

State Board of Real Estate Appraisers  
PUBLIC SESSION OF TUESDAY, OCTOBER 14, 2008  
MINUTES

The regular meeting of the Board of Real Estate Appraisers was held at 124 Halsey Street on the 3RD Floor on Tuesday, OCTOBER 14, 2008. The meeting was convened in accordance with the provisions of the Open Public Meeting Act. Board President Mrs. 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  
Denise Siegel Present  
Barry J. Krauser Present  
Frank A. Willis Present  
Stephen P. Giocondo Present  
Robert H. Scrivens, Jr. Excused  
Cheryl A. Randolph-Sharpe Present  
Eileen M. Mannion, Esq. Present

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

**APPROVAL OF MINUTES OF TUESDAY, SEPTEMBER 9, 2008**

Following review and discussion and upon motion of Mr. Giocondo, seconded by Mr. Willis it was determined that the minutes of September 9, 2008 be approved . A vote was taken and the motion was carried unanimously.

**DIRECTOR'S REPORT**

Executive Director, Dr. Hsu made the following announcements:

\*\*\* There were four Investigative Inquiries scheduled today,

\*\*\* Board Members Mr. Scrivens and Mr. McCann are excused for this meeting.

**CONTINUING EDUCATION**

Provider	Course	Recommendation
McKissock	Land Site Valuation	7 Hrs. Of C.E.
US Department of Housing & Urban Development/ FHA	FHA Basics for Appraisers	4 Hrs. Of C.E.
Northeast NJ Chapter of the Appraisal Institute	COAH: How it Will Impact All Future Commercial & Residential Development in NJ	2 Hrs. Of C.E.
Southern NJ Chapter of the Appraisal Institute	Economic Development of the Camden Riverfront	2 Hrs. Of C.E.
Appraisal Institute	Valuation of Green Residential Properties	7 Hrs. Of C.E.
Central NJ Appraisal Institute	What Does Real Estate Valuation &	2 Hrs. Of C.E.

	Building Codes Have in Common?	
NAIFA	FHA Current Appraisal Requirements	7 Hrs. Of C.E.
Columbia Society of Real Estate	The FHA/VA Appraiser Appraisers	7 Hrs. Of C.E.
Van Education	(1) 2008-2009 15 Hr. USPAP Course (2) Residential Report Writing and And Case Studies	14 Hrs of C.E. & 15 Hrs. Of Pre-Licw/exam 14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic. w/exam
NJ Institute for Continuing Legal Education	Introduction to Real Estate Tax Appeals	3 Hrs. Of C.E.
Delaware Assoc. Of Appraisers, Inc.	Current Appraisal Issues	7 Hrs. Of C.E.
NJ Central Chapter of the NAIFA	Identifying the Typical Buyer And Seller	2 Hrs. Of C.E.
RENEWALS		
Allied Business Schools	Appraisers Guide to Real Estate Principles	14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic. w/exam
Appraisal Institute	(1) Subdivision Valuation (2) Online Appraising Manufactured Housing (3) Condemnation Appraising: Principles and Applications	7 Hrs. Of C.E. 7 Hrs. Of C.E. 21 Hrs. Of C.E.
Career WebSchool	(1) Basic Appraisal Principles (2) Basic Appraisal Procedures (3) A URAR Review (4) Appraisal Methods (5) Residential Report Writing and Case Studies (6) Basic Appraisal (7) Basic Appraisal and Reports (8) Residential Market Analysis Highest and Best Use (9) Residential Appraiser Site Valuation and Cost Approach	30 Hrs. Of C.E. & Pre-Lic. 30 Hrs. Of C.E. & Pre-Lic. 7 Hrs. Of C.E. 14 Hrs. Of C.E. 14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic. w/exam 60 Hrs. Of C.E. & Pre-Lic. 75 Hrs. Of C.E. & Pre-Lic. 14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic. w/exam 14 Hrs. Of C.E. & 15 Hrs. Of Pre-Lic w/exam

Following review and discussion by the Education Committee and the Board and upon motion of Mrs. Siegel, seconded by Mr. Krauser it was determined 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 was carried, unanimously

#### **APPRAISAL SUBCOMMITTEE**

\*\*\* Press Release date 9-30-08; re: "ASC Announces the Promotion of Denise Graves to Deputy Executive Director"

The Board reviewed, discussed and duly noted this item.

### **THE APPRAISAL FOUNDATION**

\*\*\* "Proposed Draft - 10-2-08 — "Strategic Goals for the Appraisal Foundation"

The Board reviewed, discussed and duly noted this item.

### **APPRAISAL INSTITUTE**

\*\*\* Appraiser News Online Vol. 9, No. 18, September 17, 2008.

\*\*\* Appraiser News Online Vol. 9, No. 18, September 24, 2008.

\*\*\* Appraiser News Online Vol. 9, No. 18, October 1, 2008.

\*\*\* Appraiser News Online Vol. 9, No. 19, October 8, 2008.

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

### **APPRAISAL STANDARDS BOARD**

\*\*\* USPAP Q and A, Vol. 10, No. 9, September, 2008

\*\*\* ASB Public Meeting Notice for November 18, 2008

\*\*\* Memo from Sandra G. Guilfoil, Chair re: First Exposure Draft of proposed changes to the 2010-11 Edition of the Uniform Standards of Professional Appraisal Practice

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

### **APPRAISER QUALIFICATIONS BOARD**

\*\*\* Memo from Gary Taylor, Chair, Appraiser Qualification Board re: Exposure Draft of an Interpretation and a Guide Note applying to the Real Property Appraiser Qualification Criteria - deadline for written comments is November 14, 2008.

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

### **OTHER**

\*\*\* Letter from Eugene Pasymowski, NJ Certified General Appraiser questioning whether or not a License NJ Appraiser is required by Federal or NJ Law or regulations to report possible real estate mortgage/transaction fraud.

DAG Carboni advised the Board that a letter has been forwarded to Mr. Pasymowski in reference to his Inquiry.

\*\*\* DAG Susan Carboni Memo of June 25, 1999 regarding Fraudulent Appraisals – NOTE: LAST PARAGRAPH – "ultimately, if the system is sufficiently damaged, the victim may be the American taxpayer, who will be required to BAIL OUT THE FINANCIAL SYSTEM" - This Memo is even more "telling" today in view of what has happened.

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

## **LEGISLATION**

\*\*\* Letter from Paul A. Rowe, Esq. Re: requesting the Board to consider modification of N.J.A.C. 13p;40A-7.5.

Following review and discussion of this matter it was determined by the Board that DAG Carboni forward a letter to Mr. Rowe advising that the Board is not reconsidering modification of said statute.

## **CONTINUING EDUCATION MATTERS**

\*\*\* IMO --- DOUGLAS L. NICKEL – DAG Carboni presented to the Board details in this matter and DAG Joseph Donofrio will counsel the Board on this matter.

This matter will be further discussed at the next Board Meeting.

\*\*\* Memo from DAG Carboni re: Continuing Education Audit Finalization of Provisional Orders.

1. IMO - SEAN P. SULLIVAN - Following review and discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Giocondo it was determined that the Provisional Order of 7/18/08 be Finalized as is. A vote was taken and the motion was carried, unanimously.

2. IMO - DAVID L. STEINBERG - Following review and discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Giocondo it was determined the Provisional Order Filed 6/23/08 be Finalized as is. A vote was taken and the motion was carried, unanimously.

3. IMO - BRIAN J. DECICCO - Following review and discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Giocondo it was determined that the Provisional Order Filed 7/18/08 be Finalized, however that the Civil Penalty be reduced to \$325.00. A vote was taken and the motion was carried, unanimously.

4. IMO - RICHARD A. ANDERSON - Following review and discussion by the Board and upon motion of Mrs. Siegel, seconded by Mr. Giocondo it was determined that the Provisional Order of 7/18/08 be Finalized, however that the Civil Penalty be reduced to \$875.00. A vote was taken and the motion was carried, unanimously.

5. IMO - RICHARD E. GRAGLIA -Following review and discussion by the Board and upon motion of Mr. Giocondo, seconded by Mrs. Siegel it was determined that the Provisional Order Filed 7/18/08 be Finalized, however that the Civil Penalty be reduced to \$625.00. A vote was taken and the motion was carried, unanimously.

## **PUBLIC ANNOUNCEMENT OF DISCIPLINARY ACTION TAKEN**

### **CONTINUING EDUCATION**

\*\*\* IMO -- DAVID KELLY - Administrative Action - Final Order of Discipline Filed 9-16-08

\*\*\* IMO -- DEAN M. BRUCCOLIERE - Administrative Action - Final Order of Discipline Filed 9-16-08

\*\*\* IMO -- CHARLES RUNDLET - Administrative Action - Final Order of Discipline Filed 9-16-08

\*\*\* IMO -- SANDRA L. ELLIS - Administrative Action - Final Order of Discipline Filed 9-16-08

\*\*\* IMO -- CYNTHIA M. PESCHL - Administrative Action - Final Order of Discipline Filed 9-15-08

\*\*\* IMO -- VANESSA BELL - Administrative Action - Final Order of Discipline Filed 9-15-08

\*\*\* IMO -- DAN WARTHEN, JR. - Administrative Action - WITHDRAWAL OF PROVISIONAL ORDER OF DISCIPLINE Filed 9-15-08

\*\*\* IMO -- JUDITH M. CORBUTT - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- BARBARA GRIFFIN - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- JEANNE SAKOSITS - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- MICHAEL A. HOLL - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- GEORGE STIUSO - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- JAMES SCARDUZIO - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- FRANCIS R. KERICO - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- ROBERT BENAKSAS - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- FRANK C. PHIFER - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- BRIAN E. GINSBERG - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- PETER L. OLIVER - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- MICHAEL L. GILROY - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- GARY L. SILBERT - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- JOANNE FEKETE - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- CHERYL ADAMOUSKY - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- ANA C. DUARTE - Administrative Action - Final Order of Discipline Filed 10-1-08

\*\*\* IMO -- DAVID M. ROBERTS - Administrative Action - Final Order of Discipline Filed 10-1-08

#### **PUBLIC ANNOUNCEMENTS OF DISCIPLINARY ACTION TAKEN**

\*\*\* IMO -- ALLAN ROSENBERG - Consent Order Filed 10-6-08 -

\*\*\* IMO -- MAJADI HUGHES - Administrative Action - Consent Order Filed 9-8-08.

#### **PENDING APPLICATIONS**

##### **Residential License**

Marlin Cosme Brian T. McGowan  
Kevin M. McLoughlin Tara Vieira

##### **Certified Residential**

Scott Arnone Wesley J. Costello  
Walter M. Duda Douglas P. Fabiano

Keith J. Gladd Audrey J. LaBoy  
Elina Levit Richard J. Obrotka

Certified General

Michael M. Lama Barbara M. McCann  
Raymond Underhill Frederick A. Rizk

The Board reviewed and discussed the above noted applicant and upon motion of Mrs. Siegel, seconded by Mr. Krauser 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**

Members of the Appraisal Community addressed the Board regarding issues of mutual concern.

#### **ADJOURNMENT**

Upon motion of Mr. Krauser, seconded by Mr. Siegel 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,

DR. JAMES S. HSU  
Executive Director