

**NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE
MEETING
OCTOBER 1, 2019 MINUTES**

NEVADA STATE BUSINESS CENTER
3300 WEST SAHARA AVENUE
NEVADA ROOM, SUITE 400
LAS VEGAS, NV 89102

VIDEO CONFERENCE:
NEVADA DEPARTMENT OF BUSINESS & INDUSTRY
DIRECTOR'S OFFICE
1830 E. COLLEGE PARKWAY, SUITE 100
CARSON CITY, NV 89706

OCTOBER 1, 2019

9:00 A.M.

1-A) Swearing in of newly appointed Commissioner.

President Lauger swore in Commissioner Gandy.

1-B) Introduction of Commissioners in attendance.

In Las Vegas: Christopher Lauger and Michael Gandy. Asheesh Bhalla was sitting as Commission Counsel.

In Carson City: Kenneth Cronin and David Stefan.

1-C) Introduction of Division staff in attendance.

In Las Vegas: Sharath Chandra, Administrator and Teralyn Lewis, Administration Section Manager.

In Carson City: Perry Faigin, Deputy Administrator; Jaye Lindsay, Appraisal Program Manager and Daniel Walsh, Compliance Investigator; Peter Keegan was present representing the Division.

2) Public Comment

None.

3-A) Discussion and possible action regarding Advisory Review Committee informal conference recommendation:

NRED v. Brent Jones, for possible action

Case No. 2018-27 AP18.009.S

License No. A.0001382-RES (Active)

Jaye Lindsay was present.

Brent Jones was not present.

Ms. Lindsay read the committee report into the record.

Commissioner Cronin moved to accept the recommendations of the committee. Seconded by Commissioner Stefan. Motion carried.

3-B) Discussion and possible action regarding Advisory Review Committee informal conference recommendation:

NRED v. Theresa Sharp, for possible action

Case No. 2017-1952 AP18.002.S

License No. A.0205448-CR (Active)

Jaye Lindsay was present.

Theresa Sharp was not present.

Ms. Lindsay read the committee report into the record.

Commissioner Gandy moved to accept the recommendations of the committee. Seconded by Commissioner Cronin. Motion carried.

4-A) Discussion and possible action regarding respondent's petition for reconsideration:

NRED v. Cherylann Bryant, for possible action

Case No. AP15.049.S, 2015-1775

License No. A.0006810-CG (Suspended)

Cherylann Bryant was present.

Peter Keegan was present.

Ms. Bryant stated that when she agreed to the stipulation with Mr. Keegan, she told Mr. Keegan that the fine was a large amount of money to pay in a short amount of time. Ms. Bryant stated that Mr. Keegan told her that she could request an extension. Ms. Bryant stated that after she requested the extension, her license was suspended. Ms. Bryant stated that she requested an extension to pay the fine and take the Highest and Best Use course. Ms. Bryant stated that a course for 7 hours of Work File Completion does not exist and that there is only a course for a 5-hour course.

Mr. Keegan stated the Commission was provided with a letter from Ms. Bryant dated June 4, 2019 and a copy of the Commission's order accepting the stipulation for settlement of disciplinary action filed on June 6, 2018. Mr. Keegan stated that this matter came before the Commission on a stipulated settlement in 2018 which was entered into between the Division and Ms. Bryant. Mr. Keegan stated that the fact that Ms. Bryant did not make a payment within the one-year period ordered by the Commission resulted in her license being suspended pursuant to NRS 645C.647 which allows the Division to suspend a license for failure to pay monies owed. Mr. Keegan stated that pursuant to the settlement there was monies owed in the amount of \$3,638.46. Mr. Keegan stated that the letter submitted to the Division by Ms. Bryant was submitted approximately two days before the payment was due. Mr. Keegan stated that Ms. Bryant was given one year to pay the fine and there was no effort made to pay. Mr. Keegan stated that Ms. Bryant was ordered to take three different courses seven hours each in Highest Best Use, Work Files and Report Writing for a total of 21 hours. Mr. Keegan stated that Ms. Bryant's June 4, 2019 letter reflects that only one of the three courses had been completed. Mr. Keegan stated that the Division's position is that there is little evidence of any effort, besides one class completed, on Ms. Bryant's behalf to comply with the stipulation settlement agreement.

President Lauger asked Ms. Bryant if she has made a payment on her fine.

Ms. Bryant stated that she had about one-third of the money saved to make a payment. Ms. Bryant stated that when her license was suspended, the money had to be used for living expenses. Ms. Bryant stated that she was saving money to pay the fine in full.

Jaye Lindsay stated that there is only a 5-hour course regarding Work Files. Ms. Lindsay stated that she spoke to Ms. Bryant and explained that because there is only a 5-hour course, Ms. Bryant could take the 5-hour course because there was no other option. Ms. Lindsay stated that there was no discussion regarding the fine.

Mr. Keegan stated that Ms. Bryant's June 4, 2019 letter states that Ms. Bryant registered for the 5-hour webinar and the course was to be held on June 5, 2019. Mr. Keegan stated that if that course was completed and there was evidence of completion that might be beneficial.

Ms. Bryant stated that she did not take the course because of internet issues.

Ms. Bryant stated that she is requesting an extension of time to take the remaining courses, an extension to pay the fine and to have her license reinstated.

Commissioner Gandy asked Ms. Bryant how long it would take for her to pay the fine.

Ms. Bryant stated that she could not answer that question.

Commissioner Stefan stated that during the year, the effort was not sufficient enough for him to reconsider the Commission's order.

Mr. Keegan asked Ms. Bryant if she has any other source of income other than being an appraiser.

Ms. Bryant answered yes.

Mr. Keegan asked Ms. Bryant how long it would take to complete the courses.

Ms. Bryant stated that she does not have the money to take the courses at this time but would take them as quickly as possible if her license was reinstated.

Commissioner Cronin stated that he is having a problem with the extra effort made to take on extra assignments to make the money to pay the fine or to take the courses.

President Lauger moved to deny Ms. Bryant's request for a reconsideration. Seconded by Commissioner Cronin. Motion carried.

5-A) Disciplinary action: Discussion and possible action by the Commission

NRED v. Richard Romano, for possible action

Case No. 2017-2566 & AP18.007.S

License No. A.0004351-CR (Active)

Richard Romano was present.

Peter Keegan was present representing the Division.

Mr. Keegan stated that there has been a stipulation for settlement of disciplinary action.

The Commission was provided with a copy of the stipulation to review.

Mr. Keegan read the factual allegations, violations of law and terms of the settlement into the record.

Mr. Romano stated that he understands and agrees to the settlement agreement.

Commissioner Cronin moved to accept the terms of the settlement. Seconded by Commissioner Stefan. Motion carried.

6-A) Discussion regarding the discipline report.

Teralyn Lewis presented this report. The Commission was provided with the report in the meeting packet.

6-B) Discussion regarding the Administrator's report on personnel and Division updates.

Sharath Chandra presented this report. Mr. Chandra thanked the Commission for the regulation workshop in August 2019. Mr. Chandra stated that the comments were received, and the agency draft has been sent to the Legislative Council Bureau to review and get a draft that can be used for an adoption hearing.

Mr. Chandra stated that the Governor's Office is aware of the vacancies on the Commission.

6-C) Discussion regarding Appraisal Officer's report on compliance case load.

Jaye Lindsay presented this report. The Commission was provided with the report in the meeting packet.

6-D) For possible action: Discussion, nomination and election of officers for FY 20 pursuant to NAC 645C.200.

President Lauger stated that he has accepted a job in Utah. President Lauger stated that he will not resign from the Commission, but the other commissioners need to take up the election of officer.

President Lauger moved to nominate Commissioner Cronin to be president for fiscal year 2020. Seconded by Commissioner Gandy. Motion carried.

President Lauger moved to nominate Commissioner Gandy to be vice-president for fiscal year 2020. Seconded by Commissioner Cronin. Motion carried.

President Lauger moved to nominate Commissioner Stefan to be secretary for fiscal year 2020. Seconded by Commissioner Gandy. Motion carried.

6-E) Discussion and possible action to approve the minutes of the May 21, 2019 meeting.

Commissioner Stefan moved to approve the minutes as presented. Seconded by President Lauger. Motion carried.

7) For possible action: Discussion and decision on date, time, place and agenda items for upcoming meeting(s) including setting the meeting calendar for 2020.

The Commission agreed to the following meeting dates for 2020:

- February 4-6, 2020
- May 5-7, 2020
- September 15-17, 2020

8) Public Comment

No comments

9) Adjournment

The meeting adjourned at 10:20 a.m. on October 1, 2019.