## REAL ESTATE APPRAISER BOARD TENTATIVE AGENDA

Tuesday, June 30, 2020 - 10:00 AM 2<sup>nd</sup> Floor – Board Room 2

I. CALL TO ORDER

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

## ADMINISTRATIVE MATTERS

- Approval of Agenda
- Approval of Minutes: 2.
  - February 11, 2020, Board Meeting A.

### III. **PUBLIC COMMENT PERIOD\*\***

### IV. **CASES**

- 1. File Number 2020-01155 – Brian Dean Brown Pre-IFF Consent Order by Chapin — Disciplinary
- 2. File Number 2020-01269 – Sean Martin Camp Pre-IFF Consent Order by Stuchell – Disciplinary
- File Number 2020-00614 Robert Preston Shannon, Jr. 3. IFF by Stuchell – Disciplinary
- 4. File Number 2020-00536 – Robert Warren Dawson, Jr. IFF by Stuchell & Rochester – Disciplinary
- 5. File Number 2020-00903 – Angela Stokes IFF by Rochester & Bratton – Disciplinary
- File Number 2020-01171 Brian Charles Runge 6. IFF by Rochester – Disciplinary
- 7. File Number 2020-00808 – Ronald William Keyes, Jr. IFF by Rochester & McCarty – Disciplinary

- 8. File Number 2020-01173 Jonathan Hobbs Montgomery IFF by Rochester & McCarty Disciplinary
- 9. File Number 2020-01050 Martin Clark Van Kirk Pre-IFF Consent Order by McCarty– Disciplinary
- 10. File Number 2020-01958 Yevgeny Gekht IFF by McCarty Licensing

### **Ý?** ADMINISTRATIVE ISSUES

- Board Financial Statements
- VI. OLD BUSINESS
- VII. NEW BUSINESS
  - Election of Officers

### **NEXT MEETING SCHEDULED FOR TUESDAY, OCTOBER 13, 2020**

\*\* 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.

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Are nor to be constitued as regulation or official Board Position.

February 11, 2020

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:

Robert Rochester, Chair

1-211 Vice-Chair he Real Es Régulation, 990 were present:

Janel Hofler Edythe Kelleher H. Glenn James Mark Chapin Kelvin Bratton

Board members absent from the meeting:

Chris King Fay B. Silverman

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

Mary Broz-Vaughan, Director Christine Martine, Executive Director Jim Chapman, Board Administrator Emily Trent, Administrative Assistant

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

Mr. Rochester called the meeting to order at 10:08 A.M.

A motion was made by Mr. Chapin and seconded by Mr. McCarty to approve the agenda. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler, James, Kelleher, McCarty, Rochester and Stuchell.

A motion was made by Mr. McCarty and seconded by Mr. Chapin to approve the October 8, 2019, Real Estate Appraiser Board minutes; and January 7, 2020, Regulatory Review Committee minutes. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler, James,

Call to Ond

Approval of Agenda

16 Official Board Position. **Approval of Minutes** 

Kelleher, McCarty, Rochester and Stuchen.

Yayne Allen addressed the Board concerning an AMC paying the average price for the area instead of following the Guidance Document. No action was taken by the Board.

A regarding AAPP standards, Stan

hybrid appraisals and third party inspections. No action was taken by the Board.

In the matter of File Number 2020-00472, Azhar Iqbal Badr, the Board reviewed the Consent Order as seen and agreed to by Mr. Badr. A motion was made by Mr. McCarty and seconded by Mr. James to accept the proposed Consent Order offer wherein Mr. Badr admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 ulation.

Junt 2) of the line metary penalty of \$2...

Junt 1, and \$250.00 for the vic.

Id \$150.00 in Board costs, for a liddition, for violation of Count 1, Badr agrees.

John USPAP course approved by The App.

Foundation or the Board within six (6) months of the effective date of the Order. Upon successful completion. Badr shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the above
ferenced course will not count towards any continuing or education requirements needed for license in the Board for a period of three order, before Badr will motion passed of hapin,

The Board for a period of three order, before Badr will motion passed of hapin, Regulations, and a violation of 18 VAC 130-20-180.K

In the matter of File Number 2019-02655, William Chesley Bryant, III, the Board reviewed the Consent Order as seen **Public Comment** 

File Number 2020-00472, Azhar Iqbal Badr

File Number 2019-02655, William

and agreed to by Mr. Bryant. A motion was made by Mr. McCarty and seconded by Mr. Chapin to accept the proposed Consent Order offer wherein Mr. Bryant admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, a violation of 18 of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.E (Count 5) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.E (Count 6) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.D (Count 7) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.D (Count 8) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$100.00 for the violation contained in Count 1, \$100.00 for the violation aine.

ant 3, \$100.0.

30.00 for the violation.

e violation contained in Count.

ontained in Count 7, \$100.00 for the

Count 8, and \$150.00 in Board costs, for a to..

n addition, for violation of Counts 1-8, Bryant ag.,

complete a Residential Appraisal Course pertaining to report

writing, such as "Residential Report Writing and Case.

Studies," approved by The Appraisal Foundation or the Board within six (6) months of the effective date of the Order. Such course shall be a minimum of 10 hours and

alude an examination. Upon successful course

acknowledged that satisfactory

acknowledged that sat contained in Count 2, \$100.00 for the violation contained in Count 3, \$100.00 for the violation contained in Count 4,

In the matter of File Number 2019-01159, Cecil Simmons,

**Chesley Bryant, III** 

File Number 2019-

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. A mation was made by Mr. Chapin and seconded by Mr.

The recommendation contained in the conference and find Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2015 Regulations, three Violations of 18 VAC 130-20-180.D (Count 4) of the Board's 2015 Regulations, and three violations of 18 VAC 130-20-180.E (Count 5) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler, James, Kelleher, McCarty and Rochester.

motion was made by .

illeher to accept the reconn.

immary of the Informal Fact-Find.

mpose a monetary penalty of \$300.00 to .

contained in Count 1, \$300.00 for the violation contained.

Count 2, \$250.00 for the violation contained in Count 3, \$300.00 for each violation contained in Count 4, and \$100.00 for each violation contained in Count 5, for a total of \$2,050.00. In addition, for the violations of Counts 1, 2, 3, 

and 5, Simmons' shall be placed on probation and to take Qualifying Education ("QE") Commercial

"A(s) approved by the Appraisal Foundation of the effective date of include instruction on Highest the contained in Counts 1, 2, 3, 

"The come Capitalization of 40 total of the counts of the effective date of the counts of t

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

### 01159, Cecil Simmons

In the matter of File Number 2019-02815, James M. Snyder, the Board reviewed the record which consisted of investigative file, and exhibits from the Informal Facture of the presiding Board member. James M. Snyder, respondent, was present and addressed the Board. Amotion was made by Mr. Chapin and seconded by Mr. Bratton to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find no violation of P& VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler, Kelleher, McCarty, Rochester and Stuchell.

> A motion was made by Mr. Stuchell and seconded by Mr. McCarty to accept the recommendation contained in the

Summary of the Informal Fact-Finding Conference and find no violation of 18 VAC 130-20-180.H.1 (Count 5) of the File Number 2019-02815, James M. Snyder

Board's 2015 Regulations. The motion passed unanimously.

Members voting "Yes" were Bratton, Chapin, Hofler,

Kelleher, McCarty, Rochester and Stuchell.

A motion was made by Mr. Stuchell and seconded by Mr.

McCarty to amend the recommendation contained in the

Informal Fact-Finding Conference to contained in Count 2, for a total of \$250.00. In addition, for the violation of Count 2, Snyder shall be placed on probation and required to take Qualifying Education ("QE") Commercial 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 upper level instruction in residential report writing. Snyder must complete a minimum of 30 total hours, and each course shall include an examination(s). Upon successful course completion, Snyder shall provide the Board with proof of passing the examination. 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 upgrade. The Board imposed additional sanctions due to Snyder's prior disciplinary history. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler Kelleher, McCarty, Rochester and Stuchell.

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

> In the matter of File Number 2019-03066, James W. **Thompson,** the Board reviewed the Consent Order as seen and agreed to by Mr. Thompson. A motion was made by Mr. McCarty and seconded by Mr. Chapin to accept the proposed Consent Order offer wherein Mr. Thompson admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.E (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, and \$300.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$750.00. In addition, for violation of Counts 1-2, Thompson agrees to

or Official Board Position. 03066, James W **Thompson** 

complete a pre-licensure Advanced Level Residential Appraisal Course approved by The Appraisal Foundation or the Board within six (6) months of the effective date of the Order. Such course shall be a minimum of 15 hours and shall include an exam. Upon successful course completion, Thompson shall provide the Board with proof of passing the count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. The motion passed unanimously. Members voting "Yes" were Chapin, Hofler, James, Kelleher, McCarty, Rochester and Stuchell.

> As the Board member who reviewed the file, Mr. Bratton did not vote or participate in the discussion in this matter.

> Mr. Rochester turned the position of Chair over to Mr.

the matter of File Number.

oalson, the Board reviewed the recommendation in the Board reviewed the recommendation of the presiding Board member, A motion was made by Mr. Chapin and seconded by Mr. McCarty to close the file and find no violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, and no violation of 18 VAC 130-20-180.E (Count 2) of the 2015 Regulations. The motion passed unanimously.

""Yes" were Chapin, Hofler, James, "Stuchell.

"The file and presiding for did not vote

agreed to by Mr. Trull. A motion was made by Mr. McCarty and seconded by Mr. Bratton to amend the proposed Consent **Transfer of Chair** 

Trull

Order offer wherein Mr. Trull admits to two violations of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for each violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Count 1, Trull agrees to complete a Residential Appraisal to the Sales Comparison Approach six (6) months of the effective date of the Order. Such course shall be a minimum of 15 hours and shall include an examination. Upon successful completion, Trull shall provide the Board with proof of passing the exam. It is acknowledged that satisfactory completion of the abovereferenced course will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or upgrade. If Mr. Trull does not accept the amended terms within 15 days, the file will be forwarded to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Bratton, Chapin, Hofler, James, Kelleher, McCarty and Stuchell.

> As the Board member who reviewed the file, Mr. Rochester did not vote or participate in the discussion in this matter.

In the matter of File Number 2019-02874, Barry L. Pugh, Co. the Board reviewed the Consent Order as seen and agreed to by Mr. Pugh. A motion was made by Mr. McCarty and seconded by Mr. Bratton to accept the proposed Consent Order offer wherein Mr. Pugh admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.D (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2015 Regulations, a violation of 18 VAC 130-20-180.E (Count 4) of the Board's 2015 Regulations, and a violation of 18 VAC 130-20-180.E (Count 5) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1, \$1,000.00 for the violation contained in Count 2, \$1,000.00 for the violation contained in Count 3, \$1,000.00 for the violation contained in Count 4, \$1,000.00 for the violation contained in Count 5, and \$150.00 in Board costs,

File Number 2019-002874, Barry L. Pugh

12874.

Lied as redulation or official Board Position.

for a total of \$5,150.00. Further, for violation of Counts 1, 2, 3, 4 and 5, Pugh agrees to complete a one (1) year probation of his license as of the effective date of the Order. During the one (1) year probation, Pugh shall provide to the Board on a Pugarterly basis, due April 1, 2020, July 1, 2020, October 1, 1 2021, three (3) appraisal reports completed during each quarter, for a period of one year from the effective date of the Order. If Pugh prepares less than three (3) reports during a quarter, Pugh shall submit copies of those reports prepared to the Board. If Pugh prepares no reports during a quarter, Pugh shall submit a statement to the Board that no reports were prepared during the quarter. Failure to provide USPAP and Board regulation complaint appraisal reports shall result in automatic revocation of The motion passed by majority vote. Pugh's license. Members voting "Yes" were Bratton, Chapin, James, Kelleher and McCarty. Members voting "No" were Hofler

sthe Board member who reviewed the discuss.

In the matter of File Number 2019-02854, Susan Formula agreed to by Ms. Pugh. A motion was made by Mr. Bratton and seconded by Mr. James to accept the proposed Consent Order offer wherein Ms. Pugh admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2015 rons, a violation of 18 VAC 130-20-180.D (Count 2) rons, a violation of 18 VAC 20 of the Board's 2015 Regulations, and a violation of 18 VAC 20 of the Board's 2015 Regulations, ronalty of \$1,000.00 for the rotation rotation contained rotal of the rotation ro January 1, 2021, three (3) appraisal reports completed during each quarter, for a period of one year from the effective date

of the Order. If Pugh prepares less than three (3) reports during a quarter, Pugh shall submit copies of those reports prepared to the Board. If Pugh prepares no reports during a quarter, Pugh shall submit a statement to the Board that no reports were prepared during the quarter. Failure to provide USPAP and Board regulation complaint appraisal reports automatic revocation of Pugh's license. The Members voting "Yes" were Bratton, Chapin, James, Kelleher, Hofler and McCarty. Member voting "No" was Stuchell.

> As the Board member who reviewed the file, Mr. Rochester did not vote or participate in the discussion in this matter.

Mr. Rochester returned and assumed the position of Chair.

The Board reviewed the Board financial statement as

Mary Broz-Vaughan, Secretary

### **Transfer of Chair**

### **Administrative Issues**

# Department of Professional and Occupational Regulation Statement of Financial Activity

# Real Estate Appraiser Board 954610

Real Estate Appraiser Board 954610					
2018-2020 Biennium		May 2020			
2018-2020 Biennium  Cash/Revenue Balance Brought Forward					
	M 0000	Biennium-to-Date Comparison			
DA COVIED	May 2020 Activity	July 2016 - May 2018	July 2018 - May 2020		
Cash/Revenue Balance Brought Forward			406,47		
Cash/Revenue Balance Brought Forward Revenues Cumulative Revenues Cost Categories:  Board Expenditures Board Administration Administration of Exams Enforcement Legal Services Information Systems Facilities and Support Services	24,410	629,739	498,34		
Cumulative Revenues			904,81		
Cost Categories:					
Board Expenditures	1,533	186,489	202,85		
Board Administration	5,363	114,872	124,52		
Administration of Exams	101	3,890	3,63		
Enforcement	756	17,075	17,52		
Legal Services	0/0/20	1,276	1,40		
Information Systems	1,900	76,696	93,22		
Facilities and Support Services	1,480	33,098	36,95		
Agency Administration	2,343	69,097	56,79		
Other / Transfers	0	5,442	(		
Total Expenses	13,476	5,442 507,934	536,90		
Transfer To/(From) Cash Reserves	0	507,934   Sylvanian 0	345,38		
Ending Cash/Revenue Balance			22,52		

Cash Reserve Beginning Balance	345,382	0	0
Change in Cash Reserve	0	0	345,382
Ending Cash Reserve Balance	345,382	0	345,382

### **Number of Regulants**

Current Month	4,291
Previous Biennium-to-Date	4.162

### PERIMETER CENTER CONFERENCE CENTER EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS

(Script to be read at the beginning of each meeting.)

### PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

## Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT.** Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT.** Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall-

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Board Rooms 3 and 4**

Upon exiting the room, turn **RIGHT.** Follow the Exit the room using one of the doors at the back of the room. corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Training Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT.** Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Training Room 2**

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT.** Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.