

# STATE REAL ESTATE APPRAISER BOARD

## PUBLIC SESSION MINUTES of Tuesday, September 9, 2003

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 6th Floor on Tuesday, **SEPTEMBER 9, 2003**. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. Board President Mr. Curini 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 Robert H. Scrivens, Jr. Present Denise Siegel Present Barry J. Krauser Present Frank A. Willis Excused Alfred J. Gaburo, Jr. Present Stephen P. Giocondo Present

### Also, present were Staff Members:

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

### APPROVAL OF MINUTES OF TUESDAY, JULY 8, 2003

Following review and discussion and upon motion of Mr. Scrivens, seconded by Mr. Krauser that the minutes of July 8, 2003, 2003 be approved . A vote was taken and the motion was carried unanimously.

### DIRECTOR'S REPORT

#### Executive Director Hsu made the following announcements:

\*\*\* Board Members Frank Willis and John Hamilton are excused for this meeting

\*\*\* IMO - RYNOLD REINO ---- This matter will be heard in the Public Session - this Interview is in response to the filed Provisional Order of Discipline.

\*\*\* Will attend the AARO Conference in Washington, D. C. October 23 to October 28th

\*\*\* One of the Board Members will be in attendance at the Appraisal Foundation Meeting in Washington, D. C. in October.

### EDUCATION COMMITTEE - Mrs. Siegel for the Committee

Provider	Course	Recommendation
World Savings	(1) Appraising the Single Family Residence (2) Principal of Capitalization (3) Real Estate Appraisal Methods (4) Real Estate Appraisal Application (5) National USPAP	30 Hrs. C.E. and Pre-Licensing 30 Hrs. C.E. and Pre-Licensing 33 Hrs. C.E. and Pre-Licensing 30 Hrs. C.E. and Pre-Licensing 15 Hrs. C.E. and Pre-Licensing

	(6) Foundation of Real Estate Appraisal (7) National USPAP Update	30 Hrs. C.E. and Pre-Licensing 15 Hrs. C.E.
Nutley Learning Center	(1) Highest and Best Use (8) Appraisal Review	7 Hrs. C.E. 7 Hrs. C.E.
Renwick and Associates	Real Estate Valuation in Litigation	18 Hrs. C.E. and Pre-Licensing
Van Education, LLC	Appraisal 101	75 Hrs. Pre- Licensing
Southern NJ Chapter of the Appraisal Institute	The Road Less Traveled: Special Purpose Property	7 Hrs. of C.E.
Delaware Chapter of the Appraisal Institute	Mold is Your Subject Property Infected	2 Hrs. of C.E.
NJ Association of County Tax Board	NJCTBA's 2003 Education Conference	15 Hrs. of C.E.
Philadelphia Metro Chapter of the Appraisal Institute	Crossing The Line: Home Mortgage Fraud	4 Hrs. of C.E.
NAIFA	(1) 5.05E Ethics (2) 2.3E Analyzing and Handling Litigation: Both Perspective (3) 16.2 The Appraisal of Foreclosure Property (4) 9.7A Fannie Mae Update (5) 99.9 Lead-Based Paint and Mold: HUD Update (6) 18.1 Paperless Office Techniques (7) 8.0B Practical Office for Professional Appraiser (8) 18.0 Formfilling Essentials	4 Hrs. of C.E. 4 Hrs. of C.E. 4 Hrs. of C.E. 4 Hrs. of C.E. 4 Hrs. of C.E. 8 Hrs. of C.E. 4 Hrs. of C.E. 8 Hrs. of C.E.
ASFMRA	(1) ASFMRA Code of Ethics (A-12) in Trenton (2) Appraisal Agricultural Land in Transition (3) ASFMRA 74th Annual Convention	4 Hrs. of C.E. 8 Hrs. of C.E. 7.25 Hrs. of C.E.
Appraisal Institute	(1) Appraisal Review Seminar-General (2) On-Line Analyzing Distressed Real Estate (3) Course 810: Computer Enhanced Cash Flow Modeling	7 Hrs. of C.E. 4 Hrs. of C.E. 15 + 1 Hr. Exam of C.E. 37 + 3 Hr. Exam

	(4) 320 General Application	Pre-Lic and C.E.
NJ Chapter of IAAO	Marshall & Swift Cost Approach - Commercial	14 Hrs. of C.E.
Metro NJ Chapter of the Appraisal Institute	United We Stand	2 Hrs. of C.E.

**Following review and discussion of the above noted items and upon motion of Mrs. Siegel, seconded by Mr. Krauser 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.**

## **INDIVIDUAL REQUEST**

*Sidney Severe* - Requesting to receive credit to become a Certified Residential Appraiser. Mr. Severe submitted a resume of extensive past experience as well as copies of Completed Appraisal Courses which date back to 1971

**Following review and discussion by the Board and upon motion of Mrs. Siegel seconded by Mr. Krauser that Mr. Severe submit to the Board a complete application for Certified Residential Appraiser including a log of his appraisal work to meet the criteria of Certified Residential Appraiser. A vote was taken and the motion was carried, unanimously.**

*Don Coppola* - Requesting 4 Hrs. of Continuing Education for a Conference entitled "Builder, Brokers, Banks and the Big Apple" held by the Metropolitan New York Chapter of the Appraisal Institute and the Real Estate Lenders Association on Wednesday, September 24th at the Pierre Hotel, NY, NY.

**Following review and discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Krauser that 4 Hours of Continuing Education for the above mentioned Conference. A vote was taken and the motion was carried, unanimously.**

## **APPRAISAL FOUNDATION and REGULATORY OFFICIALS**

### **Appraisal Foundation**

\*\*\* **Memo to AQB Certified USPAP Instructors re: Recertification for Instructors.**

\*\*\* **Memo - Foundation Update re: The approved and adopted modification to the 2003 Edition of USPAP on 6/27/03.**

**The Board reviewed, discussed and duly noted the above item.**

### **Appraiser Qualifications Board**

\*\* **Public Meeting Summary of July 18, 2003**

\*\*\* **Public Meeting Notice - October 24, 2003**

\*\*\* **Memo from Ed Morse, Chairman re: New Real Property Appraiser Qualification Criteria**

\*\*\* **Interpretation - *Real Property Appraiser Qualification Criteria: Appendix I Continuing Education***

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

### **Appraisal Standards Board**

**\*\*\* USPAP Q and A, Vol. 5, No. 7, July, 2003**

**\*\*\* USPAP Q and A, Vol. 5, No. 8, August, 2003**

**\*\*\* Public Meeting Notice - October 24, 2003**

**\*\*\* Summary of Actions taken by the Foundation on 6/27/03 of the approved and adopted modifications to the 2003 Edition of USPAP.**

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

## **TOPICS FOR DISCUSSION**

**\*\*\* Conflict of Interest Rule - N.J.A.C. 13:40A7.5 and 13:40A-7.9 re:** The Board has extended an invitation to Robert J. DiFalco to discuss this issue at this meeting following receipt of his letter. Also a representative of the Appraisal Institute as well as our Legislature Analyst, Danielle Swenson will be involved in this discussion.

**Mr. DiFalco did appear before the Board for discussion of the New Conflict of Interest Rule, accompanied with Gilberto Medina and Michael Peroriro. Following review and discussion with the Board on the New Conflict of Interest Rule, the Board advised Mr. DiFalco, Mr. Medina and Mr. Peroriro that they put in writing a statement as to why the New Conflict of Interest Rule should be reconsidered and amended.**

**\*\*\* Apprentice/Supervisor issue -** At the July Board Meeting a determination was made to further discuss this issue at this meeting.

**Due to time constraints this matter will be discussed at the October Board Meeting.**

**\*\*\* Educational Credits for this Licensing Cycle -** Board Member Siegel's concern on this matter is the fact that the last cycle ran over the actual effective date and many appraisers will attempt to use education that overlapped the first few months of 2001 due to the fact that date was extended based on the central licensing debacle.

**Due to time constraints this matter will be discussed at the October Board Meeting.**

**\*\*\* Review of Continuing Education Proposals \* Procedures and Responsibility and Recommendations to the Board following Staff Review.**

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**Following discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Scrivens that the Review and recommendations of the Continuing Education Proposals be the responsibility of the Staff. The Staff is to prepare a guideline for the Board's review at the October Board Meeting. A vote was taken and the motion carried, unanimously.**

## **OTHER**

**\*\*\* Paul R. Harris --** requesting the Board's approval of an Advertisement he wishes to publish in a local Newspaper

**Following review and discussion by the Board it was determined that DAG Carboni contact Mr. Harris to further discuss this matter with him.**

**\*\*\* Letter from the Institute for Real Estate and Appraisal Studies re: The education section of the Chicopee Group@s transfer**

**The Board reviewed, discussed and duly noted this item.**

## **PUBLIC ANNOUNCEMENT OF DISCIPLINARY ACTIONS TAKEN**

**\*\*\* IMO - MARC L. TOMEO** - Presented to the Board was a copy of a Filed Final Order suspending Mr. Tomeo's license unless and until he responds to the Board's request.

The Board reviewed, discussed and duly noted the above Filed Final Order.

**\*\*\* IMO -- DARRYL HENRY --** Presented to the Board was a copy of the Filed Provisional Order of Discipline. Of Denial of Permit Application.

**The Board reviewed, discussed and duly noted the above noted Provisional Order of Discipline. Following further review and discussion by the Board and upon motion of Mr. Scrivens, seconded by Mrs. Siegel that a Final Order be issued. A vote was taken and the motion was carried, unanimously.**

**\*\*\* IMO MARK D. ROTH** - Presented to the Board was a copy of the Filed Consent Order (8-19-03) imposing the following sanctions:

**\* Public Reprimand**

**\*\* One year suspension of license, stayed**

**\*\* Penalty of \$5,000.00**

**\*\* Costs of \$1,022.00**

**The Board reviewed, discussed and duly noted the above Filed Consent Order.**

## **PENDING APPLICATIONS**

### **Residential Licensing**

*Gary Barns*

*Everett Hassell*

*Michael Gilroy*

*Linda Geary*

*Nancy Gordon*

*Alexander Skibinski*

*Mike Leonard*

*Mark Gordon*

*Walter Rushalski*

*John Masquelier*

*Justin Lamicella*

*Robert Graff*

### **Certified Residential**

*Emmanuel Shamam*

*Mario Scazzola*

### **Certified General**

*Annie Rusecky*

*Edward Malko*

*Joseph Baldoni*

## **Instructor**

*Craig Harrison*

*James Renwick*

*Rick Longdon*

*Eda Street*

**The Board reviewed and discussed the above noted applicants and upon motion of Mr. Krauser, seconded by Mr. Gaburo that the above noted candidates did meet the established criteria for Licensure as well as for Instructors and that their applications be approved. A vote was taken and the motion carried, unanimously.**

## **PUBLIC COMMENT**

Kathy Viarengo, Gil Medina, Robert DiFalco, Michael Perorino, Dan Warthur, Isaac Muthu and Frank Tardif of the Appraisal community further addressed the Board regarding issues of mutual concern.

## **ADJOURNMENT**

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

Respectfully submitted,

DR. JAMES S. HSU

Executive Director