



BOARD OF REAL ESTATE APPRAISERS MEETING
July 16, 2009

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MINUTES

BOARD OF REAL ESTATE APPRAISERS

July 16, 2009

**Colorado Division of Real Estate
1560 Broadway, Suite 925
Denver, CO 80202**

A meeting of the Colorado Board of Real Estate Appraisers was held on Thursday, July 16, 2009, at 1560 Broadway, Suite 925, Denver, Colorado at 9:00 a.m.

Notice of the meeting was published timely and the meeting was held pursuant to the Colorado Sunshine Laws, Title 24, Article 6, C.R.S., as amended.

ORDER OF BUSINESS BY THE CHAIR:

Call to Order, Roll call, Determination of a Quorum-

The meeting was called to order at 9:01 a.m. Chair Thomas Fellows made a quorum determination.

Board Members in attendance: Chair Thomas Fellows, Vice-Chair Michael Morton, Tony Navarro, Frank Beltran, and Leslie Mitchell. Robert Bleiberg attended the meeting via telephone conference.

Board Members not in attendance: Robin Anderson.

Also attending were Marcia Waters, Investigations and Compliance Director, Lisa Brenner Freimann, Assistant Attorney General and several members of the Board's staff. The meeting was open to the public, and several members of the public attended.

Minutes Approval:

After review, Ms. Mitchell moved and Mr. Beltran seconded the motion to approve the Minutes of June 11, 2009.

Motion unanimously carried.

Executive Session Minutes:

After review, the Board acknowledged and approved the Executive Session Minutes from the June 11, 2009 meeting.

ORDER OF BUSINESS:

Policy Matters, Updates and Information

Ms. Waters discussed the formation of an Advisory Task Force for the Conservation Easement Appraisal Program based on various consumer/industry inquiries. Harold Ovsowitz, Conservation Easement Investigator and Hollis Glenn, Conservation Easement Program Manager provided additional details concerning issues and inquiries. To aid with the Conservation Easement issues, the Division's website will include an FAQ section along with a hyper-link to the Appraisal Subcommittee's website. Chair Thomas Fellows will participate with the Task Force as required. Mr. Morton moved and Mr. Bleiberg seconded the motion for Staff recommendation of forming a Conservation Easement Task Force.

Ms. Waters gave an update on Arizona's Reciprocity Agreement. The reciprocity agreement was mailed June 10, 2009. The Appraisal Subcommittee strongly encourages reciprocity amongst the states. Currently the only state that Division does not have reciprocity with is Wyoming. The Division's website will be updated accordingly.

Citizen Participation:

Although several members of the public were present, no members of the public asked to address the Board.

COMPLAINT INVESTIGATIONS:

Case Nos. 2009020248 (Carl Hegewald, Investigator)

Susan Scholl presented this matter to the Board.

The reports allege violations of Standard 1-1(a), 1-1(b), 1-1(c), 1-2(e)(i), 1-4(a), 1-4(b)(i), 2-1(a), 2-1(b), and 2-2(b)(viii).

Mr. Morton moved and Mr. Beltran seconded that the Board find that reasonable grounds exist to believe that violations of appraisal law occurred in Case Number 2009020248. The Board voted to refer the case to hearing with a settlement offer consistent with a Level 6 disciplinary case (up to 6 month suspension, up to \$14,000 fine, up to 75 hours of qualifying education within allotted timeframe to include the 7 Hour USPAP Update course, up to 20 appraisals under a supervisor approved by the Board).

Motion unanimously carried.

Case No. 2009020215 (Future Davis, Investigator)

Susan Scholl presented this matter to the Board.

The Report allege violations of Standard 1-1(a), 1-1(b), 1-2(c)(iv), 1-2(h), 1-4(a), 1-5(a), 2-1(a), and 2-2(b)(viii).

Mr. Morton moved and Mr. Navarro seconded that the Board find that reasonable grounds exist to believe that violations of appraisal law occurred in Case Number 2009020215. The Board voted to refer the case to hearing with a settlement offer consistent with a Level 5 disciplinary case (up to 90 day suspension, up to \$2,000 to \$14,000 fine, recommended coursework within allotted timeframe to include the 7 Hour USPAP Update Course, work reviews by a supervisor approved by the Board).

Motion not unanimously carried.

Licensing and Other Matters:

Ms. Waters discussed the Board Meeting Retreat. The Retreat will be held in September. Once specifics are confirmed, the Board will be notified.

Ms. Lisa Brenner Freimann, Assistant Attorney General informed the Board that she has been reassigned as General Counsel to the Ethics Department. Jeannine Miller is the new appointed counsel to the Board of Real Estate Appraisers.

EXECUTIVE SESSION

After conferring with Lisa Brenner Freimann, Assistant Attorney General, it was moved that no Executive Session be held as there were no matters for discussion.

ADJOURN:

The Colorado Board of Real Estate Appraiser's meeting adjourned at 10:10 a.m. on July 16, 2009.

Thomas Fellows, Chair

Michael Morton, Vice-Chair

ABSENT

Robin Anderson

Frank Beltran

Robert Bleiberg

Leslie Mitchell

Tony Navarro

Erin Toll, Director
Colorado Division of Real Estate