



## **ARIZONA BOARD OF APPRAISAL**

1400 West Washington, Suite 360  
Phoenix, Arizona 85007  
(602) 542-1539 Fax (602) 542-1598  
Email: appraisal@appraisal.state.az.us  
Website: www.appraisal.state.az.us

### **AGENDA REGULAR BOARD MEETING JANUARY 13, 2012 AT 8:30 A.M.**

The Board may go into Executive Session for the purposes of obtaining legal advice from the Board's attorney on any matters listed below pursuant to A.R.S. § 38-431.03(A)(3). In addition, the Board may go into Executive Session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Board's attorneys regarding pending litigation and to consider its position and instruct its attorneys regarding same.

#### **1. CALL TO ORDER AND APPROVAL OF MINUTES:**

- A. Call to Order and Roll Call
- B. Pledge of Allegiance to the Flag of the United States of America
- C. Approval of the Minutes

December 2, 2011

#### **2. PUBLIC ANNOUNCEMENTS AND CALL TO THE PUBLIC:**

The Board may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. The Board may respond to criticism, may ask staff to review a matter, and/or may ask that a matter be put on future agenda. The Board may not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. See A.R.S. § 38.431.01(G). **Anyone wishing to address the Board during the open call to the public is required to complete the form provided with the agenda at the time of the meeting. Members of the public may, at the Board's discretion, be allowed to address agenda items. The Board may limit persons speaking during this time to a reasonable number on any public comment matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so.**

#### **3. COMPLAINT REVIEW**

##### **A. ISSUES DEALING WITH FORMAL HEARINGS:**

(1:00 p.m.)  
12F-7776-BOA  
James K. Amoako

Discussion, consideration, and possible action concerning proposed settlement in lieu of formal hearing before the Office of Administrative Hearings (OAH); possible rescission of referral to the Office of Administrative Hearings (OAH)

**B. INFORMAL HEARINGS:** Discussion, consideration, and possible action for the following:

(10:00 a.m.)  
2920/ Ronald R. Zimmerman Certified Residential Appraiser # 21879  
2931 **(Continued from 12/11 See 3F Below)**

(10:00 a.m.)  
2952 Keith J. Holmes Certified Residential Appraiser # 22043  
**(See 3E and 3F Below)**

(1:00 p.m.)  
3067 Stephen D. Fetters Licensed Residential Appraiser #11026  
**(See 3F Below)**

(1:00 p.m.)  
3165 Scott A. Armstrong Certified Residential Appraiser #21533  
**(See 3F Below)**

(1:00 p.m.)  
3281 James A. Jamison Certified Residential Appraiser # 21400

**C. INVESTIGATIVE FILE REVIEW:**

3131 Lance A. Lafata Discussion, consideration, and possible action following receipt  
of investigative report  
**(See 3F Below)**

3148 Philip G. Hudson, Jr. Discussion, consideration, and possible action following receipt  
of investigative report  
**(See 3F Below)**

3153 Robin E. Pinkus Discussion, consideration, and possible action following receipt  
of investigative report  
**(See 3F Below)**

3177 Thereasa L. McReynolds Discussion, consideration, and possible action following receipt  
of investigative report  
**(See 3F Below)**

**D. COMPLIANCE FILE REVIEW:**

2867 Jeffrey M. Playford Discussion, consideration, and possible action concerning  
approval of mentor pursuant to 9/19/11 Order Extending  
Probation and to Obtain a Mentor

2975/ John S. Colman Discussion, consideration, and possible action concerning audit  
 2976/ of appraisals and respondent's request to terminate probation  
 2977/ and mentorship  
 2978/  
 2979/  
 2980/  
 2981/  
 2982

3051 Dusty L. Rhoton Discussion, consideration, and possible action following the  
 expiration of respondent's 90-day certificate renewal grace  
 period  
**(See 3F Below)**

**E. INITIAL (FIRST) FILE REVIEW:** Discussion, consideration and possible action following first review and receipt of reply from Respondent's expiration of Respondent's reply date, or extension of Respondent's reply date:

3272 Brent K. Walden **(Tabled from 12/11)**  
 3301 Keith J. Holmes **(See 3B Above & 3F Below)**  
 3314 Ilya Sachokov  
 3316 Timothy R. Prewitt  
 3317 Tracey M. Captain  
 3319 Bruce W. Smith  
 3322 Deborah A. Nicoletti  
 3323 Christianne M. Simmons  
 3324 Heather E. Kaman  
 3325 Denise S. Henning  
 3326 Shemika L. Hill  
 3327/ Gwendalynn M. Baker  
 3355  
 3328 Thomas A. Canale  
 3330 Diane H. Kurlander  
 3331 Joseph A. Blagg  
 3333 Timothy A. Barber  
 3334 Randall S. Lineberger  
 3335 Mary H. Marks

**F. 12-MONTH FILE REVIEW:** Discussion, consideration, and possible action following review on Complaints pending longer than 12 months from receipt of reply:

		<u>Reply Date</u>	<u>Status</u>
2836	Jay A. Josephs	4/21/09	Back from Investigator
2902/	Ardeth L. Fair	7/22/10	Pending Other
3054		1/4/10	Pending Other
2912	Flo C. Lehnus	8/3/09	Pending Informal Hearing
3136		6/24/10	Pending Informal Hearing
2920/	Ronald R. Zimmerman	8/10/09	<b>(See 3B Above)</b>
2931		8/14/09	<b>(See 3B Above)</b>
2952	Keith J. Holmes	9/15/09	<b>(See 3B &amp; 3E Above)</b>
2984	Kyle D. Lindsey	9/28/09	Hold

3113		5/10/10	Need Investigator
2985/	Julie D. Friess	9/28/09	Pending Informal Hearing
2989		9/28/09	Pending Informal Hearing
3013	James A. Woods	10/23/09	Pending Informal Hearing
3023/	Jack L. Newman	11/9/09	Pending Informal Hearing
3024		11/9/09	Pending Informal Hearing
3051	Dusty L. Rhoton	12/17/09	<b>(See 3D Above)</b>
3067	Stephen D. Fetters	1/16/10	<b>(See 3B Above)</b>
3068	David C. Lennhoff	2/3/10	Need Investigation
3069	Harry A. Horstman III	2/3/10	Need Investigation
3081	Sterling F. Slaughter	3/1/10	Hold
3105	Walter W. Reed	5/10/10	Pending Informal Hearing
3121	Cora L. Shurtz	5/26/10	Pending Other
3131	Lance A. Lafata	6/14/10	<b>(See 3C Above)</b>
3133	Brad L. Duecker	6/15/10	Pending Informal Hearing
3179		10/25/10	Pending Informal Hearing
3134	Julie E. Kearns	6/23/10	Pending Informal Hearing
3144	Ryan A.P. Fortuna	7/16/10	Pending Informal Hearing
3148	Philip G. Hudson, Jr.	7/26/10	<b>(See 3C Above)</b>
3153	Robin E. Pinkus	8/4/10	<b>(See 3C Above)</b>
3165	Scott A. Armstrong	9/8/10	<b>(See 3B Above)</b>
3169	Josh C. Allison	9/20/10	With Investigator
3177	Thereasa L. McReynolds	10/13/10	<b>(See 3C Above)</b>
3182	Richard T. Salceda	10/27/10	With Investigator
3221		1/4/11	With Investigator
3188	Kevin P. Dowling	11/5/10	Pending Informal Hearing
3222		1/5/11	Pending Informal Hearing
3191	Stephen M. Steitz	9/23/10	Need Formal
3196	Wade A. LaVigne	12/6/10	Need Formal
3210		12/16/10	Need Formal
3208	Arturo G. Reeder	12/16/10	With Investigator
3209	Kevin J. Rodolico	5/18/10	Need Reply

**4. APPRAISAL MANAGEMENT COMPANIES AMC's:**

**A. INITIAL (FIRST) FILE REVIEW:**

A0031/ (10:00 AM Teleconference) Integrated Asset Services  
A0032

**5. REPORTS OF CHAIRPERSON, EXECUTIVE DIRECTOR AND COMMITTEES:**

**A. EXECUTIVE DIRECTOR REPORT:**

- (1) Assistant Attorney General's assignments
- (2) Complaints with answer dates extended by staff
- (3) Complaint statistics
- (4) ASC Fee Increase Update

**C. COMMITTEE REPORTS:**

(1) **APPLICATION REVIEW:**

Discussion, consideration, and possible action on recommendations from the Committee regarding approval of applicants and revisions to application materials and procedures (See attached Committee meeting agenda)

(2) **APPRAISAL TESTING AND EDUCATION:**

Discussion, consideration, and possible action on recommendations from the Committee regarding approval of courses, course providers and education requirements (See attached Committee meeting agenda)

**6. NEW BUSINESS:**

- A. Discussion, consideration, and possible action relating to the adoption of the 2012-2013 Uniform Standards of Professional Appraisal Practice (USPAP) effective January 1, 2012 and related Substantive Policy Statement
- B. Discussion, consideration, and possible action relating to the adoption of the Notice of Emergency Rulemaking and Emergency Rules regarding the Amendment of A.A.C. R4-46-401 relating to the 2012-2013 Uniform Standards of Professional Appraisal Practice (USPAP)

**CONFIRMATION OF MEETING DATES, TIME, LOCATIONS AND PURPOSES:**

Dates and times

**7. ADJOURNMENT:**

One or more members of the Arizona Board of Appraisal may participate by telephone conference call. Members of the Board will attend either in person or by telephone conference call. All items assigned a specific time will be addressed at that time or as soon thereafter as the item may be heard. All items not assigned a specific time may be addressed at any time during the meeting. Copies of this agenda and additional information regarding any of the items listed above may be obtained 24 hours prior to the scheduled meeting from the Arizona Board of Appraisal, 1400 W. Washington, Suite 360, Phoenix, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding holidays. Telephone: (602) 542-1558, or on the Board's website under Meetings. If a disabled person needs any type of accommodation, please notify the Board's ADA Compliance Coordinator, Dan Pietropaulo, as soon as possible prior to the meeting at (602) 542-1593.



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2012 MAY -4 AM 9:39

ARIZONA BOARD OF APPRAISAL

### CORRECTED MINUTES REGULAR BOARD MEETING Friday, January 13, 2012 8:33 AM

#### **Call to Order and Roll Call**

Regular Board meeting called to order by Les Abrams, Chairperson

Board members Present at Roll Call:

Les Abrams  
Debbie Rudd  
Mike Trueba  
James Heaslet  
Myra Jefferson  
Kevin Yeanoplos  
Joe Stroud  
Mike Petrus  
Frank Ugenti

Staff Attendance:

Dan Pietropaulo – Executive Director  
Jeanne Galvin - Assistant Attorney General  
Rebecca Loar – Regulatory Compliance Officer  
Juanita Coghill – Accounting Specialist

#### **Pledge Allegiance to the Flag of the United States of America**

#### **Approval of Minutes**

Debbie Rudd made a motion to approve the December minutes. The motion was seconded by Mike Petrus. The motion passed. Joe Stroud and James Heaslet abstained.

#### **Review and Action concerning 3316, Timothy R. Prewitt**

Respondent appeared. Frank Ugenti recused himself from this matter. Respondent explained his methodology and reasoning for his comparable selection. Debbie Rudd mentioned that she did find other sales that would have contributed to a lower value that Respondent did not use and that the review appraiser was more accurate in the selection of comparables. Debbie Rudd made the motion that the Board find a Level 2 violation, citing USPAP violations 1-1a, 2-1a, and 1-4 a., and offer a Due Diligence Consent Letter to complete disciplinary education within 6 months. James Heaslet seconded the motion, the Board voted in favor of the motion.

#### **Review and Action concerning 3325 Denise S. Henning**

Respondent appeared. The Respondent explained her methodology and research, and that there was no MLS data because the property was new construction. Debbie Rudd made the motion that the Board find a Level 2 violation, citing USPAP violations citing 1-

1 a, 2-1a, 1-4 a, and offer a Due Diligence Consent Letter to complete disciplinary education within 6 months. Frank Ugenti seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3323 Christianne M. Simmons and 3324 Heather E. Kaman**

Both Respondents appeared. Frank Ugenti recused himself from this matter. The Respondents explained their methodology and reasoning for comparable selection and research. Debbie Rudd made the motion that the Board refer this to a limited investigation regarding the comparable selection. There was no second and the motion failed. Mike Petrus made the motion to dismiss. Joe Stroud seconded the motion. The motion passed with James Heaslet voting no.

**Review and Action concerning 3319 Bruce W. Smith**

Respondent appeared. There was discussion regarding the description of the property. The Respondent misread the sales contract and put the wrong sales price on the first appraisal report. He reviewed the sales contract, realized he made a mistake and re-evaluated the comparable sales and completed another appraisal because Respondent felt he did not give enough consideration to the comparable sale's upgrades in the first appraisal. There was discussion on whether the Respondent appraised to the contracted sales price and therefore there is concern of a possible bias. Debbie Rudd made the motion that the Board find a Level 3 violation, citing USPAP violations 1-1a, 2-1a, 2-2b, ethics and conduct and offer a Consent Agreement with Probation for a minimum of 6 months with a minimum of 12 reports and disciplinary education, but no mentorship. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**12-Month File Review**

Dan Pietropaulo, Executive Director updated the Board. Everything on the list has been offered either a Board action and waiting for signature, pending an informal hearing, or an investigative report. Rebecca Loar, Regulatory Compliance Officer informed the Board that Kevin J. Rodolico has responded to his complaint as of 1/12/12. The Board requested that this matter go on the next agenda.

**Executive Director's Report**

Dan Pietropaulo informed the Board that he would talk to the Appraisal Subcommittee and request that they reschedule the annual audit in April. He mentioned that the National Registry fee went into effect as of January 1, 2012 and that communication to the regulated community will be sent out via the email blast on the Board's website. Jeanne Galvin, Assistant Attorney General's assignments are current. In two instances, the staff granted an extension to two persons requesting more time to respond to a complaint.

**New Business, Discussion, consideration, and possible action relating to the adoption of the 2012-2013 Uniform Standards of Professional Appraisal Practice (USPAP) effective January 1, 2012 and related Substantive Policy Statement and the Notice of Emergency Rulemaking and Emergency Rules regarding the Amendment of A.A.C. R4-46-401 relating to the 2012-2013 Uniform Standards of Professional Appraisal Practice (USPAP)**

Jeanne Galvin distributed the proposed Substantive Policy Statement #7 for the Board to consider. The Board had been previously provided with the Notice of Emergency Rule

Making re: the 2012-2013 USPAP. Debbie Rudd made the motion to adopt an emergency rule and ask the Board to adopt the substantive policy statement #7. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. The Board instructed staff to notify the regulated community via email blast.

#### **Application Review Committee**

James Heaslet recommended that the Board approve all items on the Application Review Committee agenda. Debbie Rudd seconded the motion. Frank Ugenti recused himself regarding 40027 CoreLogic Valuation Services, LLC. The Board voted in favor of the motion. Dan Pietropaulo updated the Board regarding 8078 Obie D Henney listed on the Application Review Committee Agenda. Mr. Henney's application is still pending due to his failure to submit reports requested and his application is due to expire 2/12/12. Dan mentioned that he will meet with Jessica Sapio, Licensing and Education Administrator to make sure Mr. Henney has been notified.

#### **Testing and Education Committee**

James Heaslet recommended that the Board approve all items submitted by the Testing and Education Committee agenda. Mike Petrus seconded the motion. The Board voted unanimously in favor of the motion.

#### **Review and action concerning A0030 and A0032 Integrated Asset Services**

Charlie Hover (Respondent's attorney) appeared, Amanda Benally, AMC Compliance Officer and Samuel Cheris (Respondent's general council) appeared via teleconference. There was discussion and concern whether the Respondent's website reflected its advertising as an Appraisal Management Company (AMC). The Respondent's attorney Charlie Hover explained the functions and job descriptions relating to his client. Dan Pietropaulo read A.R.S. §32-3661 (2) relating to definition of Appraisal Management Companies (AMCs). There was discussion regarding the definition of an AMC in statute versus the Respondent's definition of AMC and whether the Respondent is acting as an AMC in the state of Arizona. Les Abrams made the motion that the Board go into Executive Session to obtain legal advice. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. Everyone in the board room was excused and the telephone line was cleared.

The Board reconvened into regular session and reconnected the teleconference with Amanda Benally, AMC Compliance Officer and Samuel Cheris. Charlie Hover was present and informed the Board that both complainants have been paid. Debbie Rudd made a motion that the Board enter into a letter of understanding with the Respondent to update their website to reflect that they are using registered Arizona AMCs, that they are aware of the 45 day payment requirement for all Arizona registered AMCs pursuant to A.R.S. §32-3675, and dismiss the two complaints since both appraisers have been paid. Mike Trueba seconded the motion. The Board voted unanimously in favor of the motion.

#### **Informal Hearing regarding 2920/2931 Ronald R. Zimmerman and James T. Braselton, attorney and Todd A. Rasmussen**

Respondent and James T. Braselton (Respondent's attorney) appeared Respondent was sworn in as well as Todd Rasmusen. James T. Braselton gave an opening statement regarding Respondent's licensing background and education and that the Respondent acknowledged mistakes were made. The errors are a result of cloning the two reports and not as a result of incompetence. Todd A. Rasmussen is a fellow appraiser who works with the Respondent. Mike Petrus mentioned the error in

measurement and felt that could contribute to a misleading appraisal report. Respondent disagreed because he felt the error did not overall affect the value of the home. There was discussion on the appraisal company's quality control policies that are in place. James T. Braselton, attorney, gave a closing statement and asked the Board to consider that the Respondent only has had two complaints within his 20 year career and that he has obtained his SRA designation. Debbie Rudd made the motion that the Board find a Level 4 violation, citing USPAP violations found in the investigative reports and offer a Consent Agreement and Order of Probation for a minimum of 6 months, a minimum of 12 reports under mentorship, and complete disciplinary education. Mike Petrus seconded the motion. The motion passed with Kevin Yeanoplos voting no.

**Review and Action concerning 2975-2982, Inclusive John S. Colman**

Respondent appeared. Debbie Rudd made the motion to terminate Respondent's probation and mentorship. Mike Trueba seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3051 Dutsy L. Rhoton**

James Heaslet noted that the Respondent's 90-day grace period to renew had expired. James Heaslet made the motion to close the complaint without prejudice. Joe Stroud seconded the motion. The motion passed unanimously.

**Review and Action concerning 2867 Jeffrey M. Playford**

This matter was tabled to allow Rebecca Loar, Regulatory Compliance Officer more time to research the effective date of the Order Extending Probation and to Obtain a Mentor. Rebecca informed the Board that the Respondent has been turning in his appraisal logs and mentor's reports each month.

The Board recessed for lunch at 11:45 a.m. and reconvened at 12:55 p.m.

**Review and Action concerning 12F-7776-BOA James K. Amoako**

Respondent appeared and offered to go on mentorship in lieu of going to formal hearing. Debbie Rudd made the motion to deny Respondent's counteroffer and continue with the referral for hearing before the Office of Administrative Hearing (OAH). James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. Respondent mentioned that he would need to ask for an extension since he is going out of the county for personal reasons. Jeanne Galvin, Assistant Attorney General informed the Respondent that he will need to file his request for an extension with the Office of Administrative Hearings and the administrative law judge will decide whether to grant his request.

**Informal Hearing concerning 3067 Stephen D. Fetters**

Respondent appeared and was sworn in. Respondent gave an opening statement and mentioned that there were some errors in the appraisal report. Debbie Rudd made the motion that the Board find a Level 3 violation, citing USPAP violations found in the investigative report, and offer a Consent Agreement and Order for Probation with a minimum of 12 reports with a mentor for a minimum of 6 months. The agreement will restrict the Respondent to non-complex residential properties only, no condemnation or eminent domain properties. Mike Petrus mentioned this should be a Level 4 and to restrict the Respondent's appraisal work and require disciplinary education. Debbie Rudd amended her motion to change from a Level 3 to a Level 4 violation. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Informal Hearing concerning 2952 Keith J. Holmes**

Respondent appeared and was sworn in. Respondent gave an opening statement with the description of the neighborhood and the property. In the Respondent's opinion, the home is not a custom home or an ADA compliant handicap home. Rebecca Loar, Regulatory Compliance Officer, informed the Board that a narrative response to the allegations was not submitted, but the Respondent did provide his appraisal and work file. Respondent explained his reasoning for his comparable selection. Mike Petrus made the statement that he agreed with the findings in the investigation.

**Review and Action concerning 3301 Keith J. Holmes**

Respondent appeared. Debbie Rudd described the property location. Respondent did not use the home across the street as a comparable because he felt it was superior to the subject property. Debbie Rudd made the motion that the Board find a Level 2 violation, citing USPAP violations 1-1 a and c, 1-4 a, 1-6 a and b, 2-1a, and 2-2 b for Complaint 3301. To combine Complaint 2952, all USPAP violations found in the investigative report with Complaint 3301 and offer a Due Diligence Consent Letter requiring disciplinary education within 6 months. Joe Stroud seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3272 Brent K. Walden**

Respondent appeared. Debbie Rudd made the motion to dismiss the complaint. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3328 Thomas A. Canale**

Respondent appeared. Respondent mentioned that he first did the appraisal on a condominium form, and then the client asked him to do the report on a URAR form. Respondent mentioned when he transferred the condominium report to the URAR form there was a typo. Debbie Rudd asked the Respondent to explain his process on determining the difference between a townhome and a condominium. Debbie Rudd made the motion that the Board find a Level 2 violation, citing USPAP violations 1-3 a and b, and 1-1 c and offer Respondent a Nondisciplinary Remedial Action Letter requiring education. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3333 Timothy A. Barber**

Respondent appeared. There was discussion about the Respondent's choice in comparables and methodology of the neighborhood. Mike Petrus made the motion that the Board find a Level 1 violation, citing USPAP violation 1-1a and offer Respondent a Nondisciplinary Letter of Concern. Debbie Rudd seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3131 Lance Lafata**

Respondent appeared. Mike Petrus made the motion to accept the investigator's report and invite Respondent to an informal hearing. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3148 Philip G. Hudson, Jr.**

Respondent did not appear. Debbie Rudd made the motion that the Board accept the investigative report except for the ethics rule recordkeeping violation. Mike Petrus seconded the motion. The Board voted unanimously in favor of the motion. Debbie

Rudd made the motion to invite Respondent to an informal hearing. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. Subsequent to the Board's motion, Respondent appeared before the Board. At that time, there was discussion and Respondent informed the Board that he would agree to voluntarily surrender his license in lieu to further proceedings. The Board reconsidered the matter and Debbie Rudd withdrew her motion to invite Respondent to an informal hearing and Mike Petrus withdrew his second. Les Abrams instructed Jeanne Galvin, Assistant Attorney General to offer Respondent a Consent Agreement and Order for Voluntary Surrender.

**Informal Hearing concerning 3165 Scott A. Armstrong**

Respondent did not appear. Jeanne Galvin, Assistant Attorney General informed the Board that the Respondent had contacted staff and informed them that his is no longer appraising and would consider a voluntary surrender of his license. James Heaslet made the motion to allow Jeanne Galvin, Assistant Attorney General to draft a consent agreement and order for voluntary surrender to be signed within 30-days and rescind the informal hearing. If Respondent fails to sign within 30-days, combine Complaint 3174 and go to formal hearing. Mike Petrus seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3314 Ilya Sachokov**

Respondent and Michael Orcutt, attorney appeared. Frank Ugenti recused himself from this matter. Debbie Rudd made the comment that she would like to see this go to investigation. Respondent admitted there were some typos in the report due to the software he used. There was discussion about the review appraiser's comparables and that they were inferior, not clear, and the Respondent's methodology in his comparable selection and analysis of upgrades. Mike Petrus made the motion finding a Level 1 violation, citing USPAP violation 2-1 a and offer Respondent a Nondisciplinary Letter of Concern. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. It was mentioned that the complainant Rels grossly over characterized errors in the summary of the complaint.

**Informal Hearing concerning 3281 James A. Jamison**

Respondent appeared and was sworn in; Frank Ugenti recused himself from this matter and left the meeting for the rest of the day. Respondent made an opening statement to the Board, described the property, the structure, neighborhood, and informed the Board of his education and years of experience. Debbie Rudd made the motion finding a Level 2 violation, citing USPAP violations 1-1a, 1-1c, 2-1a, and scope of work. She further motioned to offer Respondent a Nondisciplinary Remedial Action Letter requiring education. James Heaslet seconded the motion. The Board voted in favor of the motion.

**Review and Action concerning 3153 Robin E. Pinkus**

Debbie Rudd made the motion to accept the investigator's report and invite Respondent to an informal hearing. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3177 Thereasa L. Mcreynolds**

Respondent did not appear. Joe Stroud recused himself from this matter. Debbie Rudd made the motion that the Board accept the investigative report and invite Respondent to

an informal hearing. James Heaslet seconded the motion. The Board voted in favor of the motion.

**Review and Action concerning 2867 Jeffrey M. Playford**

Rebecca Loar, Regulatory Compliance Officer informed the Board that Respondent has complied with the Board's Order since September 19, 2011. Dan Pietropaulo, Executive Director has temporarily approved Respondent's mentor. Mike Trueba made the motion that the Board permanently approve the mentor. Mike Petrus seconded the motion. The Board voted in favor of the motion with James Heaslet voting no.

**Review and Action concerning 3317 Tracey M. Captain**

Respondent did not appear. James Heaslet made the motion that the Board find no violations and dismiss the complaint. Debbie Rudd seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3322 Deborah A. Nicoletti**

Respondent did not appear. Debbie Rudd noted that the appraisal occurred prior to the Respondent's probation. Debbie Rudd made the motion that the Board find USPAP violations 1-1a, 1-4 a, and 2-1a, but take no action and close the complaint. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3326 Shemika L. Hill**

Respondent did not appear. Debbie Rudd noted that the appraisal occurred prior to the Respondent's probation. Debbie Rudd made the motion that the Board find USPAP violations 1-1b & c, 1-4a but to take no action and close the complaint. There were questions about the Respondent's probation status regarding Complaint 2624. After the Board discovered she is in noncompliance with Complaint 2624, there was discussion to offer her a Consent Agreement for Voluntary Surrender of her license. Debbie Rudd withdrew her motion, but then made the motion for Jeanne Galvin, Assistant Attorney General to pursue a Consent Agreement for Voluntary Surrender, or give Respondent 30 days to find a mentor or go to formal hearing. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3355 Gwendalynn M. Baker**

Respondent did not appear. Debbie Rudd noted that this complaint is a duplicate of Complaint 3327 and made the motion to rescind the opening of this complaint. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3327 Gwendalynn M. Baker**

Respondent did not appear. Debbie Rudd made the motion to invite Respondent to an informal hearing to answer the Board's questions. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion. Mike Petrus made the motion to open a complaint against the review appraiser David LeWin for allegedly targeting a lower value and bias in his review, which is all a violation of conduct under ethics. James Heaslet seconded the motion. The Board voted in favor of the motion with Debbie Rudd voting no.

**Review and Action concerning 3330 Diane H. Kurlander**

Respondent did not appear. Mike Petrus made the motion that the Board noted this appraisal report is over 5 years old and to dismiss. Joe Stroud seconded the motion. The Board voted unanimously in favor of the motion.

Kevin Yeanoplos left the meeting at 4:01 p.m.

**Review and Action concerning 3331 Joseph A. Blagg**

Respondent did not appear. Debbie Rudd made the motion that the Board find a level 4 violation, citing USPAP violations 1-1a, 1-2 h, scope of work, 1-4 a, 1-5 a and b, 1-6 b, 2-1 a, 2-2c i, iv, v, vi, viii, 2-3, Ethics, conduct and competency. She further motioned to offer Respondent a Consent Agreement and Order for 30-days suspension, 6 months probation with a minimum of 12 reports with a mentor and disciplinary education. The Board gave permission for Jeanne Galvin, Assistant Attorney General to negotiate the start date of 30-day suspension. James Heaslet seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3334 Randall S. Lineberger**

Respondent did not appear. Debbie Rudd made the motion to invite both the Respondent and the loan officer Frank C. Nguyen to an informal formal hearing to answer some questions. Joe Stroud seconded the motion. The Board voted unanimously in favor of the motion.

**Review and Action concerning 3335 Mary H. Marks**

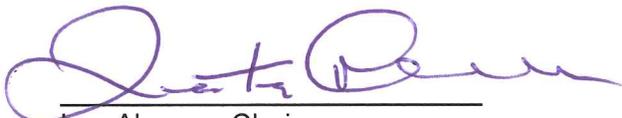
Respondent did not appear. The Board requested to table this matter for the next agenda.

Les Abrams informed the Board that Joe Stroud would like to be assigned to the Testing and Education Committee and would like to audit classes on behalf of the Board. James Heaslet requested to step down on the Education and Testing Committee. Therefore, Les Abrams, chairperson made the following assignments to the Testing and Education Committee; added Joe Stroud, removed James Heaslet, and assigned Mike Petrus as chairperson.

**Dates and Times**

Rebecca Loar, Regulatory Compliance Officer reminded the Board that the next meeting will be held in the same location on January 27, 2012 at 8:30 a.m.

The meeting was adjourned.

  
\_\_\_\_\_  
Les Abrams, Chairperson



## ARIZONA BOARD OF APPRAISAL

1400 West Washington, Suite 360  
Phoenix, Arizona 85007  
(602) 542-1539 Fax (602) 542-1598  
Email: appraisal@appraisal.state.az.us  
Website: www.appraisal.state.az.us

### RECOMMENDATIONS COMMITTEE ON APPLICATION REVIEW

To: Board of Appraisal  
From: Application Review Committee  
Date: January 13, 2012  
Re: January 12, 2012 Recommendations

#### I. Other Business

##### A. Report on number of Arizona Appraisers and Property Tax Agents:

	<u>1/10</u>		<u>1/11</u>		<u>1/12</u>		
Licensed Residential	634		486		358		
Certified Residential	1211		1183		1169		
Certified General	813	Total 2658	805	Total 2474	793	Total Jan.	2320
Nonresident Temporary	51		60		79	Total Dec.	2368
Property Tax Agents	355		353		362		

As a result of its **January 12, 2012** meeting the Application Review Committee makes the following recommendations:

II. The committee recommends granting Mr. James P. Franco a 30 extension to complete the state exam due to PearsonVue's limited availability in January.

III. To approve the following renewal application

30731 Patricia A. Thoms  
30981 Brian D. Coup  
20805 Jeffrey Harper  
21305 Jerolyn K. Elder-Blackburn  
21772 Jennifer L. Boham  
21831 Marc A. Mather

IV. Applications Reviewed for the First Time

A. To approve the following application as substantively complete and confirm the issuance of the following license/certification:

AT11361 Darryl L. Moeller

**V. Applications for License/Certificate Already Issued**

**A. To approve the following applications:**

31870 Jacqueline L. Johnson  
31871 Christopher E. Kelsey  
31872 Gary W. Lowenberg

**B. To approve the following applications:**

TP41322 Robert L. Nola  
TP41323 Craig R. Salsgiver  
TP41324 John P. Williams  
TP41325 Patrick A. Hallman  
TP41326 Clint W. Bumguardner  
TP41327 Larry E. Dobbs  
TP41328 James A. Piwarun  
TP41329 Theofanis Nicholas  
TP41330 Scott Conner  
TP41331 Adam P. Engel  
TP41332 Waleta M. Spear  
TP41333 Luigi M. Major  
TP41334 George L. Slinkard  
TP41335 Janet M. Steuck

**VI. To find the following applications substantively incomplete:**

8078 Obie D. Henney  
AG11354 Steven E. Evans (by reciprocity)  
AR11366 Floyd L. Robin (by reciprocity)  
AR11375 Gregory D. Noordman (by reciprocity)  
AG11360 Christopher A. Cauthen (by reciprocity)  
AG11369 Douglas F. Main (by reciprocity)  
AG11371 Bennett C. Johnson (by reciprocity)  
AG11383 Richard Edwards (by reciprocity)  
AG11384 Christopher S. Roach (by reciprocity)

Notification of applicants with substantively incomplete applications who have not responded to the Committee's request for additional information. Pursuant to R4-46-202(D) applicants have up to a year to meet all requirements for license/certificate or applicant's file is to be closed by the Board and applicant shall reapply.

**VII. CONSENT AGENDA**

To close the following appraiser's license/certificate that fail to renew within their 90-day grace period.

11911 Anthony Lopez  
10388 Bonnie S. Batterson  
21281 Charles B. Harm

22090	Grant E. Coates
11916	Jason A. Bastian
21634	Jennette C. Picinich
21623	Jill S. Brandt
10752	Karl F. Keller
22091	Mark N. Gibson
10456	Michael J. Bader
31573	Miles Loo, Jr.
21075	Patrick A. Noland
31575	Raymond K. Chase
21625	Tamara A. Tidwell
21617	Timothy R. Tice
31380	W. Joseph Daniels

**VIII. To approve the following AMC application:**

171	US Appraisal Group, Inc.
177	Pendo Management, LLC
40027	CoreLogic Valuation Services, LLC

**IV. To approve the following AMC's Requesting Name Change:**

40069	Arizona Valuation Management .
40127	DataVerify National Property & Valuation Services, Inc



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**RECOMMENDATIONS  
COMMITTEE ON APPRAISAL TESTING AND EDUCATION**

**TO: Board of Appraisal**  
**FROM: Committee on Appraisal Testing and Education**  
**DATE: January 12, 2012**  
**RE: January 13, 2012 Recommendations**

**As a result of its January 12, 2012 meeting the Committee on Appraisal Testing and Education makes the following recommendations:**

- A.** To review and discuss the course content required for course approval on the February agenda.

**To recommend approval for the following education courses:**

**A.** Continuing Education – **New courses:**

1. Submitted by Appraisal Institute
  - a. **Fundamentals of Separating Real & Personal Property from Intangible Business Assets**, 15 hours  
\*Jim Vernor
2. Submitted by Arizona Appraisers State Conference, LLC
  - a. **You Ain't The Boss Of Me Or Are You?**, 3.5 hours  
\*Joanna M. Conde
  - b. **Evaluating and Adjusting For Solar Energy Systems In Residential Housing**, 3.5 hours  
\*David E. Stone Sr.
  - c. **2012-2013 National USPAP Update**, 7 hours  
\*Thomas P. Viet

**B.** Continuing Education – **previously approved** by the Board:

1. Submitted by American Society of Farm Managers and Rural Appraisers
  - a. **Appraisal Through the Eyes of the Reviewer**, #ABA 0111-987 7 hours  
\*Chris Greenwalt
2. Submitted by McKissock Appraisal School
  - a. **Relocation Appraising: New ERC Summary Appraisal Report**, #ABA 0211-997 7 hours  
\*Dan Bradley, Wally Czekalski, Ken Guilfoyle, Chuck Huntoon, Tracy Martin, Richard McKissock, Larry McMillen, Steve Vehmeier, John Willey, Dan Tosh
  - b. **2-4 Family Finesse**, #ABA D0706-551 Distance Education 7 hours  
\*Alan Simmons
  - c. **Appraising Apartments: The Basics**, #ABA D0410-929 Distance Education 7 hours  
\*Richard McKissock
  - d. **Appraising FHA Today**, #ABA D0806-566 Distance Education 7 hours  
\*Chuck Fisher

- e. **Appraising Manufactured Homes**, #ABA D0211-996 Distance Education 7 hours  
\*Alan Simmons
- f. **Private Appraisal Assignments**, #ABA D0807-685 Distance Education 7 hours  
\*Chuck Fisher
- g. **Residential Appraisal Review**, #ABA D0311-1009 Distance Education 7 hours  
\*Alan Simmons
- h. **Environmental Issues for Appraisers**, #ABA D0608-799 Distance Education 5 hours  
\*Alan Simmons

C. Qualifying Education - **previously approved** by the Board:

- 1. Submitted by The Columbia Institute
  - a. **National USPAP Update 2012-2013 No.101**, #ABA 1209-894 7 hours  
\*Bernard Boarnet, George Harrison, Martin Molloy, Daniel Smith, Roy Morris
- 2. Submitted by McKissock Appraisal School
  - a. **Appraisal Subject Matter Electives**, #ABA D0907-691-10 20 hours  
\*Alan Simmons

**To recommend approval for the following course instructors:**

- 1. Submitted by McKissock Appraisal School
  - a. **Deriving and Supporting Adjustments**, #ABA 0411-1015  
\*Daniel Smith
  - b. **Introduction to Residential Green Building for Appraisers**, #ABA 1110-974  
\*Rob McClelland
  - c. **REO & Short Sale Appraisal Guidelines**, #ABA 0810-957  
Rob McClelland
  - d. **Introduction to Regression Analysis for Appraisers**, #ABA 0711-1029  
Rob McClelland
  - e. **Introduction to Expert Witness Testimony**, #ABA 1207-723  
Rob McClelland, Dan Tosh, Wally Czekalski
  - f. **The Changing World of FHA Appraising**, #ABA 0110-901  
Daniel Smith

**To recommend approval for the following instructor's continuing education credit:**

- 1. Submitted by Arizona School of Real Estate and Business
  - a. AP-07 Residential Report Writing, #ABA 0906-571-07 4 hours
  - b. AP-01 Basic Appraisal Principles, #0906-569-01 4 hours
  - c. AP-02 Basic Appraisal Procedures, # ABA 0906-570-02 2 hours  
(1) **Tracey Captain**