

**STATE OF CONNECTICUT
CONNECTICUT REAL ESTATE APPRAISAL COMMISSION
Minutes of Meeting
June 8, 2011**

The meeting of was called to order by Gerald Rasmussen, Acting Chairman at 8:30 A.M. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Commission Members Present: Gerald Rasmussen, Acting Chairman (Cert. Gen. App. - 4th District)
Nicholas J. Tetreault (Cert. Gen. App. - 3rd District)
Sean T. Hagearty (Cert. Gen. App. - 2nd District)
Norris Hawkins (Public Member - 1st District)
John Parda (Public Member - 5th District)

Commission Members Absent: Christopher Italia, Chairman (Cert. Gen. App. - 1st District)
Francis Buckley, Jr. (Cert. Gen. App. - 2nd District)
Kathleen Kelly Zabel (Public Member – 5th District)

Commission Vacancies: None

Commission Counsel Present: None

DCP Staff Present: Howard Osden, Board Secretary
Linda Kieft-Robitaille, Real Estate Examiner
Vicky Bullock, Principal Attorney
DCP Interns: James Barbuto
Trevor Condren
Mark Randall
Hide Inga

Public Present: Michael Judenis Mark Crook Jonathan Kloss
David Johnston Nancy Cochrane Jim Kyle
William Cochrane

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 713-7230.

Agency Website: www.ct.gov/dcp

Division E-Mail: occprotrades@ct.gov

1. REVIEW MINUTES OF PREVIOUS MEETING

- a. Review Minutes of Meeting of May 11, 2011.

It was moved by Commissioner Tetreault, Commissioner Parda 2nd, to approve the Minutes as submitted, Acting Chairman Rasmussen abstained, and the motion was approved.

2. LEGAL

- a. Complaint # 2010-42.

Complaint involved one company and two appraisers who had signed a consent agreement which required the payment of civil penalties, a one year suspension and required the respondents to take the 15 USPAP course. Co-respondent "A" had previously requested a reduction in the course requirement from the 15 USPAP course to the 7 hour course, and that request was granted by the Commission. Co-respondent "B" is now requesting the same reduction in course requirement.

After discussion, it was moved by Commissioner Hagearty to grant the respondent's request, Commissioner Tetreault 2nd, and the motion was approved unanimously.

It was moved by Commissioner Hagearty to add a second item to the agenda under 2. Legal, Item b., Commissioner Tetreault 2nd, and the motion was approved unanimously:

- b. Complaint #2010-881 & 2010-880

Respondents were requesting, in an anonymous fashion, a reduction in the civil penalties assessed in a proposed consent agreement, which also contained the requirement to take the 15 hour USPAP course and a course on Cost Approach. Proposed fines were \$500 for the Supervisor and \$350 for the employee.

After discussion, it was the sense of the Commission that the fines proposed by the Department should stand.

3. NEW BUSINESS

- a. Introduction of Interns:

Inspector Kieft-Robitaille introduced the 2011 Real Estate interns to the Commission: James Barbuto and Trevor Condren, both of whom are Real Estate students at UCONN, and she highlighted some of the tasks the two men have efficiently accomplished to-date, such as mailing out the letters to all provisional appraisers regarding "significant appraisal assistance" and it being in the report, and researching information regarding Real Estate Appraisal school regulations in other states, if other states charge fees, etc., and also some work re: Appraisal Management Company information. Acting Chairman Rasmussen suggested, and the Commission agreed, that another task the interns might be assigned would be to look into how states treat persons licensed as provisionals in other states; are they allowed to work with someone in another state, etc. Inspector Kieft-Robitaille allowed that they should

have ample time to do that. Attorney Bullock introduced the Legal Division's 2011 interns to the Commission: Mark Randall, a student at Quinnipiac University School of Law and Hide Inga, a student at Southern University Law Center, who will be working on Appraisal Management Company Regulations, looking at other states which might be good states to emulate, and have started by looking at California and North Carolina, and sought any Commission's suggestions as to other states they feel might be incorporated into our processes. Acting Chairman Rasmussen again suggested that they could check into the new Pennsylvania law concerning provisionals and juniors. The third Legal Division intern, Stephanie Gruber, is due next week.

b. Crook, Mark – looking for guidance on obtaining appraisal license.

Mr. Crook, whose experience is as a commercial lender, seeks an accommodation from the Commission to accept review appraisals as anywhere from 25-75% of his needed 3,000 hours of practical experience. Mr. Crook was advised that his review work could count toward a portion of the required hours, but not more than 50%, and as long as they were AQB compliant, and also that as one option to complete the remaining hours he could perform appraisals at no charge, finding a supervisor that would review reports he writes for his own purposes. He was further advised that the review work could count toward his log, and that his required class work would have to be AQB approved and match the matrix.

It was suggested to Mr. Crook that he should acquire an identified sponsor, get the first 75 hours of approved education (15 hour USPAP, Appraisal Principles, & Appraisal Practices), and apply for the provisional license. While he already has taken the 15 hour USPAP, he was advised he would likely need to take it again prior to license upgrade. This would allow him up to six years to fulfill the remaining required hours of practical experience.

c. Course approvals for CT Mandatory Appraisal Law Course. (discussion concerning Agenda section 6) School and Course Applications, items b.4. and f.4.)

Inspector Kieft-Robitaille advised the Commission that number of issues were found with these two courses, leading to serious concerns that false information would be given to appraisers taking these courses. It was the consensus of the Commission that if the information being taught in the courses offered was not the current information then they should not be taught. **A motion was made by Commissioner Tetreault, Commissioner Hawkins 2nd, to deny the two "CT Mandatory Appraisal Law" course applications and to send a letter to the schools advising them of the basis of the denial so they might correct the problems and then resubmit their applications for approval. The motion was approved unanimously.**

Acting Chairman Rasmussen moved, Commissioner Tetreault 2nd, and the motion carried unanimously, to add an item (item d.) to the agenda under section 3. New Business, said item being a letter of resignation received from Commissioner Zabel.

d. Letter of Resignation

Commissioner Tetrault read into the record the letter of resignation received from Commissioner Zabel. Commissioner Zabel's letter will be forwarded to the Governor's Office for necessary action. The Commission now has one Public Member vacancy.

4. **OLD BUSINESS**

a. William Cochrane (present), et.al. – segmented scenario.

Mr. Cochrane appeared on behalf of his provisional appraiser Christine Milici, a segmented scenario applicant, who had previously appeared before the Commission at the April 2011 meeting, (unable to appear today as she is recuperating from recent knee surgery), and whose situation was again addressed by the Commission at the May 2011 meeting. Mr. Cochrane offered a brief review of Ms. Milici's situation, and presented a letter from Ms. Milici to the Commission and read it into the record. The letter proposed to the Commission that she be allowed to take the test, then bring her education hours up to the new required education hours, but not have to complete an Associates degree as the current requirements mandate. The letter also referenced an "original agreement that was entered into in August of 2007".

Acting Chairman Rasmussen requested to review the minutes of August 2007, to refresh the Commission's recollection of the "agreement" referred to in Ms. Milici's letter. A check of the record revealed that there was no Appraisal Commission meeting in August of 2007, but the minutes of July, September, and October 2007 were reviewed by the Commission. Commissioner Hagearty advised that the September's 2007 minutes stated: *"It was decided by the Commission that there would be a cut- off date of 10/31/2007 for the submission of segmented scenario appraisal applications, based on the fact that the staff would be unable to process any applications taken after this date in order for them to have sufficient time to take the PSI exam before the end of the year."* The October 2007 minutes only mention of the segmented scenario was unrelated to the matters at hand and the July 2007 minutes contained no references to the segmented scenario. While the Commission acknowledges that Ms. Milici may have thought she would be allowed four years, nothing was found in the minutes to indicate that she was told she would have four years to finish the requirements.

A motion was made by Commissioner Tetrault, Commissioner Hagearty 2nd, to table the matter until the July 13th Commission meeting, where Chairman Italia and Commission Buckley, Jr. might be able to provide additional information and input. The motion carried unanimously.

5. **APPLICATIONS FOR APPROVAL**

a. Judenis, Michael (present) – RCR applicant submitting samples for approval.

Mr. Judenis' logs were approved at the May Commission meeting. The Commission had some concern regarding the number of hours that were taken to complete some of the appraisals, and had requested his presence today to present his samples for approval and to discuss this concern. **After discussion, it was moved by Commissioner Hagearty, Commissioner Hawkins 2nd, to approve the samples, and the motion was approved unanimously.**

- b. Johnston, David (present) – RCR applicant submitting samples for approval.

Approval of Mr. Johnston's logs had been tabled at the May Commission meeting, due to concern regarding the number of hours that were taken to complete some of the appraisals, as well as some of the designations. The Commission had requested his presence today to present ten of his selected samples for approval and to discuss these concerns. **After discussion, it was moved by Commissioner Hagearty, Commissioner Tetreault 2nd, to approve the logs, subject to their being re-submitted with correct license designation. The motion was passed unanimously. A second motion was made by Commissioner Hagearty, Commissioner Parada 2nd, to approve the samples, subject to re-submission of the reports with correct license designation. This motion was also approved unanimously.**

- c. Kloss, Jonathan (present) – requesting extension of RSP license.

Mr. Kloss' license is due to expire on July 28, 2011; he needs 45 additional classroom hours, plus must re-take the 15 hour USPAP. **After discussion, it was moved by Commissioner Hagearty, Commissioner Tetreault 2nd, and the motion carried unanimously to grant Mr. Kloss an extension of his RSP license to April 30, 2012.**

6. SCHOOL AND COURSE APPLICATIONS

- a. American Society of Farm Managers and Rural Appraisers

i. Cutting Edge Technologies and Resources 8 hours CE

- b. Appraisal and Real Estate School of Connecticut

i. Appealing Real Estate Taxes 4 hours CE

ii. Basic Appraisal Principles 30 hours PL

iii. Basic Appraisal Procedures 30 hours PL

iv. CT Mandatory Appraisal Law Update DENIED

See discussion under section 3) New Business, Item c.

v. Land Use Controls and Developments 4 hours CE

vi. Top 12 Deficiencies in Residential Appraisals That May Violate USPAP
And Not Meet Client Requirements 3 hours CE

- c. Appraisal Institute

i. Online General Appraiser Report Writing and Case Studies 30 hours PL

ii. Online General Appraiser Report Writing and Case Studies 18 hours CE

iii. Valuation in Challenging Markets 18 hours CE

d.	Career WebSchool a d.b.a. of Cengage Learning	
	i. Income Capitalization Overview (online)	7 hours CE
	ii. Sales Comparison Approach (online)	7 hours CE
	iii. Residential Sales Comparison & Income Approaches (renewal)	18 hours CE
e.	CT Chapter Appraisal Institute	
	i. Capital Markets Update	2 hours CE
f.	Dares Institute, LLC	
	i. Appealing Real Estate Taxes	3 hours CE
	ii. Common Interest Ownership in Connecticut (renewal)	3 hours CE
	iii. Conflict Resolution	3 hours CE
	iv. CT Real Estate Appraisal Law Update	DENIED
	See discussion under section 3) New Business, Item c.	
	v. Managing Risk as a Real Estate Professional	3 hours CE
	vi. Real Estate Financing in a Post Mortgage Meltdown Climate	3 hours CE
	vii. Short Sales Update: What Real Estate Professionals Need to Know	3 hours CE
	viii. The Basics of a 1031 Exchange	3 hours CE
	xi. Understanding Short Sales and its Process	3 hours CE
	x. Understanding Title from Estates (renewal)	3 hours CE
	xi. Unlocking the Value in Raw Land	3 hours CE
	xii. Valuation Issues in Manufactured and Modular Housing	3 hours CE
	xiii. Water, Water, Everywhere	3 hours CE
	xiv. Water, Water, In My Backyard	3 hours CE
	xv. What Kind of House is this Anyway?	3 hours CE
g.	Dynasty School	
	i. Statistics, Modeling and Finance (online)	15 hours PL
	ii. Statistics, Modeling and Finance (online)	14 hours CE
h.	Eastern Connecticut Association of REALTORS®	
	i. Water, Water, Everywhere	3 hours CE
	ii. Water, Water, In My Backyard	3 hours CE
i.	Greater New Milford Board of REALTORS®	
	i. Foreclosures and Short Sales – How to Navigate the Bureaucratic Maze	2 hours CE
j.	McKissock, LP	
	i. Deriving and Supporting Adjustments	7 hours CE
	ii. Understanding the Uniform Appraisal Dataset – Live Webinar (online)	3 hours CE
k.	Middlesex Shoreline Real Estate School	
	i. Most Valuable Properties in the U.S.A.	3 hours CE
l.	New Haven Real Estate School	
	i. Green Building, Green Living (renewal)	3 hours CE
	ii. Know Your Government Loans in a Tight Market (renewal)	3 hours CE
	iii. Most Valuable Properties in the U.S.A.	3 hours CE

m. Real Estate Consortium of CT Community Colleges

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| i. Buying Foreclosed Property | DENIED/Real Estate Oriented, Not Appraisal |
| ii. Most Valuable Properties in the U.S.A. | 3 hours CE |
| iii. Water, Water, Everywhere | 3 hours CE |

n. The Northern Fairfield County Association of REALTORS®

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| i. Most Valuable Properties in the U.S.A. | 3 hours CE |
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It was moved by Commissioner Tetreault, Commissioner Parada 2nd, to approve the courses as marked, and the motion was approved unanimously.

7. COMMENTS/CONCERNS OF ANY PERSON PRESENT

No items were presented.

8. ADJOURN

There being no other business, it was moved by Commissioner Hagearty, Commissioner Hawkins 2nd, and the motion carried unanimously to adjourn the meeting at 10:13 AM.

Respectfully submitted,

Howard Osden
Commission Secretary

The next meeting of this Commission is scheduled for Wednesday, July 13, 2011, 8:30 AM, Room 126