

NORTH CAROLINA APPRAISAL BOARD

Minutes

**Raleigh
December 16, 2008**

Board Members Present

Henry E. Faircloth, Chairman
John D. Lyon, Jr., Vice-Chairman
J. David Brooks
Sidney P. Jessup
Donald S. Johnson
J. Vance Thompson
Lauriette W. West-Hoff
Earl M. Worsley, Jr.
Larry N. Wright

Staff Present

Philip W. Humphries, Executive Director
Roberta A. Ouellette, Legal Counsel
Donald T. Rodgers, Deputy Director
Thomas W. Lewis, III, Chief Investigator
Jeffrey H. Davison, Investigator
Terri S. Haywood, Investigator
Mindy M. Sealy, Administrative Assistant

CALL TO ORDER

Chairman Faircloth called the meeting to order at 9:00 a.m.

Chairman Faircloth read the Conflict of Interest reminder. No Board Member indicated any conflicts of interest.

APPROVAL OF AGENDA

Mr. Brooks moved, second by Mr. Wright that the Board approve the agenda with the Chairman being able to take items in any order. Motion carried.

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Mr. Wright moved, second by Mr. Thompson to approve the November Minutes (**Exhibit 1**) as presented. Motion carried.

HEARINGS

2007-0119 Ashley R. Miller

Following a hearing, the Board suspended Mr. Miller's residential license for a period of 18 months. If he completes the 15 hour national USPAP course with exam and a class in the cost approach, only the first four months of the suspension will be active.

OPEN FORUM (Exhibit 2)

There were no requests to speak at the Open Forum.

FINANCE

The Board reviewed the **financial report (Exhibit 3)** for the period ending November 30, 2008.

LEGAL

Consent Orders

2007-0127 Howard L. Hullett, Sr.

Mr. Brooks moved, second by Mr. Wright that the Board suspend Mr. Hullett's residential certification for a period of twelve months. If Mr. Hullett completes a course in appraising vacant land and a course in appraiser liability, the suspension will be inactive. Motion carried.

2007-0167 Lincoln W. Young

Mr. Brooks moved, second by Mr. Worsley that the Board suspend Mr. Young's residential certification for a period of two months. Mr. Young also must complete a course in sales comparison and a course in appraising the oddball. If he does not complete the courses, an additional four month suspension will be imposed. Motion carried.

2008-0047 Laurie L. Jarrett

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Mr. Lyon moved, second by Ms. Jessup that the Board suspend Ms. Jarrett's residential certification for a period of twelve months. The first two months of the suspension are active and the remainder is stayed. If Ms. Jarrett completes a course in the appraiser liability and a course in the sales comparison approach, the remainder of the suspension will be inactive. Motion carried.

Probable Cause (Exhibit 4)

Ms. West-Hoff moved, second by Mr. Wright that the Board accept staff recommendation on the probable cause summaries. Motion carried.

2007-0165 Move this case to a hearing.

2008-0012 Move this case to a hearing.

2008-0019 Dismiss this case.

2008-0034

2008-0035 Dismiss these cases with a warning to measure a townhouse in an appropriate manner, conditioned upon the completion of a course in measuring or residential design.

2008-0046 Move this case to a hearing.

2008-0052

2008-0053 Dismiss these cases with a warning to carefully proofread reports before they are transmitted to the client, conditioned upon completion of a course in sales comparison.

2008-0055 Dismiss this case with a warning to proofread reports carefully before sending them to his clients, and to accept assignments only when he is competent to do them, conditioned upon completing a course in residential design and functional utility and a course in the sales comparison approach.

2008-0066 Dismiss this case with a warning not to allow unlicensed persons to give information to clients that would be construed as an appraised value.

2008-0067

2008-0068 Move these cases to a hearing.

2008-0073 Move this case to a hearing.

2008-0111 Move this case to a hearing.

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2008-0117 Dismiss this case with a strong warning to keep accurate records of receipts and to respond promptly to any questions raised by clients regarding fees.

The Board reviewed the **Pending Cases Report (Exhibit 5)** and the **Disciplinary Actions Year-to-Date (Exhibit 6)**.

LICENSING AND EDUCATION

The Board reviewed the list of candidates who have been recently registered or certified (**Exhibit 7**).

OTHER ITEMS

The Board reviewed the **Examination Reports for October 2008 and November 2008 (Exhibit 8)**.

The Board reviewed the **Course and Instructor Evaluation Summaries (Exhibit 9)**.

Mr. Brooks moved, second by Mr. Wright that the Board approve the **2009 Calendar** as presented. (**Exhibit 10**). Motion carried.

Ms. West-Hoff moved, second by Ms. Jessup that the Board proceed with the revisions to the **proposed draft of the AMC's legislation (Exhibit 11)** as discussed. Motion carried.

Mr. Thompson moved, second by Mr. Wright that the Board amend the **Appraisers Act (Exhibit 12)** as discussed. Motion carried.

Committee Reports

The Finance Committee did not meet.

The Property Committee did not meet.

Staff Report

The supervisor course was given in November. The next supervisor course will be offered January 23, 2008 in Raleigh.

Mr. Lewis traveled to Utah to present the AARO investigator course to three states.

Mr. Rodgers, Ms. Sealy, and Ms. Kelty attended a session on records retention. Staff will

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make any necessary changes to our existing policy.

The Board's offices will be closed December 24, 25, and 26 for Christmas, in accordance with the days that State offices are closed.

Mr. Worsley moved, second by Mr. Lyon that the Board go into closed session. Motion carried.

Mr. Thompson moved, second by Mr. Lyon that the Board go into open session. Motion carried.

There being no further business to come before the Board, Mr. Brooks moved, second by Mr. Lyon that the meeting be adjourned. Motion carried.

Philip W. Humphries, Executive Director

This, the _____ day of February, 2008.

Henry E. Faircloth, Chairman