

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

February 6, 2024

The Real Estate Appraiser Board met on Tuesday, February 6, 2024, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia.

The following Board members were present:

Richard “Rickey” Stuchell, Chair
Kelvin “K.C.” Bratton, Vice-Chair
Boyd Allison, Jr
Joyce Bonilla
Todd Canterbury
Mark Chapin
Jean Gannon
Jason Inge
H. Glenn James
Heather Placer Mull

All Board members were present for the meeting.

Donald Ferguson, from the Office of the Attorney General was present.

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

Brian Wolford, Chief Deputy Director
Anika Coleman, Executive Director
Stephen Kirschner, LRPD Deputy Director
Chris Kunkel, Licensing Specialist
Gezelle Glasgow, Administrative Coordinator

Mr. Stuchell called the meeting to order at 10:03 A.M.

CALL TO ORDER

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 Mr. Bratton and seconded by Ms. Gannon to approve the agenda. The motion passed unanimously. Members

**APPROVAL
OF AGENDA**

voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, James, Mull, and Stuchell.

A motion was made by Mr. Inge and seconded by Ms. Gannon to approve the October 17, 2023, Real Estate Appraiser Board meeting minutes and the October 17, 2023, Real Estate Appraiser Board Regulatory Review Committee meeting minutes. The motion passed unanimously. Members voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, James, Mull, and Stuchell.

**APPROVAL OF
MINUTES**

Ms. Coleman, introduced Board staff and DPOR staff to Ms. Joyce Bonilla, a new member of the Board.

**WELCOME AND
INTRODUCTIONS**

**Department of Professional and
Occupational Regulation**

RESOLUTION

Real Estate Appraiser Board

Resolution To

Edythe Kelleher

WHEREAS, Edythe Kelleher, has faithfully and diligently served as a member of the Real Estate Appraiser Board since 2016; and

WHEREAS, Edythe Kelleher, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Edythe Kelleher, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Real Estate Appraiser Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Real Estate

Appraiser Board this sixth day of February, 2024 that Edythe Kelleher, be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Real Estate Appraiser Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

Ms. Gannon moved to adopt the resolution as written. Mr. Inge seconded the motion which passed unanimously. Members voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, James, Mull, and Stuchell.

Mack Strickland addressed the board regarding the two hours of continuing education (CE) for attending Real Estate Appraiser Board meetings and not receiving a copy of the Uniform Standards of Professional Appraisal Practice (USPAP) book that is provided when the application fees is paid. The Board informed Mr. Strickland that he will receive two hours of CE credit for attending the board meeting and that the USPAP books have been ordered.

PUBLIC COMMENT

CASES

Mr. James recused himself for the following case, **File Number 2023-02151, Valuation Connect LLC**.

Recusal of Board Member

In the matter of **File Number 2023-02151, Valuation Connect LLC**, the Board reviewed the Consent Order as seen and agreed to by Valuation Connect LLC. A motion was made by Mr. Inge and seconded by Ms. Gannon to accept the proposed Consent Order offer wherein Valuation Connect LLC, admits to a violation of **18 VAC 130-30-160.9** (Count 1). Valuation Connect LLC agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$450.00. The motion passed unanimously. Members voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, Mull and Stuchell.

File Number 2023-02151, Valuation Connect LLC

As the Presiding Officer, Mr. James was not present for the

discussion or vote.

Mr. James returned to the meeting.

**Return of Board
Member**

Mr. Chapin and Mr. Stuchell recused themselves for the following case, **File Number 2023-02343, Scott M. Bloom.**

**Recusal of Board
Member and
Transfer of Chair**

The position of Chair transferred to Mr. Bratton.

In the matter of **File Number 2023-02343, Scott Martin Bloom**, 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. Bloom 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. Inge to find violations of **18 VAC 130-20-180.D** (Count 1) and **18VAC130-20-180.E** (Count 2). The motion passed unanimously. Members voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Gannon, Inge, James, and Mull.

**File Number 2023-
02343, Scott Martin
Bloom**

A motion was made by Ms. Bonilla and seconded by Ms. Gannon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

A monetary penalty of \$500.00 for the violation contained in Count 1. In addition, a probation period of ninety (90) days with the following terms:

For violation of Count 1, Bloom shall complete Qualifying Education (“QE”) course(s) approved by the Appraisal Foundation or the Board within 90 days of this Final Order. The course(s) shall include instruction on the USPAP. Bloom must complete a minimum of 15 total hours and each course shall include an examination. Upon successful course completion, Bloom shall provide proof satisfactory to the Board that Bloom has passed the examination(s).

Members voting “Yes” were, Allison, Bonilla, Bratton, Canterbury, Gannon, Inge, James, and Mull.

A motion was made by Mr. Inge and seconded by Mr. Allison to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

A monetary penalty of \$500.00 for the violation contained in Count 2. In addition, a probation period of ninety (90) days with the following terms:

For violation of Count 2, Bloom shall complete Qualifying Education (“QE”) course(s) approved by the Appraisal Foundation or the Board within 90 days of this Final Order. The course(s) shall include instruction on residential report writing. Bloom must complete a minimum of 15 total hours and each course shall include an examination. Upon successful course completion, Bloom shall provide proof satisfactory to the Board that Bloom has passed the examination(s). The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license

As the Presiding Officer, Mr. Stuchell was not present for the discussion or vote. As the reviewing Board member, Mr. Chapin was not present for the discussion or vote.

Mr. Chapin returned to the meeting.

**Return of Board
Member**

Mr. Stuchell and Ms. Gannon recused themselves for the following case, **File Number 2023-02793, Deborah Ann Doyle.**

**Recusal of Board
Member**

In the matter of **File Number 2023-02793, Deborah Ann Doyle**, 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. Doyle did not attend the Board meeting in person, by counsel nor by any other qualified representative. A motion was made by Mr. Allison and seconded by Mr. Chapin to accept the recommendation that there was no violation of **18 VAC 130-20-180.D.** (Count 1). The motion passed unanimously. Members voting “Yes” Allison, Bonilla, Bratton, Canterbury, Chapin, Inge, James, and Mull.

**File Number 2023-
02793, Deborah Ann
Doyle**

A motion was made by Mr. Allison and seconded by Ms. Bonilla to accept the recommendation that there was no violation of and **18 VAC 130-20-180.E** (Count 2). The motion passed unanimously. Members voting “Yes” Allison, Bonilla, Bratton, Canterbury, Chapin, Inge, James, and Mull.

As the Presiding Officer, Mr. Stuchell was not present for the discussion or vote. As the reviewing Board member, Ms. Gannon was not present for the discussion or vote.

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

Ms. Gannon recused herself for the following cases: **File Number Recusal of Board Member 2023-02937, James M. Hong.**

In the matter of **File Number 2023-02937, James M. Hong**, 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. Hong was present and provided the Board with a written statement. A motion was made by Mr. James and seconded by Ms. Bonilla to accept the recommendation that there was a violation of **18 VAC 130-20-180.D** (Count 1). The motion passed unanimously. Members voting “Yes” Allison, Bonilla, Bratton, Canterbury, Chapin, Inge, James, Mull, and Stuchell. **File Number 2023-02937, James M. Hong**

A motion was made by Mr. Allison and seconded by Mr. Bratton to accept the recommendation that there was a violation of **18 VAC 130-20-180.E** (Count 2). The motion passed unanimously. Members voting “Yes” Allison, Bonilla, Bratton, Canterbury, Chapin, Inge, James, Mull, and Stuchell.

A motion was made by Mr. James and seconded by Mr. Inge to accept the recommendation that there was a no violation of **18 VAC 130-20-180.E** (Count 3). The motion passed unanimously. Members voting “Yes” Allison, Bonilla, Bratton, Canterbury, Chapin, Inge, James, Mull, and Stuchell.

Priors

On February 7, 2023, Hong, was found in violation of the Real Estate Appraiser Board Regulations for failure to provide the Board or its agents with the requested documents within the ten (10) working day timeframe. Final Opinion and Order 2023-01386 resulted in a fine of \$0.00, Hong's license placed on probation for six months, and completion of Qualifying Education course with a minimum of 15 hours. Compliance was obtained on August 11, 2023.

A motion was made by Mr. James and seconded by Mr. Chapin to amend the recommendation due to previous prior violations by Hong and for the violation contained in Count 1 to impose a monetary penalty of \$500.00.

In addition, Hong's license placed on probation for a period of 12 months, with the following terms:

Hong shall complete a Continuing Education ("CE") Course approved by the Appraisal Foundation or the Board within 90 days of the execution of the Board's Final Order. The course shall include instruction on the sales comparison approach. Hong must complete a minimum of 4 total hours. Upon successful course completion, Hong shall, provide proof satisfactory to the Board that he completed the course. The above-referenced CE hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. Additionally, during the period of his 12-month probation, Hong shall submit three (3) appraisal reports per quarter for the Board to review.

Members voting "Yes" Allison, Bonilla, Bratton, Chapin, Inge, James, Mull, and Stuchell. Members voting "No" Canterbury.

A motion was made by Mr. James and seconded by Mr. Inge to amend the recommendation due to previous prior violations by Hong and for the violation contained in Count 2 to impose a monetary penalty of \$500.00.

Members voting "Yes" Allison, Bonilla, Bratton, Chapin, Inge, James, Mull, and Stuchell. Members voting "No" Canterbury.

As the reviewing Board member, Ms. Gannon was not present for the discussion or vote.

Ms. Gannon returned to the meeting.

**Return of Board
Members**

NEW BUSINESS

Ms. Coleman informed the Board that the Board Member Training Conference will be October 10-11, 2024.

**Board Member
Training Conference**

Chief Deputy Director Wolford addressed the Board informing them the training would benefit current and new Board members.

Administrative Issues

Ms. Coleman informed the Board that, Breanne Lindsey, is the new Regulatory Operations Administrator for the Real Estate Appraiser Board. The USPAP manuals have been in order in increments of 100.

Regulatory Report

The Board requested Board staff contact other state boards about their application process for approving appraisal licenses.

Appraisal applications

Ms. Coleman informed the Board that Board staff will provide this information at the next meeting.

Ms. Coleman informed the Board that volunteers are needed for the Regulatory review committee. Mr. Kelvin Bratton and Ms. Joyce Bonilla, volunteered to join the committee.

**Regulatory Review
Committee Member
Replacement**

Mr. Stuchell called the Board's attention to the financial statement. There was no action taken by the Board.

**Board Financial
statement**

Ms. Coleman opened the floor for nominations for the position of Chair of the Real Estate Appraiser Board. Mr. Stuchell nominated Kelvin Bratton for the position of Chair. The motion was seconded by Chapin. Mr. Bratton accepted the nomination. The nominations were closed. The motion was unanimously approved. Members voting "Yes" Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, James, Mull, and Stuchell. By acclamation, Mr.

Election of Officers

Bratton was named Board Chair.

Ms. Coleman opened the floor for nominations for the position of Vice-Chair of the Real Estate Appraiser Board. Mr. Stuchell nominated Mark Chapin for the position of Vice-Chair; the motion was seconded by Bratton. Mr. Chapin accepted the nomination. The nominations were closed. The motion was unanimously approved. Members voting "Yes" Allison, Bonilla, Bratton, Canterbury, Chapin, Gannon, Inge, James, Mull, and Stuchell. By acclimation, Mr. Chapin was named Board Vice Chair

There being no further business, the Board adjourned at 12:00 PM. **ADJOURN**

Kelvin "K.C." Bratton, Chair

Kishore S. Thota, Secretary

DRAFT