

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE APPRAISAL COMMISSION
Minutes of Meeting
July 14, 2010**

The meeting of July 14, 2010 was called to order by Christopher Italia, Chairman at 8:30 A.M. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Commission Members Present: Christopher Italia, Chairman (Cert. Gen. App. - 1sr District)
Nicholas J. Tetreault (Cert. Gen. App - 3rd District)
Francis Buckley, Jr. (Cert. Gen. App. - 2nd District)
Sean T. Hagearty (Cert. Gen. App. - 2nd District)
Norris Hawkins (Public Member - 1st District)
John Parda (Public Member - 5th District)

Commission Members Absent: Gerald Rasmussen (Cert. Gen. App. - 4th District)

Commission Vacancies: One Public Member

Commission Counsel Present: None

DCP Staff Present: Sallie R. Pinkney, Board Administrator
Linda Kieft-Robitaille, Real Estate Examiner
Vicky Bullock, Principal Attorney
Richard Maloney, Director Trade Practice Division
Michelle Erling, Real Estate Examiner
Kelly Harvey, Real Estate Examiner

Public Present: Neal Fenochietti Denise Graves David Berlin

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 MEETINGS

- a. The Minutes of Meeting of June 9, 2010 were reviewed. **It was moved by Commissioner Buckley, Commissioner Hawkins 2nd, and the vote carried to approve the Minutes as presented by DCP.**

2. LEGAL DIVISION

- a. Consent Agreements
 - i. 2010-298 - respondent was instructed to take the USPAP course. He took the course but failed the exam. **The Commission stated he must take the course again and pass the exam by November 1, 2010**
 - ii. 2010-39 - **DCP will propose that the licensee must voluntary surrender the license for one (1) year; Must complete a 15 hour USPAP course within 60 days of reinstatement of license, and pay a civil penalty in the amount of Two Thousand Dollars (\$2,000.)**
 - iii. 2010-42 - **DCP will propose that the licensee must voluntary surrender the license for one (1) year; Can not do appraisal work in CT; can not supervise any appraisers or review any appraisal reports in CT for one year after the license is reinstated. Must complete a 15 hour USPAP course within 60 days of reinstatement of license, and pay a civil penalty in the amount of Two Thousand Dollars (\$2,000.)**

3. APPLICATIONS

- a. Berlin, David – RCR applicant submitting logs for approval. **It was moved by Commissioner Hagearty, Commissioner Buckley 2nd, and the vote carried to approve his logs.**

4. NEW BUSINESS

- a. Discussion of Appraisal Civil Penalties – information is being gathered to present to the Deputy Commissioner.
- b. Appraisal Sub-Committee

Neal Fenochietti, Appraisal Policy Manager and Denise Graves, Deputy Executive Director of the Appraisal Sub Committee (ASC) were in attendance at the meeting. Neal gave a brief history of the ASC, and presented an oral report of the 2010 Appraisal Audit Review. The outcome is as follows:

- i. Four (4) Areas were not in substantial compliance in 2009 they are: 1) the Application Process; 2) Enforcement Process; 3) Statues & Regulations; 4) National Registry. The Temporary Practice application process was not in compliance, and the reviewer had concern in this area.

- ii. This year the five areas that were not in compliance in 2009 were reviewed, and the reviewer observed the following and made recommendations:
 - a. The Regulations are conflicting with the ASC Criteria, and one statute was inaccurate. The regulations will be changed and will include the ASC recommendation. The one Statute was corrected. This area will remain in substantial compliance but will continue to be an area of concern.
 - b. The Temporary Practice Application process was in compliance, and is no longer an area of concern.
 - c. National Registry previous issues were remedied, and this area is in compliance
 - d. The Application process had several problems last year. The regulations have assisted in taking care of these concerns. The files look good this year, and this area is in compliance. However, the CE Audit numbers are still being reviewed, and will be looked at more closely with Linda Kieft-Robitaille to finalize the numbers and assure that the CE audit is being done according to the ASC guidelines.
 - e. Reciprocity looks good; no issues. The ASC recommends that when a reciprocal application is submitted, the national registry is a better source and should be used along with the letter of Good Standing.
 - f. Continuing Education course applications were in compliance, unlike last year. Thus requiring the committee to look closely this year. However the files looked good, and all documents were in place (IDECC, Course Syllabus & Teach Materials etc), and sufficient information was available for review.
 - g. Enforcement process is in compliance. One issue last year re: Continuing Education civil penalties, i.e.: when a person was sanctioned to pay a fine, the records showed that the complaint was satisfied when it hadn't been. Also if someone was sanctioned to take a 15 hour course, and submitted a certificate for only 7 hours the complaint was closed. The ASC recommends that if a licensee is ordered to provide specifics then DCP should follow through to assure that all sanctions are fulfill. This year the Enforcement records look good.

5. OLD BUSINESS

- a. Continuing Education Audit
 - i. Licensee RCG-889 - Continuing Education case: Respondent seeking waiver of civil penalty due to medical hardship. **It was moved by Commissioner Hagearty, Commissioner Tetreault 2nd, and the vote carried to grant her a waiver due to medical hardship.**

- ii. Licensee RCG-772 - seeking equivalency credit for Real Estate Deal Making Symposium course previously taken. **It was moved Chairman Italia, Commissioner Hagearty 2nd and the vote carried to deny her request; licensee must go to continuing education compliance hearing.**
- b. Public Hearing: Regulations
 - i. Director of Trade Practice Division Richard Maloney reported that the public hearing was held and the regulations will be forwarded to the Regs Review Committee.

6. SCHOOL AND COURSE APPLICATION FOR July 14, 2010

- a. **Allied Business Schools, Inc**
 - i. 2010 – 2011 USPAP Update 7 hrs CE
- b. **American Society of Farm Managers and Rural Appraisers, Inc.**
 - i. Intermediate Approaches to Value for Rural Appraisal 45 hrs PL
 - ii. Cost Approach Applications 8 hrs CE
- c. **Appraisal Institute**
 - i. The Lending World In Crisis 7 hrs CE
 - ii. Appraising Manufacture Housing online 7 hrs CE
 - iii. Commercial Appraisal & Review Seminar 7 hrs CE
 - iv. Alternative Uses & Cost Valuation online 14 hrs CE
 - v. Alternative Uses & Cost Valuation 16 hrs CE
 - vi. Appraisal Curriculum Overview General online 7 hrs CE
- d. **The Connecticut Professional Business School**
 - i. Basic Appraisal Principles 30 hrs PL
 - ii. Basic Appraisal Procedures 30 hrs PL
- e. **Dynasty School**
 - i. Income Approach – An Overview 7 hrs CE
 - ii. Real Estate Finance 18 hrs CE
- f. **Just Valuation, Inc.**
 - i. Appraising REO Properties 7 hrs CE
- g. **McKissock, LP**
 - i. Sales Verification: Principles, Procedures & Case Studies 7 hrs CE
 - ii. Foundations in Sustainability 7 hrs CE
 - iii. Introduction to Legal Descriptions 2 hrs CE
 - iv. Essential Elements 4 hrs CE

h. Massachusetts Board of Real Estate Appraisers

- i. Mortgage Fraud: A Dangerous Business 7 hrs CE
- ii. Appraising 2 – 4 Family & Multi Family Properties 7 hrs CE
- iii. Breakfast with the Experts 3 hrs CE
- iv. Appraising Easement 7 hrs CE

i. Van Education Center

- i. Yield Capitalization 4 hrs CE
- ii. Uniform Residential Appraisal Report 8 hrs CE
- iii. Residential Environmental Hazards Screening 8 hrs CE
- iv. Residential Report Writing & Case Studies 14 hrs CE
- v. Residential Report Writing & Case Studies 15 hrs PL

7. ADJOURN

- a. **It was moved by Commissioner Hagearty, Commissioner Buckley 2nd, and the vote carried to adjourn the meeting at 10:00 a.m.**

Respectfully submitted,

Sallie Pinkney
Board Administrator

The next meeting of this Commission is scheduled for Wednesday, September 8, 2010 in Room 126