

NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE
NOVEMBER 4, 2015 MINUTES

**NEVADA DEPARTMENT OF EMPLOYMENT,
TRAINING & REHABILITATION
2800 E. ST. LOUIS AVE.
CONFERENCE ROOM A-C
LAS VEGAS, NEVADA 89104**

**VIDEO CONFERENCED TO:
NEVADA DEPARTMENT OF EMPLOYMENT
TRAINING & REHABILITATION
500 EAST THIRD STREET
CARSON CITY, NEVADA 89713**

NOVEMBER 4, 2015

9:00 A.M.

1-A) Swearing in of Commissioner

David Stefan was sworn in as commissioner by President Anderson.

1-B) Introduction of Commissioners in attendance

In Las Vegas: Debbie Huber; Glenn Anderson; Rose Marie Reynolds as Commission Counsel.

In Carson City: David Stefan; Cynthia Hoonhout; Daniel Walsh.

1-C) Introduction of Division Staff in attendance

In Las Vegas: Joseph Decker, Administrator; Teralyn Thompson, Administration Section Manager; Claudia Rosolen, Commission Coordinator.

In Carson City: Michael Jory, Deputy Administrator; Brenda Kindred-Kipling, Appraisal Section Manager; Jesse Crews, Appraiser Investigator.

2) Public Comment

None

3) Regulation workshop for LCB FILE No. R073-15

Workshop began at 9:05 a.m. on November 4, 2015.

Introduction of Commissioners in attendance:

In Las Vegas: Debbie Huber; Glenn Anderson; Rose Marie Reynolds as Commission Counsel.

In Carson City: David Stefan; Cynthia Hoonhout; Daniel Walsh.

Introduction of Division Staff in attendance:

In Las Vegas: Joseph Decker, Administrator; Teralyn Thompson, Administration Section Manager; Claudia Rosolen, Commission Coordinator.

In Carson City: Michael Jory, Deputy Administrator; Brenda Kindred-Kipling, Appraisal Section Manager; Jesse Crews, Appraiser Investigator.

Public Comment

In Carson City: No public comments.

In Las Vegas: No public comments.

Joseph Decker stated that the intent of the regulation is to allow developers of courses to receive continuing education credits.

Section 2

Joseph Decker stated that the continuing education credits are for the hours of the course developed not for the time that will take to develop the course.

Workshop ended at 9:15 a.m. on November 4, 2015.

4-E) For possible action: Discussion and decision regarding proposed changes, additions and deletions to NAC 645C including but not limited to LCB File No. R073-15, including review of public comments from regulation workshop held November 4, 2015

Commissioner Walsh moved to accept the changes to the proposed regulation. Commissioner Huber seconded.

Motion carried unanimously.

4-A) Disciplinary Report

Teralyn Thompson presented this report. Ms. Thompson stated that the highlighted parts are the changes since the last Commission meeting.

Commissioner Walsh asked about Mr. Gillespie's case.

Ms. Thompson stated that Mr. Gillespie has paid in full, completed the education, and will not be on the next disciplinary report.

President Anderson asked if most of the respondents are fulfilling their obligations on time.

Ms. Thompson stated that respondents want to keep their licenses and want to work so they are fulfilling their obligations within the times prescribed.

4-B) Discussion regarding Appraisal Officer's report on compliance case load for Fiscal Year 15-16, year-to-date

Brenda Kindred-Kipling introduced the new appraiser investigator, Jesse Crews, to the Commission.

Brenda Kindred-Kipling presented this report. Ms. Kindred-Kipling stated that she has thirty-eight open cases. Ms. Kindred-Kipling stated that she has three pending Advisory Review Committee (ARC) cases and thirty-five are in the process. Ms. Kindred-Kipling stated that there are three cases that are between 13 to 24 months old.

President Anderson asked if a lot of these cases are moving through ARC.

Ms. Kindred-Kipling answered yes.

Commissioner Huber stated that she is delighted that the Division finally has a new investigator.

Jesse Crews gave a brief introduction about his background and credentials.

4-D) Administrator's report

Joseph Decker presented this report. Mr. Decker stated that the Division's proposal to go self-funded did not pass. Mr. Decker stated that the Division remains a general fund agency. Mr. Decker stated that the work volume is going to increase as the economy is getting better in Nevada and the Division has no plans for handling an increase in volume, complexity, and urgency of cases without an increase in staff and resources. Mr. Decker stated that the Division has been approached by the real estate association who realize that helping the Division means helping the real estate industry. Mr. Decker stated that the real estate association is looking into possible solutions for the next Legislative session.

Mr. Decker stated that the Division is in the process of filling two positions that are staff turnover.

President Anderson asked if the number of licensees and interns is picking up.

Mr. Decker stated that the number of licensees went up in the past year from twenty-six thousand to almost thirty thousand.

Ms. Kindred-Kipling stated that for the past few years, the Division has had few registered interns. Ms. Kindred-Kipling stated that in the last seven month she has reviewed and approved fifteen to twenty intern applications.

Mr. Decker stated that the Division has a new northern office and it is located at 1818 East College Parkway, Suite 110, Carson City, Nevada. Mr. Decker stated that in the south there is major construction going on at the Bradley Building limiting access and entry to the parking lot and the building.

4-C) Discussion of Customary and Reasonable Fees in regard to the Dodd-Frank Act

Ms. Kindred-Kipling stated that Louisiana, Texas and Kentucky have conducted an appraisal fees study. Ms. Kindred-Kipling stated that Louisiana employed Southeastern Louisiana University to conduct the study. Ms. Kindred-Kipling stated that the study concluded that the typical appraisal fees paid in 2014 for six different types of residential, urban, suburban, and rural appraisals were all over the board. Ms. Kindred-Kipling stated that after the study all the fees increased. Ms. Kindred-Kipling stated that other states are looking into ways to have the study done and that this type of study has high costs. Ms. Kindred-Kipling stated that the Division has no funds to cover the study in Nevada. Ms. Kindred-Kipling stated that the Division is currently looking into ways to have the study done in order to be in compliance with the Dodd-Frank Act when the regulation will go in effect.

Commissioner Walsh stated that he would encourage the Division to contact the Lied Institute for Real Estate Studies at University of Nevada, Las Vegas (UNLV) in order to have the study done in Nevada, perhaps using the Southeastern Louisiana University study format. Commissioner Walsh stated that the study is useful as it does encourage fair fees for the sector.

Commissioner Huber stated that she has been approached by several appraisers that are willing to donate funds toward the ability to have the study done. Commissioner Huber asked if accepting private donations to conduct the study would have any ethical ramification for the Division.

Ms. Kindred-Kipling stated that the State needs to be a completely independent third party.

Mr. Decker stated that in order to collect additional funds from licensees, even if it was voluntarily, would require the Governor's Office and legislative approval. Mr. Decker stated that it would have to go on the budgeting cycle for the next biennial for approval. Mr. Decker stated that the Lied Institute is better suited than the Division to handle the study. Mr. Decker stated that he is going to contact them.

Commissioner Hoonhout asked Administrator Decker to provide updates on the Lied Institute's response at the next Commission meeting.

4-F) For possible action: Discussion and possible action to review the 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice published by The Appraisal Foundation, authorized by Congress as the source of appraisal standards, for its suitability in this State, pursuant to NAC 645C.400

Ms. Kindred-Kipling stated that when there is a revision to the Uniform Standards of Professional Appraisal Practice (USPAP), which occur every two years, the Commission is required to determine if those revisions are suitable or not for the State of Nevada.

Commissioner Walsh, Commissioner Huber, Commissioner Hoonhout and Commissioner Stefan stated that they reviewed the changes online.

Mr. Decker stated that in the future the Division should list those changes so that they can be identified for the record.

Commissioner Walsh moved to deem the Uniform Standards of Professional Appraisal Practice 2016-2017 suitable for the State of Nevada. Commissioner Hoonhout seconded.

Motion carried unanimously.

4-G) For possible action: Discussion and possible action to approve the minutes of August 11, 2015 meeting

Commissioner Stefan abstained from voting because he did not attend the meeting.

Commissioner Huber moved to approve the minutes of August 11, 2015 meeting. Commissioner Walsh seconded.

Motion carried with Commissioner Stefan abstaining.

4-H) For possible action: Discussion and possible action on date, time, place and agenda items for upcoming meeting(s); including setting meeting dates for 2016

Teralyn Thompson presented the dates for the 2016 Commission meetings.

- February 9-11, 2016 location South
- May 17-19, 2016 location North
- October 11-13, 2016 location South

4-J) Commissioner Comment

None.

5) Education

CONSENT AGENDA

5-1) Appraisal Institute, Northern CA Chapter

a. 2015 Annual Fall Conference, 6 hours

5-2) Cannon Institute

a. The Expert as an Expert Witness, 7 hours

5-3) Dynasty Schools

a. General Appraiser Report Writing and Case Studies, 15 hours

b. Foreclosure Basics for Appraisers, 7 hours

c. FHA and VA Today, 7 hours

d. Covering All the Basics in Residential Reporting, 7 hours

5-4) Lied Institute for Real Estate Studies - UNLV

a. Forecast 2016 – Southern Nevada’s Commercial Markets: Finding a Way Back, 3 hours

5-5) McKissock

a. Exploring Appraiser Liability, 7 hours

b. Appraisers: How to Recognize and Avoid Mortgage Fraud, 7 hours

c. Advanced Hotel Appraising – Full Service Hotels, 7 hours

d. The New FHA Handbook 4000.1 – Live Webinar

5-6) Jolene Dance – Independent Course Approval

a. E&O Case Studies, AZ Appraiser State Conference, 7 hours

b. Commercial Appraisal Engagement & Review, AI, 7 hours

c. Subdivision Valuation, AI, 7 hours

d. Supervising Appraisers, AZ Appraiser State Conference 4 hours

Brenda Kindred-Kipling stated that the Division is recommending approval.

Commissioner Huber moved to approve the education consent agenda. Commissioner Hoonhout seconded.

Motion carried unanimously.

5-7) American Society of Farm Managers & Rural Appraisers – CA Chapter (ASFMRA)

a. Technology Applications in Appraisal – Google Earth, 8 hours

Brenda Kindred-Kipling stated that she has concerns about this course. Ms. Kindred-Kipling stated that the timeline of the course does not show how Google Earth would make a better appraisal tool.

President Anderson stated that in his prospective the only relevant thing in the course is the information concerning FEMA maps.

Commissioner Walsh stated that Google Earth is a good tool from the residential standpoint but does not see the purpose of having an eight hour course for it.

Commissioner Stefan stated that his firm of commercial appraisers uses several software programs for aerial and soil conditions. Commissioner Stefan stated that he does not see how this course is specific for the industry.

Commissioner Walsh stated that Google Earth photos are not high resolution and does not think this class is necessary. Commissioner Walsh stated that most counties have a geographical information system (GIS) that is a better tool to use.

President Anderson stated that most municipalities have some form of GIS technology.

Commissioner Huber asked if this class was approved in any other state.

Brenda Kindred-Kipling stated that the instructors of the course did not indicate that the course was approved anywhere else when the application was submitted.

Commissioner Huber moved to deny approval for agenda item 5-7-a. Commissioner Walsh seconded.

Motion carried unanimously.

5-7) American Society of Farm Managers & Rural Appraisers – CA Chapter (ASFMRA)
b. In-Depth Unmanned Aerial Systems Workshop, 7 hours

Brenda Kindred-Kipling stated that this is the course that the Commission agreed to table at the last Commission meeting in order to receive more information.

President Anderson stated that some of the items that the instructor brought up are legitimate appraisal functions.

Commissioner Walsh stated that he spoke with a couple of farmers who stated that the use of drones in rural areas has benefits like providing accessibility to otherwise inaccessible areas.

Commissioner Huber stated that drones are a helpful tool with regards to litigation work.

Commissioner Walsh moved to approve the course. Commissioner Huber seconded.

Motion carried unanimously.

5-8) Dynasty Schools
a. Advanced Residential Applications and Case Studies, 15 hours

Brenda Kindred-Kipling stated that she is withdrawing this course from the agenda.

5-8) Dynasty Schools
b. Supervisor Trainee Course, 4 hours

Brenda Kindred-Kipling stated that the Division is recommending approval.

Commissioner Hoonhout moved to approve the course. Commissioner Huber seconded.

Motion carried unanimously.

5-9) Appraisal Institute

a. Advanced Concepts & Case Studies-Synchronous PL, 40 hours

b. Advanced Concepts & Case Studies-Synchronous CE, 37 hours

Brenda Kindred-Kipling stated that the Division is recommending approval.

Commissioner Walsh moved to approve these courses. Commissioner Hoonhout seconded.

Motion carried unanimously.

6) Public Comment

None.

7) Adjournment

The meeting adjourned at 10:10 a.m. on November 4, 2015.

Respectfully Yours,

Claudia Rosolen
Commission Coordinator