

**REAL ESTATE APPRAISER BOARD
TENTATIVE AGENDA**

**Tuesday, February 8, 2022 - 10:00 AM
2nd Floor – Board Room 2**

**Department of Professional and Occupational Regulation
Perimeter Center, Suite 200
9960 Mayland Drive
Richmond, Virginia 23233**

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. October 19, 2021, Board Meeting

III. PUBLIC COMMENT PERIOD**

IV. CASES

1. File Number 2021-02621 – Derek Earl Shifflett
IFF by Eldridge – Licensing
2. File Number 2022-00443 – Jonathan Kent Crim
IFF by Eldridge – Licensing
3. File Number 2021-01558 – Tony Alan Grubb
IFF by Levine, James & Chapin – Disciplinary
4. File Number 2021-02697 – Superstition Management Inc., t/a
AppraisalTek
Prima Facie – Disciplinary

V. ADMINISTRATIVE ISSUES

- Board Financial Statements

VI. OLD BUSINESS

VII. NEW BUSINESS

NEXT MEETING SCHEDULED FOR WEDNESDAY, JUNE 29, 2022

**** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.** Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

October 19, 2021

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

Rickey Stuchell, Chair
H. Glenn James
Jason Inge
Heather Placer Mull
Edythe Kelleher
Fred Levine
Todd Canterbury

Board members absent from the meeting: Kelvin Bratton, Vice-Chair
Mark Chapin

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

Mary Broz-Vaughan, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Emily Trent, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

Mr. Stuchell called the meeting to order at 10:06 A.M.

Call to Order

A motion was made by Mr. James and seconded by Mr. Inge to approve the agenda. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher, Levine, Mull and Stuchell.

Approval of Agenda

A motion was made by Mr. Inge and seconded by Ms. Kelleher to approve the June 1, 2021, Real Estate Appraiser Board minutes. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher, Levine, Mull and Stuchell.

Approval of Minutes

Ms. Martine went through the names on the board meeting

Attendance

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sign in sheet asking each person who signed it if they wanted to address the board. She then told these individuals that they would have the opportunity to speak when their agenda item was called.

There was no public comment.

Mr. Stuchell turned the position of Chair over to Mr. James and recused himself from the meeting.

In the matter of **File Number 2021-01633, Esther Oghowmen Omorodion**, 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. A motion was made by Mr. Canterbury and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Inge and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher, Levine and Mull.

A motion was made by Ms. Kelleher and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty for the violations contained in Counts 1 and 2. In addition, for the violations of Count 1 and Count 2, Omorodion shall be placed on probation for a period of ninety (90) days and required to complete a Qualifying Education ("QE") Residential Appraisal Course(s) approved by the Appraisal Foundation or the Board within ninety (90) days of the effective date of the Order. The course(s) shall include instruction on USPAP. Omorodion must complete a minimum of 15 total hours, and

Public Comment

Transfer of Chair

File Number 2021-01633, Esther Oghowmen Omorodion

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the course(s) shall include an examination. Upon successful course completion, Omorodion shall provide the Board with proof of passing the examination. If Omorodion fails to provide proof that she passed the examination, then the Board shall revoke her license. It is acknowledged that satisfactory completion of the above-referenced course(s) will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement or activation of a license. The motion passed by majority vote. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. Member voting "No" was Canterbury.

As the presiding Board member, Mr. Stuchell did not vote or participate in the discussion in this matter.

In the matter of **File Number 2021-01342, Wellford F. Orth**, 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. A motion was made by Mr. Levine and seconded by Mr. Inge to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Levine and seconded by Mr. Inge to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.C.2 (Count 2) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Levine and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Inge and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a

File Number 2021-01342, Wellford F. Orth

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violation of 18 VAC 130-20-180.D (Count 4) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Levine and seconded by Mr. Inge to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.D (Count 5) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Inge and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.D (Count 6) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull. A motion was made by Mr. Inge and seconded by Ms. Kelleher to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to find a violation of 18 VAC 130-20-180.D (Count 7) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull.

A motion was made by Ms. Kelleher and seconded by Mr. Levine to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose the following sanctions: For the violation of Counts 4, 6 and 7, Orth shall be placed on probation for a period of twelve (12) months with the following terms: Orth shall submit three (3) reports per quarter to the Board for review. If Orth fails to submit three (3) reports per quarter to the Board, then the Board shall revoke Orth's license. In addition, for violation of Count 4, as a term of probation, Orth is required to complete Qualifying Education ("QE") Residential Appraisal Course(s) approved by the Appraisal Foundation or the Board within six (6) months of the effective date of the Order. The course(s) shall include instruction on the Income Approach to Value. Orth is required to complete a minimum of 30 total hours, and each course(s) shall include an examination. Upon successful course completion, Orth shall provide proof satisfactory to the Board that Orth passed the examination(s). If Orth fails

to provide proof that he passed the examination(s), then the Board shall revoke Orth's license. The above-referenced continuing education hours will not count towards any continuing requirements, if applicable, for renewal, reinstatement, or activation of license. The motion passed unanimously. Members voting "Yes" were Inge, James, Kelleher, Levine and Mull.

As the presiding Board member and Board member who review the file, Mr. Canterbury and Mr. Stuchell did not vote or participate in the discussion in this matter.

Mr. James turned the position of Chair over to Ms. Mull and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2021-01359, David Bradshaw**, the Board reviewed the record which consisted of the investigative file, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Jim Newton, attorney for the respondent, was present and addressed the Board. David Bradshaw, respondent, was present and did not address the Board. A motion was made by Mr. Levine and seconded by Mr. Inge to close the file and find no violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, Kelleher, Levine and Mull. A motion was made by Mr. Inge and seconded by Mr. Levine to close the file and find no violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, Kelleher, Levine and Mull.

File Number 2021-01359, David Bradshaw

As the presiding Board member, and Board member who reviewed the file, Mr. James and Mr. Stuchell did not vote or participate in the discussion in this matter.

Mr. James returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2021-01583, Jeffrey Eye**, the

File Number 2021-01583, Jeffrey Eye

Board reviewed the record which consisted of the investigative file, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Levine and seconded by Mr. Inge to close the file and find no violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2020 Regulations. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher and Levine.

As the presiding Board member, and Board member who reviewed the file, Ms. Mull and Mr. Stuchell did not vote or participate in the discussion in this matter.

Mr. Stuchell returned and assumed the position of Chair.

Transfer of Chair

The Board reviewed the Board financial statement as presented. No action was taken by the Board.

Administrative Issues

A motion was made by Mr. Inge and seconded by Ms. Kelleher to accept the draft regulations as proposed amending regulations 18 VAC 130-20-30, 18 VAC 130-30-30, and 18 VAC 130-30-150 to conform to Chapter 550 of the Acts of Assembly 2021 Special Session I, and to file an exempt regulatory action. The motion passed unanimously. Members voting "Yes" were Canterbury, Inge, James, Kelleher, Levine, Mull and Stuchell.

The Board reviewed the proposed meeting dates for 2022.

The Board members completed Conflict of Interest training.

The Board reflected on the passing of former Board member and Chair, Michael G. Miller. The Board discussed the many contributions made by Mr. Miller to the real estate appraiser profession and his great commitment to the Board. The Board requested a resolution be drafted to honor his service and memory.

New Business

Mr. Stuchell addressed the Board with an overview of subjects which were discussed during his attendance the Association of Appraiser Regulatory Officials (AARO) 2021 Fall Conference

held in Washington, D.C. The main topics discussed were appraisal bias and PAREA.

There being no further business, the meeting adjourned at **Adjourn**
11:56 A.M.

Rickey Stuchell, Chair

Demetrios J. Melis, Secretary

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**Department of Professional and Occupational Regulation
Statement of Financial Activity
Real Estate Appraiser Board
954610**

2020-2022 Biennium

August 2021

	August 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - August 2019	July 2020 - August 2021
Cash/Revenue Balance Brought Forward			30,844
Revenues	41,025	271,676	315,130
Cumulative Revenues			345,974
Cost Categories:			
Board Expenditures	2,032	31,184	22,159
Board Administration	5,328	76,411	72,738
Administration of Exams	211	2,690	1,698
Enforcement	674	10,780	10,485
Legal Services	270	576	1,110
Information Systems	6,068	57,911	52,408
Facilities and Support Services	1,493	21,651	20,545
Agency Administration	2,332	33,907	33,041
Other / Transfers	0	(3)	0
Total Expenses	18,407	235,108	214,184
Transfer To/(From) Cash Reserves	(2,815)	0	(8,716)
Ending Cash/Revenue Balance			140,506

Cash Reserve Beginning Balance	339,481	0	345,382
Change in Cash Reserve	-2,815	0	(8,716)
Ending Cash Reserve Balance	336,666	0	336,666

Number of Regulants

Current Month	4,228
Previous Biennium-to-Date	4,360