

# STATE OF CONNECTICUT

## DEPARTMENT OF CONSUMER PROTECTION

### CONNECTICUT REAL ESTATE APPRAISAL COMMISSION

#### OCTOBER 2004 MINUTES

165 CAPITOL AVENUE  
HARTFORD, CONNECTICUT 06106

The Connecticut Real Estate Appraisal Commission met on Wednesday, October 13, 2004 at 8:35 a.m. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Christopher A. Italia (Cert. Gen. App. – 1<sup>st</sup> District), Chairman  
Francis Buckley, Jr. (Cert. Gen. App. – 2<sup>nd</sup> District)  
Sean Hagearty (Cert. Gen. App. – 2<sup>nd</sup> District)  
Russell Hunter (Public Member – 5<sup>th</sup> District)  
Howard L. Luppi (Public Member – 3<sup>rd</sup> District)  
Nicholas J. Tetreault (Cert. Res. App. – 3<sup>th</sup> District)

Commissioners Absent: Gerald V. Rasmussen (Cert. Gen. App. – 4<sup>th</sup> District)

Commission Vacancies: 2 Public Members

DCP Staff Present: Jerry Farrell, Deputy Commissioner  
Laureen Rubino, License & Applications Specialist  
Timothy Keefe, Real Estate Appraisal Examiner  
Edward McMahon, Real Estate Appraisal Examiner  
Judith R. Booth, Commission Secretary II

Assistant AG: None

Guest(s): Jim Kyle  
Frank O'Neil  
J. Prescott Turner  
Kris Tufaro  
James Mozzicato  
Joshua Koladis

Note: The administrative functions of this Commission are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, please contact Director Richard M. Hurlburt at (860) 713-6135.

**The next meeting is scheduled for Wednesday, November 10, 2004 at 8:30 a.m. in Room 126.**

## **SWEARING IN OF A NEW MEMBER, SEAN T. HAGEARTY, MAI**

At 8:35 a.m., Elisa Nahas, Principal Attorney, swore in Sean T. Hagearty, a new Appraisal commission member.

**The commission members and staff congratulated Mr. Hagearty on his appointment.**

## **MINUTES**

The Real Estate Appraisal Commission approved the Minutes of September 8, 2004.

**A motion was made by Commissioner Francis Buckley, Jr., to approve the Minutes of September 8, 2004 pending a change to item 2 on page 5 to read 2005 instead of 2004. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

## **CORRESPONDENCE**

**The following correspondences were reviewed by the Commission. No questions or comments were noted.**

1. AQB "Real Property Appraiser Qualification Criteria"

## **PENDING LEGAL MATTERS**

**(\* ) This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.**

### **Elisa Nahas, Esq.**

1. Update on status of proposed regulation changes.

**DCP Attorney Elisa Nahas reported to the Commission that there is no change in status for the Regulations and that she plans to resubmit them.**

## **Cases**

None

## **COMPLAINTS**

### **Edward McMahon**

**The following items were tabled per the request of Examiner Edward McMahon.**

1. 2003-6745
2. 2003-5791
3. 2003-5792
4. 2004-1965

## **Tim Keefe**

(\*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

1. 2004-67633

**A motion was made by Commissioner Russell Hunter to schedule this case for a formal compliance hearing. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

### **REQUESTED BY THE COMMISSION TO APPEAR**

None

### **REQUESTED TO APPEAR BEFORE THE COMMISSION**

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1. J. Prescott Turner of West Haven, CT, is a CHRO who is applying for a Provisional license.

**Mr. Turner, who appeared today, presented two original letters from the Bridgeport Court regarding his conviction status. His application initially came before the Commission in September 2004, and at that time the Commission requested this information. The Commission found the letters to be satisfactory.**

**Commissioner Francis Buckley, Jr., made a motion to approve Mr. Turner's Provisional application. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.**

### **DISCUSSION**

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1. Chairman Italia inquired if Examiners have to be licensed to perform their assignments?

**The Commission was presented with Title 11 of the Financial Institutes Recovery, Reform and Enforcement Act of 1989, as amended. The Commission was asked to direct their attention to page 5, Sec.1117, "Establishment of State Appraiser Certifying and Licensing Agencies Enclosed, and Sec. 1118, "Monitoring of State Appraiser Certifying and Licensing Agencies".**

## **REQUESTS FOR CONTINUING EDUCATION CREDIT**

(\*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

1. Edward Miller requesting continuing education credit for successfully completing "CCMA IIA" at the University of Connecticut on June 11, 2004.

**A motion was made by Commissioner Francis Buckley, Jr., to approve this request for 18 hours of continuing education credit. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

## **REQUEST FOR EXTENSIONS, REQUEST TO HOLD OR REQUEST FOR SPECIAL CONSIDERATION**

(\*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

- \*1. David Yum, RSP.575 (Extension Request)

*At the September 2004 meeting, a motion was made by Commissioner Francis Buckley, Jr., to grant the extension of Mr. Yum's Provisional license to October 19, 2004, and if his Certified Residential application is not submitted on or before this date he cannot work. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.*

**During today's proceedings, Mr. Yum's application and log were received, but his required education remains unsatisfactory.**

**Commissioner Nicholas Tetreault made a motion to deny Mr. Yum's request for an extension and to table his Certified Residential application due to insufficient number of educational hours. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

- \*2. Michael Parrotta, RSP.1194 (Request to Stop the Clock)

**Commissioner Nicholas Tetreault made a motion to grant this request and to stop the clock from the date of his letter, September 30, 2004 (8 months). The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

## **REQUEST TO RENDER LICENSE INACTIVE**

None

## **REQUEST FOR WAIVER**

None

## **PSI SPECIAL ACCOMMODATION REQUESTS**

None

## **EXTENSION OF ELIGIBILITY – EXAM RETAKE REQUESTS**

1. Brian J. Lawrynowicz of Vernon, CT

**Commissioner Francis Buckley, Jr., made a motion that Mr. Lawrynowicz must take and successfully pass Appraisal I before a fifth Certificate of Examination Eligibility can be issued by the Department staff; and if passed, Mr. Lawrynowicz may receive upon request 18 hours towards his continuing education requirements. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

2. Daphne J. Slopak of Norwich, CT

**Commissioner Francis Buckley, Jr., made a motion to table this application subject to the number of times Ms Slopak took the State examination. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

3. Jorge L. Villalobos of Norwalk, CT

**Commissioner Francis Buckley, Jr., made a motion that Mr. Villalobos must take and successfully pass Appraisal I before a fifth Certificate of Examination Eligibility can be issued by the Department staff; and if passed, Mr. Villalobos may receive upon request 18 hours towards his continuing education requirements. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

## **FORMAL HEARING**

None

## **NEW BUSINESS**

1. The Commission expressed concerns regarding the high failure rate reflected in the PSI Examination Results. The Commission requested that Laureen Rubino identify the areas of weakness and if a pattern can be traced back to PSI or the education providers or both.

The Commission further requested that the final information is emailed to them, regardless if there is no information found.

2. New Commission Policy Concerning Requests for a Fifth Certificate of Examination Eligibility

**Commissioner Francis Buckley, Jr., made a motion that before the Commission approves an applicant for a fifth Certificate of Examination Eligibility, it is required that the applicant first successfully complete an Appraisal I course. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

3. The Commission requested that the Department look into filling the vacancies on this Commission. Laureen Rubino commented that she would speak to someone at the Governor's Office.

## **OLD BUSINESS**

1. Continuing Education credit for Examiner(s) and their January 14, 2004 ruling by this Commission.

**Commissioner Francis Buckley, Jr., made a motion that the Department of Consumer Protection staff is exempt from the appraisal continuing education requirements and that they may continue to hold their license(s). The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

2. Joshua Koladis' Provisional application was reviewed last month and the Commission requested that he send in a syllabus for the course he submitted with his application. The course was entitled, "Finance 230".

**Mr. Koladis, who appeared today, discussed his educational background with the Commission. It was determined that the course in question was a version of the Real Estate Principles and Practices course, which the Appraisal Commission could not approve by direction of the Appraisal Qualifications Board (AQB). However, Mr. Koladis was granted approval for successful completion for the other courses submitted.**

## **PREVIOUSLY SUBMITTED APPLICATIONS**

1. Richard C. Nwadukwe of West Haven, CT
2. James A. Wotherspoon of Old Saybrook, CT

**Commissioner Russell Hunter made a motion to approve Mr. Nwadukwe's and Mr. Wotherspoon's applications. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.**

## **CHRO APPLICATIONS**

- (\*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

None

## **PREVIOUSLY LICENSED**

None

**APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL/GENERAL APPRAISERS  
(Reciprocal/Non-Resident/Out of State License)**

**RECIPROCAL**

1. Richard M. Bartlett of Warwick, RI

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

2. Michael P. Brescia of White Plains, NY

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

3. Douglas C. Feinbert of Bridgehamton, NY

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

4. Mark D. Harvey of Somerset, MA

**Commissioner Nicholas Tetreault made a motion to deny this application due to no submission of the Consent for Service form, the Letter of Good Standing, and the possibility of a complaint. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

5. Michael P. Hedden of Lawrenceville, NJ

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

6. Denise A. Siravo of Wakefield, RI

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

7. Craig R. Wills of Locust Valley, NY

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

8. Lev Yagudayev of Forest Hills, NY

**Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

**APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL OR STATE CERTIFIED GENERAL APPRAISERS**

**CERTIFIED RESIDENTIAL**

1. Michael N. Allard of Enfield, CT

**Commissioner Francis Buckley, Jr., made a motion to deny this application due to the submission of outdated work samples and the log not reflecting a list of his clients. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

2. Samuel C. Carr of Meriden, CT

**Commissioner Nicholas Tetreault made a motion to table this application. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

3. Jonathan G. Davis of Shelton, CT

**Commissioner Nicholas Tetreault made a motion to approve this application subject to Department review of his education. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

4. Wieslaw Mleczek of Stamford, CT

**Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.**

5. Katarzyna Piekut of Cromwell, CT

**Commissioner Francis Buckley, Jr., made a motion to approve this application. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

6. David Yum of Meriden, CT

***Please reference page 4, item 1, for the Commission's ruling concerning Mr. Yum's request for an extension of his Provisional license and his submitted Certified Residential application.***

**CERTIFIED GENERAL**

1. Steven Juda of Ellington, CT

**Commissioner Nicholas Tetreault made a motion to approve Mr. Juda's and Mr. Mulligan's requests. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**



2. Randall P. Mulligan of Wallingford, CT

**Commissioner Nicholas Tetreault made a motion to approve Mr. Juda's and Mr. Mulligan's requests. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.**

### **PROVISIONAL APPLICATIONS**

- (\*) This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.**

**A motion was made by Commissioner Francis Buckley, Jr., that subject to department review, approve all but item 5, which is tabled subject to the staff review of the course name, course content and the grade; and item 9, which should be removed from this listing. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.**

1. Keith R. Anderson – Bristol, CT  
Sponsor: Colin A. Chilson, RCR.858  
Schools: Career WebSchool (90 Hours On-Line)  
USPAP: Career WebSchool
2. Candy L. Basta – Wallingford, CT (Resubmitting Appraisal I & P&P)  
Sponsor: Gary A. Olcha, RCG.468 (Sent wrong certificates)  
Schools:  
USPAP: Appraisal & RE School
3. Anthony R. Bisbano – Danbury, CT  
Sponsor: Frederick V. Miller, RCG.637  
Schools: NFCAR  
USPAP: NFCAR
4. Monique J. Boykin – Bridgeport, CT  
Sponsor: Michael R. Massa, RCR.332  
Schools: Appraisal & RE School (75 Hours On- Line)  
USPAP: Appraisal & RE School
5. Anthony H. Congdon – Southport, CT  
Sponsor: Mark S. Popadic, RCR.1177  
Schools: Appraisal & RE School (75 Hours On-Line)  
USPAP: Appraisal & RE School (No Grades ?)(Name of Course ?)
6. Sebastian J. DiMaiolo – Tolland, CT  
Sponsor: Diane Violetta, RCR.892  
Schools: Manchester CC & NFCAR  
USPAP: Appraisal & RE School
7. Margaret B. Erickson – Simsbury, CT  
Sponsor: Thomas Bowen, RCR.1038  
Schools: Career WebSchool (90 Hours On-Line)  
USPAP: Career WebSchool

8. Stacey Kamienski – Newington, CT  
Sponsor: Andrew Kamienski, RCR.1111  
Schools: UCONN  
USPAP: The Professional Valuation & RE School
9. Joshua S. Koladis – Hartford, CT (Resubmit From Sept.) (Has 87)  
Sponsor: Louis B. Pellegrino, RCG.491(Look for 30 Equiv. FNCE 230)  
Schools: Appraisal & RE School & The Appraisal Institute  
USPAP: Appraisal & RE School
10. Marilyn A. Monckton – North Granby, CT  
Sponsor: James V. Mozzicato, RCr.980  
Schools: UCONN  
USPAP: UCONN
11. Peter B. Morgan – Clinton, CT  
Sponsor: Margaret E. Casey, RCR.110  
Schools: The Prof. Valuation & RE School & The Appraisal Institute  
USPAP: Appraisal & RE School
12. Yuval Nahary – Cheshire, CT  
Sponsor: Lynn Freedman, RCR.1014  
Schools: The New Haven RE School  
USPAP: UCONN
13. David Nash – Stamford, CT ( Licensed in NY, did not submit as-  
Sponsor: Stephen Flaxman, RCR.651 - Reciprocal, Submitted LOGS)  
Schools: Westchester County Board Of Realtors (60 Hours)  
And The Real Estate Education Center (30 Hours)  
USPAP: The Real Estate Education Center
14. Paul N. Scribano – Darien, CT  
Sponsor: Lori Gina Brayton, RCR.069  
Schools: Appraisal & RE School  
USPAP: UCONN
15. Lee M. Sheiman – Fairfield, CT  
Sponsor: Michael R. Massa, RCR.332  
Schools: Appraisal & RE School  
USPAP: Appraisal & RE School

### **CONNECTICUT REAL ESTATE APPRAISER TEST DATES**

PSI Summary Reports from September 1, 2004 to September 30, 2004.

**The Commission reviewed the Real Estate Appraisal examination results for the month of September. No questions or comments were noted with the exception of the concerns noted under New Business.**

### **CE AUDIT REPORT**

None

## **SCHOOL AND COURSE APPLICATIONS FOR OCTOBER 2004**

\*Commissioners, if rejecting or deferring a school or course application, please clearly write your reason(s) for the deferral or rejection at the bottom of the checklist – Thank you!

### **AMERICAN SOCIETY OF FARM MANAGERS AND RURAL APPRAISERS**

#### **(Continuing Education)**

“The Easement Puzzle: Putting it all Together”	<b>Approved</b>	7 Hours
“Yellow Book – Uniform Standards of Federal Land Acquisition”	<b>Approved</b>	8 Hours

### **APPRAISAL INSTITUTE**

#### **(Continuing Education)**

“ <u>Online</u> Eminent Domain & Condemnation Appraising”	<b>Approved</b>	7 Hours
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#### **(Pre-licensing Education)**

“Real Estate Finance, Statistics, and Valuation Modeling”	<b>Approved (w/Exam)</b>	15 Hours
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### **APPRAISAL INSTITUTE – CONNECTICUT CHAPTER**

#### **(Continuing Education)**

“Appraisal of Local Retail Properties”	<b>Approved</b>	7 Hours
“Appraising High Value & Historic Homes”	<b>Approved</b>	7 Hours

### **BUSINESS LEARNING CENTER**

#### **(Continuing Education)**

“American Guild of Appraisers 4 <sup>th</sup> Annual Eastern Regional Conference”	<b>Approved</b>	2 Hours
“7 Hour USPAP Update”	<b>Approved</b>	7 Hours

### **DEARBORN REAL ESTATE EDUCATION (RESELLER/DEVELOPER – NOT A SCHOOL)**

#### **(Continuing Education)**

“The Truth about Mold”	<b>Approved</b>	3 Hours
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### **UNIVERSITY OF CONNECTICUT**

#### **(Continuing Education)**

“2004 CT Commercial Real Estate Conference”	<b>Approved</b>	3 Hours
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**VAN EDUCATION CENTER**

**(Continuing Education)**

“7 Hour National USPAP (Online)”  
“15 Hour National USPAP (Online)”

**Approved** 7 Hours  
**Approved** 15 Hours

**(Pre-licensing Education)**

“Appraisal 101 (Online)”  
“15 Hour National USPAP (Online)”

**Approved** 75 Hours  
**Approved** 15 Hours

**ADJOURNMENT**

**There being no further business, a motion was made by Commissioner Francis Buckley, Jr. to adjourn today’s proceedings. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.**

**The meeting adjourned at 10:35 a.m.**

Respectfully submitted,

Judith R. Booth, Commission Secretary