks - Laura Smith**

61 **1.) Budget Update - Laura Smith**

62 Mrs. Smith shared the fiscal year end budget with the board. Discussion ensued.

63 **2.) Licensure Update - Laura Smith**

64

65 **Number of Credentials as of August 10, 2015**

	<u>ACTIVE</u>	<u>INACTIVE</u>	<u>TOTAL</u>
<b>APPRENTICE</b>	134	0	134
<b>LICENSED</b>	159	23	182
<b>CERTIFIED RESIDENTIAL</b>	1019	54	1073
<b>CERTIFIED GENERAL</b>	969	28	997
<b>LICENSED MASS</b>	55	1	56
<b>CERTIFIED RESIDENTIAL MASS</b>	65	4	69
<b>CERTIFIED GENERAL MASS</b>	<u>28</u>	<u>1</u>	<u>29</u>
<b>TOTAL</b>	2429	111	2540

66 **TEMPORARY PERMITS ISSUED IN 2015 127**

67

68 Mrs. Smith also presented the report requested by the Board at the last meeting regarding the  
69 declining number of appraisers.

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71

72

73 **Real Estate Appraisers Credential Statistics**

<b>ACTIVE</b>	<b><u>11/2009**</u></b>	<b><u>11/2011</u></b>	<b><u>11/2012</u></b>	<b><u>11/2013</u></b>	<b><u>11/2014</u></b>	<b><u>8/2015</u></b>
<b>APPRENTICE</b>	615	179	124	159	137	134
<b>LICENSED</b>	442	263	191	194	156	159
<b>CERTIFIED RESIDENTIAL</b>	1218	1114	1018	1056	983	1019
<b>CERTIFIED GENERAL</b>	911	887	882	960	911	969
<b>LICENSED MASS CERTIFIED RESIDENTIAL</b>	52	66	55	57	54	55
<b>MASS CERTIFIED GENERAL</b>	65	69	65	68	62	65
<b>MASS</b>	<u>22</u>	<u>29</u>	<u>27</u>	<u>29</u>	28	<u>28</u>
<b>TOTAL ACTIVE</b>	<b>3325</b>	<b>2607</b>	<b>2362</b>	<b>2523</b>	<b>2331</b>	<b>2429</b>
<b>SELECT INACTIVE</b>	139	107	115	113	105	111
<b>LAPSED FROM LAST RENEWAL</b>	361	519		331		287

(2007 292; 2006 233; 2005 220; 2004 212)

**\*\*Numbers may not be totally accurate**

74 Discussion ensued regarding statistical trends of licensed appraisers.

75

76 **Application Hearings**

77

78 **Roger Williams**

79 The board held a hearing to determine the reinstatement of Roger William's Licensed  
80 Mass Appraiser license. Mr. Williams did not have legal counsel. Mr. Williams presented  
81 testimony regarding the reinstatement of his license. Discussion ensued.

82

83

84 **MOTION:**

85 Mr. Donato made the motion to approve the reinstatement of Mr. William's Licensed Mass  
86 Appraiser license. Mr. Casterline seconded the motion which carried unanimously.

87

88 **Christopher Burrell**

89 The board held a hearing to determine the reinstatement of Mr. Burrell's Certified  
90 Residential Appraiser license. Mr. Burrell did not have legal counsel. Mr. Burrell  
91 provided testimony regarding the reinstatement of his license. Discussion ensued.

92

93 **MOTION:**

94 Mr. Donato made the motion to approve the reinstatement of Mr. Burrell's Certified Residential  
95 Appraiser license. Mrs. King seconded the motion which carried unanimously.

96

97 **Memorandum of Agreement Hearing**

98

99 **Timothy Tucker**

100 The board held a hearing to determine the possibility of disciplinary action against Mr.  
101 Tucker regarding mistakes made during an appraisal conducted in September of 2013 that  
102 led to subsequent violations to the Practice Act. This hearing was conducted in  
103 compliance with the Administrative Procedures Act in the Real Estate Appraisers Statutes  
104 and Regulations. The board received legal counsel from Georgia Lewis. The board was  
105 presented with the Memorandum of Agreement by Erin Baldwin; Assistant Disciplinary  
106 Counsel. Mr. Tucker's legal counsel was Paul de Holczer. Mr. de Holczer made a  
107 statement to the board on behalf of Mr. Tucker. Mr. Tucker also made a statement to the  
108 board. Discussion ensued.

109

110 **MOTION:**

111 Mr. Casterline made the motion to enter Executive Session to obtain legal advice. Mr. Dodds  
112 seconded the motion which carried unanimously.

113

114 **MOTION:**

115 Mr. Casterline made the motion to move into Open Session. Mr. Dodds seconded the motion  
116 which carried unanimously.

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118 **MOTION:**

119 Mr. Donato made the motion to issue a Letter of Caution with a strong recommendation that the  
120 Mr. Tucker take QE10, a Market Analysis course, and QE12, a Site Analysis and Cost Approach  
121 course. Mr. Dodds seconded the motion which carried unanimously. Discussion ensued  
122 regarding the motion.

123

124 **MOTION:**

125 Mr. Casterline made a motion to amend the previous motion regarding Mr. Tucker to include  
126 accepting and approving the Memorandum of Agreement in stipulation of all the parties. Mr.  
127 Dodds seconded the motion. The motion carried with five (5) voting for the motion as amended  
128 and one (1) voting to decline the motion as amended.

129

130 *(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested*  
131 *in accordance with the law.)*

132

133 **New Business**

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135 **Investigations & Enforcement Update - Erin Baldwin**

136 Mrs. Baldwin gave an update regarding staffing changes in the Office of Investigations,  
137 noting that interviews had been completed to fill the Investigator position for the Real  
138 Estate Appraisers Board and an offer would be made to the number one candidate.

139

140 **Approval of the Investigative Review Committee (IRC) Report - Erin Baldwin**

141 The IRC report dated August 3, 2015 was presented for approval. Discussion ensued.

142

143 **MOTION:**

144 Mr. Donato made a motion to approve the IRC report dated August 3, 2015. Mr. Casterline  
145 seconded the motion which carried unanimously.

146

147 **Office of Disciplinary Counsel (ODC) Update - Erin Baldwin**

148 Mrs. Baldwin gave an update to staffing changes within the Office of Disciplinary  
149 Counsel noting that these changes would be both in house transfers and newly hired  
150 attorneys. She asked the board for input regarding her position as the attorney for the  
151 Real Estate Appraisers Board, namely if they would like for her to remain in her position  
152 as the ODC attorney or if they would prefer her to train another attorney. Discussion  
153 ensued.

154 Jake Knight indicated that as Board Chairman he would prefer to keep Mrs. Baldwin as  
155 their ODC attorney. Other Board members agreed with Mr. Knight's statement.

156

157 **Fall Association of Appraiser Regulatory Officials (AARO) Conference**

158 Mrs. Smith presented the schedule of events and registration packet for the fall AARO  
159 Conference. She asked the board to decide who they would like to send to this  
160 conference. Discussion ensued.

161

162 **MOTION:**

163 Mr. Casterline made the motion to request from the Director approval for two (2) board members  
164 and the board administrator to attend the fall AARO Conference, October 16 - 19, 2015. Mr.  
165 Donato seconded the motion which carried unanimously.

166

167 **Officer Elections**

168 Discussion ensued regarding nominations and voting of Chairman and Vice-Chairman for  
169 the Real Estate Appraisers board.

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171

172

173 **MOTION:**

174 Mr. Dodds made the motion to re-nominate Mr. Knight as board Chairman and Mr. Donato as  
175 board vice-chairman. Mr. Barczak seconded the motion which carried unanimously.

176

177 **MOTION:**

178 Mr. Casterline made the motion to close nominations. Mr. Barczak seconded the motion which  
179 carried unanimously.

180

181 The election to vote Mr. Knight as board Chairman and Mr. Donato as board vice-chairman  
182 carried with a 6 - 0 vote in favor of their re-election.

183

184 **Unfinished Business**

185

186 **Appraisal Management Company (AMC)**

187 The board and staff discussed creating a task force to discuss the **Regulatory** and  
188 **Statutory** changes needed to regulate Appraisal Management Companies. Discussion  
189 ensued regarding the members of the task force.

190

191 **MOTION:**

192 Mr. Casterline made a motion to form a committee to draft and recommend proposed legislation  
193 on Appraisal Management Companies and that the committee include from the Real Estate  
194 Appraisers board: Christopher Donato, Christopher Barczak, Michael Dodds and George 'Jake'  
195 Knight. Additionally it will include one (1) member of the South Carolina Appraisal Institute and  
196 one (1) member of South Carolina Professional Appraisers Coalition allowing those entities to  
197 select a member to serve on this committee. Mr. Donato seconded the motion which carried  
198 unanimously.

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200



201 **Expungement Procedure Consideration - Organization of a Board Committee**

202 Mr. Knight discussed the board's ability to use expungement of reprimands in  
203 disciplinary hearings and if this board would like to assert this option. Discussion ensued.

204

205 **MOTION:**

206 Mr. Casterline made the motion to enter executive session and obtain legal advice to discuss  
207 expungement procedures and other policies and regulations regarding public records on the  
208 website. Mr. Dodds seconded the motion which carried unanimously.

209

210 **MOTION:**

211 Mr. Casterline amended the previous motion to enter executive session to include the board  
212 administrator for the purpose of discussing public records. Mr. Dodds seconded the amended  
213 motion which carried unanimously.

214

215 **MOTION:**

216 Mr. Donato made the motion to enter Open Session. Mr. Casterline seconded the motion which  
217 carried unanimously.

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219 **MOTION:**

220 Mr. Donato made the motion to remove the Expungement Procedure Consideration discussion  
221 and to instead explore the issue of private reprimands. Mrs. King seconded the motion which  
222 carried unanimously.

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224 **Public Comments**

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226 None.

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229 **Executive Session**

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231 None.

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233 **Adjournment**

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235 Mr. Donato made the motion to adjourn the meeting at 2:45 p.m. Mr. Casterline seconded the  
236 motion which carried unanimously. The next Real Estate Appraisers board meetings are  
237 scheduled for Thursday, November 12, 2015 and Friday, November 13, 2015 at 10:00 a.m.