

**PUBLIC SESSION OF TUESDAY, MARCH 26, 2013**

**MINUTES**

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 3<sup>RD</sup> Floor on Tuesday, **MARCH 26, 2013**. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. Board Vice President Randolph-Sharpe called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance was recorded for these minutes:

John A. McCann	Excused
Barry J. Krauser	Excused
Stephen P. Giocondo	Present
Cheryl A. Randolph-Sharpe	Present
Joseph Palumbo	Present

Also, present were: Steven Flanzman, Senior Deputy Attorney General; Charles Kirk, Acting Executive Director; Emilio Aviles, staff; Grace Gurisic, staff and Barbara Lopez, Deputy Attorney General.

**DUE TO A LACK OF A QUORUM AT THIS MEETING, ALL MATTERS ARE TO BE DISCUSSED IN COMMITTEE AND RECOMMENDATIONS THAT ARE MADE AT THIS MEETING ARE TO BE RATIFIED AT THE APRIL 23, 2013 BOARD MEETING BEFORE A FULL BOARD**

**APPROVAL OF MINUTES OF TUESDAY, FEBRUARY 26, 2013**

Following review and discussion by the committee of the Board and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made that these minutes be approved and ratified at the April, 2013 Board meeting when the full Board will be in session.

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**DIRECTOR’S REPORT**

Acting Executive Director, Mr. Charles Kirk made the following announcement:

- \*\*\* Board Member Mr. Willis has resigned from the Board.
- \*\*\* Board Members Krauser and McCann are excused for this meeting.
- \*\*\* There are three Investigative Inquiries scheduled for this meeting.

**CONTINUING EDUCATION**

<b><u>Provider</u></b>		<b><u>Course</u></b>	<b><u>Recommendation</u></b>
Northeast NJ Chapter Of the Appraisal Institute	(1)	7 <sup>th</sup> Annual Meadowlands Conference	<b>7 Hrs. Of C.E.</b>
	(2)	Site Selection Process: Supermarkets and Retail	<b>2 Hrs. Of C.E.</b>
Southern NJ Chapter of the Appraisal Institute		NJ Issues with Today’s Assessors & Appraisers	<b>3 Hrs. Of C.E.</b>
McKissock		Relocation Appraisal & the New ERC Form	<b>6 Hrs. Of C.E.</b>
Metro NJ Chapter of the Appraisal Institute		77 <sup>th</sup> Annual Princeton Conference	<b>7 Hrs. Of C.E.</b>

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NJ Chapter of International Tax Appeal 2013 **6 Hrs. Of C.E.**  
Association of Assessing Officers

Metro NY Chapter of the Poised for Liftoff: 2013 Real Estate **2 Hrs. Of C.E.**  
Appraisal Institute Economic Forecast

**RENEWALS**

National Association of 2013 NJ NAIFA **(Adding additional  
Independent Fee Appraisers speakers)**

American School of (1) Foreclosures & Short Sales **7 Hrs. Of C.E.**  
Business Dilemmas & Solutions

(2) The FHA & VA Appraiser **7 Hrs. Of C.E.**  
Thriving & Surviving

(3) Appraising 2-4 Family & Multi **7 Hrs. Of C.E.**  
Family Properties

Appraisal University Appraising Historic Property **7 Hrs. Of C.E.**

McKissock (1) Mold, Pollution and the Appraiser **2 Hrs. Of C.E.**

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(2) Construction Details & Trends **7 Hrs. Of C.E.**

(3) Deriving and Supporting  
Adjustments **7 Hrs. Of C.E.**

**Following review and discussion by the Education Committee of the Board and upon motion of Mr. Palumbo, seconded by Mr. Giocondo it was determined that a recommendation be made, which is to be ratified at the April, 2013 Board meeting before the Full Board, that the C.E. Courses, and Renewals listed above 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 was carried, unanimously**

**APPRAISER NEWS ONLINE**

\*\*\* **Appraiser News Online: 3-6-13** – “Valuation Fraud Risk Surges in Fourth Quarter, 2012”

\*\*\* **Appraiser News Online: 3-13-13** – “Fannie and Freddie to Merge Some Functions”

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

**APPRAISAL INSTITUTE**

\*\*\* **Announcement of Appraisal Institute Annual Meeting** — July 23-26, 2013 in Indianapolis.

\*\*\* **“Member Action Alert”** re: BPO Legislation was considered by the New Jersey Senate Committee on March 3, 2012.

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

**THE APPRAISAL FOUNDATION**

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### Appraiser Qualifications Board

\*\*\* Public Meeting to take place in Charlotte, North Carolina, May 3, 2013

### Appraiser Practices Board

\*\*\* Public Meeting to take place in Austin, Texas, April 26, 2013

### Appraisal Standards Board

\*\*\* Announcement of ASB Issues USPAP Summary of actions, 3-13-13.

\*\*\* Announcement of ASB Advisory Opinion Exposure Drafts

1. Exposure Draft of Proposed changes to Advisory Opinion 21 (AO-21), USPAP Compliance
2. Exposure Draft of Proposed Changes to Advisory Opinion 13 (AO-13), *Performing Evaluations of Real Property Collateral to Conform with USPAP.*

\*\*\* **Press Release - March 19, 2013** – “The Appraisal Foundation Seeks Candidates for Appraisal Practices Board and Board of Trustees” – application deadline is April 2, 2013

\*\*\* **AQB Second Exposure Draft** of Proposed Interpretation and Revision to the RPAQC.

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

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**BOARD DISCUSSION**

- \*\*\* **Memo and attachments from Board Member Palumbo regarding** his submission of a two hour course he authored – “NJ Real Estate Appraiser Act” covering a two hour class.

Following review and discussion by the committee of the Board it was determined that this matter be tabled for further discussion at the April Board Meeting when the Full Board will be in session.

**LEGISLATION**

- \*\*\* **Memo from Board Member Palumbo re:** A3781 and 3718 (BPO)
- \*\*\* **Copy of a letter from James R. Park,** Executive Director of the Appraisal Subcommittee regarding the above noted legislation.

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

**DISCIPLINARY ACTION TAKEN REGARDING THE 2010-2011 CYCLE OF THE CONTINUING EDUCATION AUDIT**

- \*\*\* **IMO -- SUSAN M. ATOR - Provisional Order of Discipline** Filed January 29, 2013 regarding the continuing education audit imposing:

- \*\*\* Suspension of license until she complies with the continuing education requirement

- \*\*\* \$2,500.00 Civil Penalty

Ms. Ator has responded to the Provisional Order of Discipline by submitting the required continuing education hours as well as

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requesting that the Board reconsider the Order. Following review and discussion by the Committee of the Board and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made to the Full Board at the April Board Meeting that the Provisional Order of Discipline be Finalized with no suspension and that the Civil Penalty be reduced to \$750.00.

**IMO -- MICHAEL LEWANDOWSKI** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty

**IMO -- DENNIS B. SOBKIW** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty

**IMO -- PETER J. DOUGHTY** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty

**IMO -- THOMAS N. ALTIERI** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$4,500.00 Civil Penalty

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**IMO -- ROBERT T. SHEA** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty

**IMO -- ARNOLD L. DIVERS** - Final Order of Discipline Filed February 20, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty.

Mr. Divers has responded to the Final Order of Discipline by submitting the required continuing education hours as well as requesting that the Board reconsider the Order. Following review and discussion by the Committee of the Board and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made to the Full Board at the April Board Meeting that the Final Order of Discipline be amended and that the suspension be lifted as well as the Civil Penalty be reduced to \$1,500.00.

**IMO -- EVERETT A. MOORE** - Final Order of Discipline Filed February 20, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- DAWN M. CODY** - Final Order of Discipline Filed February 20, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

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**IMO -- BETH DEVRIES** - Final Order of Discipline Filed February 20, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- SHOHREH ABRARI-VENOUS** - Final Order of Discipline Filed February 20, 2013 imposing:

\*\*\* \$1,250.00 Civil Penalty

**IMO -- MARK ANTONUCCI** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- SASO NAUMOVSKI** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- JOSHUA D. SIEGEL** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- KELLY A. LEHNER** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- SUKHRAJ S. DHILLON** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

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**IMO -- JEFFREY JACKSON** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$3,500.00 Civil Penalty

**IMO -- DANIEL N. AARONS** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- MARTIN A. PERKINS** - Final Order of Discipline Filed February 21, 2013 imposing:

\*\*\* \$750.00 Civil Penalty

**IMO -- LANCE C. BROWN** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$2,500.00 Civil Penalty

**IMO -- MICHAEL L. MILLER** - Final Order of Discipline Filed February 27, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$3,500.00 Civil Penalty.

Following review and discussion of Mr. Miller's response to the Board of the Final Order of Discipline and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made to the full Board at the April Board Meeting, that DAG Lopez be authorized to suggest a Voluntary Surrender of License to Mr. Miller.

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**IMO -- RUSSELL W. THOMPSON, JR.** - Final Order of Discipline Filed February 27, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$2,500.00 Civil Penalty.

Mr. Thompson has responded to the Final Order of Discipline by submitting the required continuing education hours as well as requesting that the Board reconsider the Order. Following review and discussion by the Committee of the Board and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made to the Full Board at the April Board Meeting that the Final Order of Discipline be amended and that the suspension be lifted as well as the Civil Penalty be reduced to \$750.00.

**IMO -- JOHN P. WILLIAMS** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- PAUL C. LEE** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- JOHN C. JURASEK** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,750.00 Civil Penalty

**IMO -- DOMINICK D. DECHERICO** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$3,500.00 Civil Penalty

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**IMO -- GEARY S. BARNES** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$2,500.00 Civil Penalty

**IMO -- DAVID T. VADURRO** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,750.00 Civil Penalty

**IMO -- CARA L. DAVILA** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$2,500.00 Civil Penalty

**IMO -- SHAWN J. O'BRIEN** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- MENDEL O. HOFFER** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$1,000.00 Civil Penalty

**IMO -- ROBERT D. MAURO** - Final Order of Discipline Filed February 27, 2013 imposing:

\*\*\* \$2,250.00 Civil Penalty

**IMO -- CHAIM M. KATZ** - Final Order of Discipline Filed March 12, 2013 imposing:

\*\*\* \$1,250.00 Civil Penalty

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**IMO -- STANLEY S. SOBCZAK** - Final Order of Discipline Filed March 13, 2013 imposing:

\*\*\* \$2,500.00 Civil Penalty

**IMO -- DAVID HOFFER** - Final Order of Discipline Filed March 13, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$1,000.00 Civil Penalty.

**IMO -- JOHN V. NGUYEN** - Final Order of Discipline Filed March 18, 2013 imposing:

1. Suspension of License until he provides proof of completion of the required continuing education hours
2. \$2,500.00 Civil Penalty.

**IMO -- ROBERT J. MCGUIRE** - Final Order of Discipline Filed March 13, 2013 imposing:

\*\*\* \$2,250.00 Civil Penalty

**IMO -- DAVEY CORTES - CONSENT ORDER OF VOLUNTARY SURRENDER OF LICENSE** Filed March 20, 2013 imposing:

\*\*\* Voluntary Surrender of Mr. Cortes' New Jersey Real Estate Appraisers License

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**IMO -- MICHAEL J. LEDDY - FINAL ORDER WITHDRAWING  
PROVISIONAL ORDER OF DISCIPLINE FILED** February 21, 2013  
imposing:

\*\*\* Withdrawal of the Provisional Order of Disciplined filed  
on December 20, 2012.

**IMO -- ELIZABETH A. PROSUCK - FINAL ORDER WITHDRAWING  
PROVISIONAL ORDER OF DISCIPLINE FILED** February 21, 2013  
imposing:

\*\*\* Withdrawal of the Provisional Order of Disciplined filed  
on December 20, 2012

**IMO -- MICHELE VISAS - FINAL ORDER WITHDRAWING  
PROVISIONAL ORDER OF DISCIPLINE FILED** February 21, 2013  
imposing:

\*\*\* Withdrawal of the Provisional Order of Disciplined filed  
on December 20, 2012

**IMO -- NEPTALI CARRION - FINAL ORDER WITHDRAWING  
PROVISIONAL ORDER OF DISCIPLINE FILED** February 27, 2013  
imposing:

\*\*\* Withdrawal of the Provisional Order of Disciplined filed  
on December 20, 2012.

**IMO -- JAMES COYLE - FINAL ORDER WITHDRAWING  
PROVISIONAL ORDER OF DISCIPLINE FILED** February 27, 2013  
imposing:

\*\*\* Withdrawal of the Provisional Order of Disciplined filed  
on December 20, 2012

**The Committee of the Board reviewed, discussed and duly noted the above  
noted Final Orders.**

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**PENDING APPLICATIONS**

*Megan Fasy (RG)*

*David G. Glaser (RG)*

*Michael A. Terruso, Jr. (RA)*

**The Committee of the Board reviewed and discussed the above noted applicants and upon motion of Mr. Giocondo, seconded by Mr. Palumbo it was determined that a recommendation be made to the Full Board at the April, 2013 Board Meeting 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**

Daniel Drelich and Bruce Shapiro of the Appraisal Community addressed the Board with mutual concern.

**ADJOURNMENT**

Upon motion of Mr. Palumbo, seconded by Mr. Giocondo it was determined that the Public Meeting be adjourned at 11 A.M. and the Board proceed to the Executive Session. A vote was taken and the motion carried, unanimously.

Respectfully submitted,

**CHARLES F. KIRK**

For the Board

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