

MINUTES

REAL ESTATE APPRAISER LICENSURE AND CERTIFICATION BOARD

Thursday, March 11, 2010

Mr. Johnson called the meeting to order at 10:00 a.m. in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Wayne Johnson, Chairman
John Newlin, Vice Chairman
Terry Watson, Appraiser Member
Lowell K. Griffin, Appraiser Member
Liz Stoll, Lender Member

Members Absent:

Joe Traynor, Appraiser Member
James Lewis, Consumer Member

State Officials Present:

Nicholas Rhoad, Director Indiana Real Estate Commission
Stephanie Sims, Litigation Specialist
Jim Schmidt, Deputy Attorney General

I. APPROVAL OF MINUTES FORM JANUARY 14, 2010

A motion was made and seconded to approve the minutes form January 14, 2010.

II. REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE

The Attorney General's Office provided an update on the status of complaints.

III. OLD/NEW BUSINESS

A. QE for license upgrades

The Board decided that QE for license upgrades must meet the 2008 AQB Criteria with no exceptions. This position was also confirmed by the ASC.

B. Legislative update

Mr. Rhoad provided a legislative update and also provided additional information to the Board concerning AMC licensing

C. USPAP update

Mr. Rhoad provided an update to the Board about the 2010-2011 USPAP rule.

D. Secondary CE providers

The Board discussed secondary CE and tabled the discussion until receiving a response from the ASC.

E. License Count Update

Mr. Rhoad provided the Board with an update on the number of licensees

IV. STATUS OF LICENSEES ON PROBATION

A. Report from Staff regarding licensees on probation

Mr. Rhoad provided an update to the Board that all licensees are currently in compliance with the terms of their probation.

V. WITHDRAWAL OF PROBATION HEARING

A. State of Indiana v. Jerry L. Thomas (9:00)

REAB 06-114

Re: Petition for withdrawal of probation

A motion was made and seconded to approve the Petition for withdrawal of probation.

Newlin / Griffin

Motion Carried

4-0-0

B. State of Indiana v. Randall Booknis (10:00)

REAB 03-06

Re: Petition for withdrawal of probation

A motion was made and seconded to approve the Petition for withdrawal of probation.

Griffin / Newlin

Motion Carried

4-0-0

C. State of Indiana v. Brent Chance (10:00)

REAB 06-77

Re: Petition for withdrawal of probation

A motion was made and seconded to approve the Petition for withdrawal of probation.

Griffin / Newlin

Motion Carried

4-0-0

VI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. James L. Sloan

REAB 09-24

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Griffin / Newlin

Motion Carried

4-0-0

B. State of Indiana v. Ty Franklin Ostrognai

REAB 09-49

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Watson / Griffin
Motion Carried
4-0-1

C. State of Indiana v. Shane Lefaire

REAB 09-48

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Watson / Griffin
Motion Carried
4-0-1

D. State of Indiana v. Keith Bentley

REAB 09-62

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Watson / Newlin
Motion Carried
5-0-0

E. State of Indiana v. Ryan Knoll

REAB 09-66

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Watson / Griffin
Motion Carried
4-0-1

F. State of Indiana v. Vicki Lickliter

REAB 09-79

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Griffin / Watson
Motion Carried
4-0-1

G. State of Indiana v. Susan A. Peebles

REAB 09-64

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order
Griffin / Johnson
Motion Carried
4-0-1

VII. DEFAULT HEARING – (Start anytime)

A. State of Indiana v. Seth Deaton

REAB 06-72

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to find the respondent in default.
A motion was made to indefinitely suspend the respondent's license.
Motion Carried
5-0-0

B. State of Indiana v. Charles Hensley

REAB 06-122

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to find the respondent in default.
A motion was made to indefinitely suspend the respondent's license.
Motion Carried
5-0-0

C. State of Indiana v. Christopher J. Barker

REAB 07-30

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to find the respondent in default.
A motion was made to indefinitely suspend the respondent's license.
Motion Carried
5-0-0

D. State of Indiana v. Hilton Morris Jr.

REAB 07-88

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to find the respondent in default.
A motion was made to indefinitely suspend the respondent's license.
Motion Carried
5-0-0

E. State of Indiana v. Bryan M. Waters

REAB 08-13

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to find the respondent in default.
A motion was made to indefinitely suspend the respondent's license.
Motion Carried
5-0-0

F. State of Indiana v. Thomas Ely

REAB 08-21
Re: Possible Issuance of Default and Final Order

A motion was made to permanently revoke the respondent's license.
Motion Carried
5-0-0

G. State of Indiana v. Ryan Kraus

REAB 09-67
Re: Possible Issuance of Default and Final Order

A motion was made to permanently the respondent's license, impose costs, and impose a civil penalty of \$22,000.
Motion Carried
5-0-0

VIII. DISCIPLINARY HEARINGS (All hearings in this section begin at 1:00)

A. State of Indiana v. Lance Weidner

REAB 09-36
Re: Disciplinary Hearing
Re: Stipulation of Facts and Conclusions of Law for
Sunny Slopes Circle and North 8th Street Properties
Re: Respondent's Answer to the complaint

A motion was made and seconded to place the respondent's license on probation for six months under standard probationary terms and pay costs in the matter.

Motion Carried
5-0-0

B. State of Indiana v. Laurelee Hawkins

REAB 08-26
Re: Disciplinary Hearing

A motion was made and seconded to place the respondent's license on indefinite probation under standard probationary terms and pay costs in the matter.

Motion Carried
5-0-0

C. State of Indiana v. Ernest Dunn

REAB 09-82
Re: Disciplinary Hearing

A motion was made and seconded to issue a Notice of Proposed Default.
Motion Carried
5-0-0

D. State of Indiana v. Michael Thomas Asher

REAB 09-44
Re: Disciplinary Hearing

A motion was made and seconded to continue the matter until the May 2010 Board meeting.
Motion Carried
5-0-0

E. State of Indiana v. Mark Zickmund

REAB 09-81
Re: Disciplinary Hearing

A motion was made and seconded to issue a Notice of Proposed Default.
Motion Carried
5-0-0

F. State of Indiana v. Ronald Sipe*

REAB 09-70
Re: Disciplinary Hearing
Settlement conference on 3/10/2010

No action was taken in the matter due to a pending settlement agreement.

IX. CONSIDERATION OF THE MOTION TO DISMISS

A. State of Indiana v. James Frisby

REAB 09-33
Re: Motion to Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion to Voluntary Dismissal by Petitioner.
Motion Carried
4-0-0

B. State of Indiana v. Terry Reno

REAB 09-60
Re: Motion to Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion to Voluntary Dismissal by Petitioner.
Motion Carried
4-0-0

C. State of Indiana v. David Friedrich

REAB 09-78
Re: Motion to Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion to Voluntary Dismissal by Petitioner.
Motion Carried
4-0-1

D. State of Indiana v. John Hanlin

REAB 09-69
Re: Motion to Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion to Voluntary Dismissal by Petitioner.
Motion Carried
4-0-0

A. State of Indiana v. Kurt Waldon

REAB 09-80
Re: Motion to Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion to Voluntary Dismissal by Petitioner.
Motion Carried
4-0-0

II. APPLICATION REVIEW

A motion was made and seconded to adopt the recommendations of the application review committee

Motion Carried
5-0-0

A. Certified Residential Applications

- | | |
|---------------------------|---|
| 1. Tamara Hanlin | A |
| 2. Elizabeth White | A |
| 3. Kimberly Daniel-Pierce | A |
| 4. Cynthia Kaser | A |
| 5. Brian Carrington | A |
| 6. Jeff Coldiron | A |

B. Certified General Applications

- | | |
|--|---|
| 1. Chad Roots | A |
| 2. David Masten 2 nd review | A |
| 3. Julie Ahern | A |
| 4. John McCool | D |

III. EDUCATION REVIEW

A. Appraisal Institute A

Appraisal Opportunity: The Lending World in Crisis 7.0 hours
Larry Wright instructor

Analyzing the Effects of Environmental Contamination on Real Property 7.0 hours

Thomas Jackson- instructor

B. Hoosier State Chapter of the Appraisal Institute **A**

Supporting Capitalization Rates 7.0 hours
James D. Vernor - instructor

What Clients Would Like Their Appraisers to Know 7.0 hours
Stephen S. Wagner instructor

Rates and Ratios: Making Sense of GIM's, OAR's, and DCF 7.0 hours
Kenneth M. Lusht- instructor

Spotlight on USPAP: Common Errors and Issues 2.0 hours
Stephen S. Wagner- instructor

Appraisal Consulting: A Solutions Approach for Professionals 7.0 hours
Richard Borges II INST001475

Effective Appraisal Writing 7.0 hours
Alan Blankenship - instructor

C. Education Resource **A**

CE 1037 Using Residential Appraisal Report Forms 7.0 hours
Mark Ratterman - instructor INST001398

D. Dennis Badger & Associates, Inc. **A**

Appraising Difficult Residential Assignments 7.0 hours
Thomas P. Veit instructor
Dennis L. Badger instructor

Sales Comparison Fundamentals 7.0 hours
FHA Today 7.0 hours
Thomas Veit instructor for each

XVI. Adjournment

**Next Scheduled Meeting
May 13, 2010**