

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

October 17, 2023

The Real Estate Appraiser Board met on Tuesday, October 17, 2023, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Richard "Rickey" Stuchell, Chair
Kelvin Bratton, Vice-Chair
Boyd Allison, Jr
Todd Canterbury
Jean Gannon
H. Glenn James
Heather Placer Mull

Board members not in attendance for the meeting:

Mark Chapin
Jason Inge

DPOR Staff present for all or part of the meeting included:

Kishore Thota, Director
Anika Coleman, Executive Director
Stephen Kirschner, Deputy Director
Thomas Payne II, Deputy Director
Vanessa DeGraw, Licensing Operations Administrator
Elizabeth Peay, Board Counsel
Joseph Haughwout, Regulatory Affairs Manager
Gezelle Glasgow, Administrative Coordinator
Heather Garnett, Administrative Coordinator

Board Chair, Mr. Stuchell called the meeting to order at 10:14 A.M. **CALL TO ORDER**

Executive Director, Ms. Coleman introduced all Board staff. **INTRODUCTION OF STAFF**

Ms. Coleman read the emergency evacuation procedures and DPOR mission statement. **EMERGENCY EGRESS AND DPOR MISSION**

Mr. Stuchell determined that a quorum was present **DETERMINATION OF QUORUM**

A motion was made by Ms. Gannon and seconded by Mr. James to approve the agenda. The motion passed unanimously. Members voting "Yes" were, Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

APPROVAL OF AGENDA

A motion was made by Ms. Gannon and seconded by Mr. Bratton to approve the minutes on of June 28, 2023, July 20, 2023, August 29, 2023, and September 26, 2023, as a block for Real Estate Appraiser Board meeting minutes. The motion passed unanimously. Members voting "Yes" Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

APPROVAL OF MINUTES AS A BLOCK

Perry 'Pat' Turner addressed the board regarding the Fannie Mae's property data system collectors. The collectors are unlicensed individuals that collect information from private homes. No action was taken by the Board.

PUBLIC COMMENT

Mr. Canterbury arrived at 10:30am.

Board Member Arrival

CASES

Licensing

In the matter of **File Number 2023-01292, Consolidated Analytics, LLC**, the Board reviewed the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding board member. Consolidated Analytics, LLC did not attend the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Gannon and seconded by Ms. Mull to accept the recommendation to approve the license. Board moved to discussion.

File Number 2023-01292, Consolidated Analytics, LLC

At 10:55 AM, Ms. Gannon moved that the meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of deliberation on disciplinary cases resulting from an Informal or Formal Hearings in order to reach a decision as permitted by § 2.2-3711.A.27 of the Code of Virginia. The following non-members were in attendance to reasonably aid in the consideration of the topic: Thomas Payne II, Stephen Kirschner, Anika Coleman, Elizabeth Peay, and

BOARD MOVED TO CLOSED SESSION

Kishore Thota. Mr. Bratton seconded the motion. The motion passed unanimously. Members voting “Yes” Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

At 11:40 AM, Mr. Stuchell moved to adjourn the closed meeting and roll called that items discussed in the closed meeting were only items related to the case. Individuals stating “Yes” were Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

**BOARD MOVED TO
OPEN SESSION**

In the matter of **File Number 2023-01292, Consolidated Analytics, LLC**, the Board reviewed the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding board member. Members voting to accept the recommendation and approve the license were Stuchell, and Bratton. Members voting to deny the license were Mull, Allison, James, Gannon, and Canterbury. A motion was made by Mr. James for denial and seconded by Ms. Gannon based on violation of **18VAC130-30-30.E**. Members voting “Yes” Ms. Mull, Mr. Allison, Mr. James, Ms. Gannon, and Mr. Canterbury. Members voting “No” Mr. Stuchell and Mr. Bratton.

**Continuation of
File Number 2023-01292,
Consolidated
Analytics, LLC**

In the matter of **File Number 2024-00262, Lori Noble**, the Board reviewed the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Lori Noble was present to address the Board. A motion was made by Ms. Gannon and seconded by Mr. James to accept the recommendation to approve the license based on **18VAC130-20-30.4**. The motion passed unanimously. Members voting “Yes” Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

**File Number 2024-00262,
Lori Noble**

Ms. Gannon recused herself for the following case, **File Number 2022-02085, Adam Roberts**.

Recusal of Board Member

Disciplinary

In the matter of **File Number 2022-02085, Adam Roberts**, the

File Number 2022-02085,

Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Adam Roberts did not attend the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Bratton and seconded by Mr. Allison to accept the recommendation that there was no violation of **18VAC130-20-180.H.1** (Count 1), **18VAC130-20-180.D** (Count 2), or **18VAC130-20-180.E** (Count 3). The motion passed unanimously. Members voting "Yes" Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Mr. Allison, and Mr. James.

Adam Roberts

Ms. Gannon returned to the meeting.

Return of Board Member

Mr. Bratton recused himself for the following case, **File Number 2023-00519, Thomas P. Hundley**.

Recusal of Board Member

In the matter of **File Number 2023-00519, Thomas P. Hundley**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Thomas Hundley did not attend the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Mr. James and seconded by Mr. Allison to accept the recommendation that no monetary penalty be imposed for violation of **18VAC130-20-180.B.1.a** (Count 1). Members voting "Yes" Mr. James and Mr. Allison; members voting "No" Mr. Stuchell, Ms. Gannon, Ms. Mull, and Mr. Canterbury. Board moved to discussion. A motion was made by Ms. Gannon and seconded by Ms. Mull. The motion passed unanimously. Members voting "Yes" Mr. Stuchell, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

**File Number 2023-00519,
Thomas P. Hundley**

Mr. Bratton returned to the meeting.

Return of Board Member

Mr. James recused himself for the following cases: **File Number 2023-00973, Emmanuel Nimako, File Number 2023-01194, Allan Nicholls, File Number 2020-00236, Claud Clark III, and File Number 2023-01782, William Roth**.

Recusal of Board Member

In the matter of **File Number 2020-00236, Claud Clark III, File Number 2020-00236, Claud Clark III**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Claud Clark did not attend the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Ms. Gannon and seconded by Mr. Bratton to accept the recommendation that there was no violation of **18VAC130-20-180.M.4.** (Count 1), and a monetary penalty of \$250 be imposed for violation of **18VAC130-20-180.M.5** (Count 2). Further, payment of the monetary penalty is due within sixty (60) days from the date of entry of the final order. Failure to pay the penalty within sixty (60) days of the date of entry of the final order will result in automatic suspension of his license until such time as said amount is paid in full.

If Mr. Clark fails to comply with any other terms within the stated timeframes from the date of entry of the final order will result in the suspension of his license until compliance is obtained. The motion passed unanimously. Members voting “Yes” Mr. Stuchell, Mr. Bratton, Ms. Gannon, Ms. Mull, Mr. Canterbury, and Mr. Allison.

In the matter of **File Number 2023-00973, Emmanuel Nimako, File Number 2023-00973, Emmanuel Nimako**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Nimako was present at the meeting and addressed the Board.

Ms. Coleman spoke for the record an error in file references the Contractor Board instead of the Real Estate Appraiser Board. A motion was made by Mr. Allison and seconded by Mr. Canterbury to accept the recommendation of a monetary penalty of \$1,000 be imposed for violation of **18VAC130-20-180.E.** (Count 1), and a 90 day probation with a monetary penalty of \$1,000, for violation of **18VAC130-20-180.K** (Count 2). In addition, for violation of Counts 1 and 2, Mr. Nimako will complete a Qualifying Education (“QE”) Course approved by the Appraisal Foundation or the Board within 90 days of execution of the Board’s Final Order. The course(s) shall include instruction on USPAP. Mr. Nimako must complete a minimum of 15 total hours and each course shall

include an examination. The above-reference QE hours will not count toward any continuing education requirements, if applicable, for renewal, reinstatement or activation of a license. Further, payment of the monetary penalty is due within sixty (60) days from the date of entry of the final order. Failure to pay the penalty within sixty (60) days of the date of entry of the final order will result in automatic suspension of his license until such time as said amount is paid in full.

If Mr. Nimako fails to comply with any other terms within the stated timeframes from the date of entry of the final order will result in the suspension of his license until compliance is obtained. The motion passed unanimously. Members voting "Yes" Mr. Stuchell, Mr. Bratton, Ms. Gannon, Ms. Mull, Mr. Canterbury, and Mr. Allison.

In the matter of **File Number 2023-01194, Allan Nicholls**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. **Allan Nicholls** and Alison Mullens were present and addressed the Board. A motion was made by Ms. Gannon and seconded by Mr. Allison to accept the recommendation that there was no violation of **18VAC130-20-180.D** (Count 1) or **18VAC130-20-180.E** (Count 2). A motion was made by Ms. Gannon and seconded by Ms. Mull. The motion passed unanimously. Members voting "Yes" Mr. Stuchell, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.

Mr. Stuchell recused himself for the following case, **File Number 2023-01782**. The position of Chair transferred to Mr. Bratton.

In the matter of **File Number 2023-01782, William Roth**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Roth was present and addressed the Board. A motion was made by Mr. Allison and seconded by Mr. Canterbury to accept the recommendation of a monetary penalty of \$200 be imposed for

two violations of **18VAC130-20-180.M.1** (Count 1); a monetary penalty of \$200 be imposed for two violations of **18VAC130-20-180.D** (Count 2); and a monetary penalty of \$200 be imposed for two violations of **18VAC130-20-180.E** (Count 3). Further, payment of the monetary penalty is due within sixty (60) days from the date of entry of the final order. Failure to pay the penalty within sixty (60) days of the date of entry of the final order will result in automatic suspension of his license until such time as said amount is paid in full. If Mr. Roth fails to comply with any other terms within the stated timeframes from the date of entry of the final order will result in the suspension of his license until compliance is obtained. The motion passed unanimously. Members voting “Yes” Bratton, Gannon, Mull, Canterbury, and Allison. Ms. Gannon moved to accept the recommendation sanctions and seconded by Mr. Canterbury. The motion passed unanimously. Members voting “Yes” Mr. Bratton, Ms. Gannon, Ms. Mull, Allison, and Canterbury.

Mr. Stuchell and Mr. James returned to the meeting. Mr. **Return of Board Members and Transfer of Chair**
Stuchell resumed position of Chair.

NEW BUSINESS
Regulatory Report

Board staff explained incorporating the PAREA training program. Two programs exist under the PAREA training program.

Mr. Haughwout requested the Board vote to retain regulations as is for Public Participation Guidelines, Rules and Regulations, and Management Company Regulations. A motion was made by Ms. Gannon and seconded by Mr. Allison. The motion passed unanimously. Members voting “Yes” were Stuchell, Bratton, Mull, Canterbury, Gannon, Allison, and James.

Mr. Haughwout requested the Board vote to file a NOIRA on Rules and Regulations, and Management Company Regulations. A motion was made by Ms. Gannon and seconded by Mr. Bratton. The motion passed unanimously. Members voting “Yes” were Stuchell, Bratton, Mull, Canterbury, Gannon, Allison, and James.

Mr. Stuchell announced the Board meeting dates for 2024: **2024 Board Meeting Dates**
February 6, 2024, June 25, 2024, and October 29, 2024.

Ms. Coleman informed the board that Mr. Stuchell has excused Regulatory Review himself from the Regulatory Review Committee and asked for Committee Member any other Board member to volunteer. No Board members Replacement volunteered for the Committee. Ms. Coleman stated that the committee will move forward as is.

Mr. Stuchell called the Board's attention to the financial Board Financial Statement statement. There were no questions.

Mr. James noted that in the *Working RE* magazine there is a list Working RE Magazine of words that should not be used during appraisal.

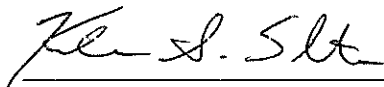
The Board recessed from 12:00-12:15 PM. Recess

Ms. Coleman informed the Board that the Conflict of Interest CONFLICT OF INTEREST Act Training must be conducted every other year. The Board TRAINING completed the Conflict of Interest Act Training.

There being no further business, Ms. Gannon motioned to ADJOURN adjourn the Board meeting at 12:39 P.M. Mr. Bratton seconded the motion. The motion passed unanimously. Members voting "Yes" were Mr. Stuchell, Mr. Bratton, Ms. Mull, Mr. Canterbury, Ms. Gannon, Mr. Allison, and Mr. James.



Richard 'Rickcy' Stuchell, Chair



Kishore Thota, Secretary

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Todd Canterbury
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:



Signature

October 17, 2023

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name H. Glenn James
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction;

Certified General Real Estate Appraiser

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:

H. Glenn James
Signature

October 17, 2023

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Jean Gannon
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:


Signature

October 17, 2023

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Boyd Allison, Jr
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:


Signature

October 17, 2023

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Heather Placer Mull
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.


A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:



Signature

October 17, 2023

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Kelvin Bratton
(Name of Board Member)
2. Title: Board Vice Chair
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

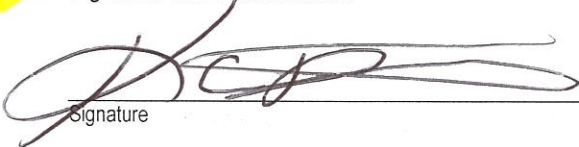
A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:



Signature

October 17, 2023
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Richard "Rickey" Stuchell
(Name of Board Member)
2. Title: Board Chair
3. Agency: DPOR/Real Estate Appraiser Board
(Name of Board)
4. Meeting/IFF Date: 10/17/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:



Signature

October 17, 2023

Date

**REAL ESTATE APPRAISERS BOARD MEETING
OCTOBER 17, 2023
ALL VISITORS TO THE MEETING, PLEASE SIGN IN**

PLEASE PRINT

FULL NAME AND CONTACT INFORMATION	CHECK IF YOU WISH TO SPEAK TO THE BOARD	CHECK IF YOU HAVE A CASE BEFORE THE BOARD
Perry E. Turner, Jr. pturner@peturner.com	✓ yes	
Frank Wright fwright@pagrichmond.com	Maybe	
Emmanuel Niwako emmanuel@shabechappraiser.com	maybe	
Lauren Bell stelzerl@gmail.com		
Lois Noble lnoblevalue@gmail.com	maybe. yes	
BRIAN WOODY Brianwfca@gmail.com		
William Roth qlw@appraisal@gmail.com	Maybe	
AUSON MOLLINS amollins@c-w-law.com	MAYBE?	

REAL ESTATE APPRAISERS BOARD MEETING
OCTOBER 17, 2023
ALL VISITORS TO THE MEETING, PLEASE SIGN IN

PLEASE PRINT

FULL NAME AND CONTACT INFORMATION	CHECK IF YOU WISH TO SPEAK TO THE BOARD	CHECK IF YOU HAVE A CASE BEFORE THE BOARD
<i>Alley Nicholls</i> <i>anicholls@gmail.com</i>	<i>maybe</i>	<input checked="" type="checkbox"/>