

State Real Estate Appraisers Board

Minutes of February 13, 2001

Public Session

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 7th Floor on Tuesday, FEBRUARY 13, 2001. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. In the absence of Board President Hamilton, Vice President John A. McCann called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance was recorded for these minutes:

Ronald A. Curini	Present
John P. Hamilton	Excused
John A. McCann	Present
Fred Rapagna	Present
Robert H. Scrivens, Jr.	Present
Denise Siegel	Present
Diane L. Anderson	Excused
Barry J. Krauser	Present

Also, present were Staff Members: Dr. James S. Hsu, Executive Director; Charles Kirk, Executive Assistant; Grace Gurisic, staff; Chris Seepaul, staff; Emilio Aviles, staff; and Susan Carboni, Deputy Attorney General.

APPROVAL OF MINUTES OF TUESDAY, JANUARY 9, 2001

Following review and discussion and upon motion of Mrs. Siegel, seconded by Mr. Scrivens that the minutes of January 9, 2001 be approved . A vote was taken and the motion was carried unanimously.

DIRECTOR'S REPORT

Executive Director Hsu made the following announcements:

****Board Members Anderson and McCann are excused for this meeting.**

****Dr. Hsu called attention to the Hand-out regarding the Association of Regulatory Officials stressing several issues of importance and in particular the issues of Improved USPAP Instructor Task Force as well as the American Society of Appraisers letter to the Appraisal Subcommittee regarding "lender pressure".**

****Announced that the Formal Hearing regarding Mr. Elmer has been canceled and the Investigative Inquiry is scheduled for the March 13th Board Meeting.**

**A Public Mitigation Hearing will be held in the matter of Joseph Paccione

EDUCATION COMMITTEE - Mr. Rapagna for the Committee

Provider	Course	Recommendation
McKissock Data Systems	(1) Vacant Land Appraisal	8 Hrs. of C.E.
	(2) Real Estate Fraud & the Appraiser's Role	8 Hrs. of C.E.
	(3) Information Technology & the Appraiser	8 Hrs. of C.E.
	(4) The Appraisers as Expert Witness	8 Hrs. of C.E.
	(5) Current Issues in Appraisal	4 or 6 Hrs. of C.E.
Appraisal Institute	(1) Appraisal Review Seminar - General	7 Hrs. of C.E.
	(2) Appraisal Review Seminar - Single Family Residential	7 Hrs. of C.E.
	(3) HUD Rent Comparability Studies: Procedures & Standards	4 Hrs. of C.E.
	(4) Real Estate Disclosure	7 Hrs. of C.E.
	(5) Real Estate Fraud: The Appraiser's Responsibilities & Liabilities	7 Hrs. of C.E.
	(6) Serving the Client: The Application & Use of Streamlined Appraisal Process	5 Hrs. of C.E.
	(7) State of the Profession	2 Hrs. of C.E.
	(8) Understanding & Testing DFC Valuation Models	4 Hrs. of C.E.
	(9) On-Line 420: USPAP Part B	4 Hrs. of C.E.
	(10) On-Line Appraisal Institute Residential Database Training	3 Hrs. of C.E.
	(11) On-Line Using Your HP12C Financial Calculator	7 Hrs. of C.E.
	(12) Convincing Residential Appraisals	4 Hrs. of C.E.
	(13) 530 Advanced Sale Comparison & Cost Approaches	36 Class + 4 Exam -Total 40 Prelicense
	(14) 320 General Application	36 Class + 4 Exam -

National Assoc. of Independent Fee Appraisers	(1) HUD 203 K & Appr. Rev. Programs	4 Hrs. of C.E.
	(2) Urban Revitalization -Newark, N.J.	2 Hrs. of C.E.
	(3) Fast Food Site Selection	2 Hrs. of C.E.
	(4) Valuing Undivided Partial Interests	4 Hrs. of C.E.
	(5) Bankruptcy & the Appraiser	2 Hrs. of C.E.
	(6) When is a House not a	2 Hrs. of C.E.
	(7) Tax Court's Perspective of Highest and Best Use	Hrs. of C.E.
	(2) No Sewer - Little Value?	1 & Hrs. of C.E.

Following review and discussion of the above noted items and upon motion of Mr. Rapagna, seconded by Mrs. Siegel that the C.E. Courses listed did meet the established criteria for the designated approved hours and that they be approved as noted above. A vote was taken and the motion carried, unanimously.

THE APPRAISAL FOUNDATION

Appraisal Standards Board

**USPAP Q and A Vol. 3, No. 11 -- January, 2001

**ASB Meeting Summary of January 9, 2001

The Board reviewed discussed and duly noted the above item.

AARO INFORMATION AS FORWARDED

**Memo from Sam E. Blackburn, President forwarding Meeting Summary of January 9, 2001 and his address before the Meeting as Executive Director of KREAB

The Board reviewed discussed and duly noted the above item.

LEGISLATION

**Letter from Sam E. Blackburn, President of AARO regarding HR 3901

The Board reviewed discussed and duly noted the above item.

OTHER

**Letter from ASI

**Memo from Anthony Miragliotta, Deputy Director re: Cell Phone use at Board Meetings

The Board reviewed, discussed and duly noted the above items.

****Performance Summary (NJ and National 1-1-2000 to 12-31-2000**

Following Board review and discussion the Board determined that the Office should contact ASI to:

1. Prepare an analysis regarding individuals who failed to determine if there is a common area of the Exam that candidates failed
2. Review the backgrounds of candidates who failed to determine if there is one school/institution that surfaces with those candidates who failed attended
3. Review the Internship Program to determine if there is common areas as well.

****Report by Board Member Denise Siegel re: attendance at the USPAP FOR Instructors and Regulators course given by the Foundation in Washington, D. C.**

Mrs. Siegel informed the Board that the Seminar was well attended by instructors and members of several governmental departs, however, the program itself, was a serious disappoint. She called attention to the fact that the instructors were not well prepared and at times appeared to be reviewing the material for the first time during the class.

The instructors involved in this Seminar, instead of clarifying the changes to the USPAP document and assuring consistency in teaching applications, it led to confusion among the attendees. Many felt they had a much clearer understanding prior to this class. One of the problems seems to be that the individuals involved with the presentation are not currently "actively" engaged in the day to day appraisal industry. Concerns also arose over their "personal" opinions on standard changes that may conflict with state regulatory boards.

Mrs. Siegel called to the Board's attention that since it is the intent of the Foundation to take over USPAP education completely by 2003, some serious changes need to be made with regard to qualifying their own instructors.

REPORT OF ACTION TAKEN ON DISCIPLINARY MATTERS

IMO RODNEY W. VISSER Item Number: R98-05-001

Presented to the Board was a Filed Consent Order in this matter imposing the following sanctions:

****Public Reprimand**

****Two Year Probation**

****Civil Penalty \$10,000.00, \$7,500.00 stayed, \$2,500.00 to be paid within 30 days**

****15 Hour USPAP Course**

****Investigative costs in the amount of \$9,441.48 to be paid in payments of \$393.39 and to be paid by November 30, 2002.**

IMO GEORGE P. MCROBERTS

Final Order of Discipline regarding non-compliance with the Criminal History Background Check.

IMO EDWARD L. MYERS

Final Order of Discipline regarding non-compliance with the Criminal History Background Check.

IMO MARIO BROSIUS

Final Order of Discipline regarding non-compliance with the Criminal History Background Check.

The Board reviewed discussed and duly noted the above items.

IMO JOSEPH PACCIONNE

Mr. Paccione appeared with his Attorney, Joseph Horan, DAG Flanzman provided counsel to the Board and DAG Carboni represented the State in this matter.

Both parties reached agreement and the final amended Consent Order was signed by all parties and filed. (Civil Penalties of \$10,000.00 paid in 24 installments of \$438.71 and costs in the amount of \$5,939.37 to be paid within thirty days). Mr. Paccione license is suspended for five years effective November 14, 2000 @ two years active and the remainder served as probation.

IMO ACKLEY O. ELMER, II FORMAL HEARING TO SHOW CAUSE

DAG Carboni reported that she had received a call from Mr. Elmer's attorney requesting that his appearance be rescheduled and she will be reporting further on this matter at the March Board Meeting.

"SUNSET RULE" REPORT BY MR. SCRIVENS

****Because of time constraints this matter was postponed for report at the March Board Meeting.**

PENDING APPLICATIONS

Residential Licensing

Susan E. Denney Matthew J. Spillane, Jr.
Kevin Brown Mark Mariano

Certified Residential

Deborah K. Ameen James P. Swift
Susan Priore Thomas Dougherty

The Board reviewed and discussed the above noted applications and upon motion of Mrs. Siegel, seconded by Mr. Curini that the above noted candidates did meet the established criteria for Licensure and that their applications be approved. A vote was taken and the motion carried, unanimously.

PUBLIC COMMENT

Isaac Murtha , Mike Damato and Frank Zappia further addressed the Board regarding issues of mutual concern.

ADJOURNMENT

Upon motion of Mrs. Siegel, seconded by Mr. Curini that the Public Meeting be adjourned at 11 A.M. to enable the Board to proceed to the Executive Session to consider Investigative Inquiries scheduled. A vote was taken and the motion carried, unanimously.

Respectfully submitted,

DR. JAMES S. HSU
Executive Director

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Posted March 2002