

**FINAL BOARD MEETING AGENDAS ARE POSTED TO THE WEBSITE
24 HOURS IN ADVANCE OF BOARD MEETINGS**

**AGENDA
REGULAR BOARD MEETING
THURSDAY, SEPTEMBER 17, 2009, AT 10:00 A.M.**

The Board may go into Executive Session for the purposes of obtaining legal advice from the Board's attorney on any matters listed below pursuant to A.R.S. § 38-431.03(A)(3). In addition, with regard to items 5F, the Board may go into Executive Session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Board's attorneys regarding pending litigation and to consider its position and instruct its attorneys regarding same. In addition, with regard to item 6C(3), the Board may go into Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for discussion of personnel matters.

1. CALL TO ORDER AND APPROVAL OF MINUTES:

- A. Call to Order and Roll Call
- B. Pledge of Allegiance to the Flag of the United States of America
- C. Approval of Minutes dated:

August 20, 2009—Regular Board Meeting

2. PUBLIC ANNOUNCEMENTS AND CALL TO THE PUBLIC:

The Board may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. The Board may respond to criticism, may ask staff to review a matter, and/or may ask that a matter be put on future agenda. The Board may not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. See A.R.S. § 38.431.01(G). **Anyone wishing to address the Board during the open call to the public is required to complete the form provided with the agenda at the time of the meeting. Members of the public may, at the Board's discretion, be allowed to address agenda items. The Board may limit persons speaking during this time to a reasonable number on any public comment matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so.**

3. COMPLAINT REVIEW

A. INFORMAL HEARINGS:

(10:45 a.m.)
2847 Jay K. Wolfson Licensed Residential Appraiser #10624

(11:15 a.m.)
2856 Thomas A. Raynak Certified General Appraiser #30413

4. (11:30 A.M.) RECOGNITION OF FORMER BOARD MEMBER, GABRIEL B. CORRAL.

5. COMPLAINT REVIEW

A. INFORMAL HEARINGS:

(1:00 p.m.)

2648 Julie D. Friess

Certified Residential Appraiser #20957 (Continued from 7/09)
(See 5H below)

B. FORMAL HEARING:

(1:30 p.m.)

2833 Dawna G. Khourdepaz

Licensed Residential Appraiser #11124

C. ISSUES DEALING WITH FORMAL HEARING:

(1:30 p.m.)

2439/ William A. Buehl

2520/

2523

Certified Residential Appraiser #20570

Discussion and possible action concerning approval of Consent Agreement and Order for Voluntary Surrender; and possible rescission of formal hearing before the Office of Administrative Hearings (OAH) (See 5H below)

(1:30 p.m.)

2542/ Rodney L. Martensen

2543/

2544/

2632/

2750

Licensed Residential Appraiser #10079

Discussion and possible action concerning Respondent's proposed settlement offer; discussion and possible rescission of referral to formal hearing before the Office of Administrative Hearings (OAH) (See 5G/5H below)

D. INVESTIGATIVE FILE REVIEW:

2755 Shari L. Brownlee

Discussion and possible action following receipt of investigative report

2758 Ronald W. Prychondnik

Discussion and possible action following receipt of investigative report

2759 Andrew E. Ament

Discussion and possible action following receipt of investigative report

2768 Wade A. Lavigne

Discussion and possible action following receipt of investigative report

2769 Jeremy M. Reising

Discussion and possible action following receipt of investigative report

2779/ Robert C. Oglesby

2780 Mark A. D'Hondt

Discussion and possible action following receipt of investigative report

- | | | |
|---------------|-------------------|---|
| 2786 | Christopher Chase | Discussion and possible action following receipt of investigative report |
| 2788 | Lisa L. Romero | Discussion and possible action following receipt of investigative report |
| 2793 | Edward J. Stanton | Discussion and possible action following receipt of investigative report |
| 2800 | Vicky J. Love | Discussion and possible action following receipt of investigative report |
| 2806/
2807 | Eric S. Gow | Discussion and possible action following receipt of investigative reports |

E. COMPLIANCE FILE REVIEW:

- | | | |
|---------------|---------------------------------------|---|
| 2554 | Angus Hopkins III | Discussion and possible action following notification of Respondent's passing |
| 2667 | Chad R. Talbert | Discussion and possible action following the expiration of respondent's 90-day license renewal grace period (See 5H below) |
| 2669/
2679 | Jason M. Maze | Discussion and possible action following Board audit of appraisals and respondent's request to terminate mentorship and probation under the 2/9/09 Consent Agreement and Order |
| 2735 | Calista J. Fiedler | Discussion and possible action concerning approval of mentor pursuant to 7/22/09 Consent Agreement and Order |
| 2777 | Edward A. Measel | Discussion and possible action concerning approval of mentor pursuant to 7/31/09 Consent Agreement and Order |
| 2813 | Timothy R. Fortunato | Discussion and possible action concerning approval of due diligence consent letter signed late by respondent on 8/2/09 |
| 2836/
2837 | Jay A. Josephs
Anthony A. Cardinal | Discussion and possible action concerning respondents' failure to sign proposed nondisciplinary letters of remedial action; and concerning respondents' requests for informal hearing |
| 2839 | Ronald E. Cole | Discussion and possible action concerning respondent's failure to sign proposed Consent Agreement and Order; and concerning respondent's proposed counteroffer |

F. SUPERIOR/APPELLATE COURT FILE REVIEW: Review and possible action on Complaints pending appeal in Superior Court and Court of Appeals:

- | | |
|--|---|
| 03F-1782-BOA/
04F-1784-BOA
(CV-06-4140)
Felicia M. Coplan | Legal advice and status report from Assistant Attorney General (See 5H below) |
|--|---|

2797/2798/2799
(LC2009-000574-001DT)
Jan A. Sell
Michael S. Miller

Legal advice and status report from Assistant Attorney General

G. INITIAL (FIRST) FILE REVIEW: First review and possible action following receipt of reply from Respondent's expiration of Respondent's reply date, or extension of Respondent's reply date:

- 2852 Pamela M. Harris
- 2854/ Tune P. Redmond
- 2910
- 2860/ Greg J. Ignaszewski
- 2861
- 2879 Sylvester G. Whitman
- 2880 Theodore J. Brennan
- 2883 Paul J. Dickinson
- 2884 Brian A. Friedman
- 2885 Michael P. Thompson
- 2886 Jason R. Axtell
- 2891 Casey M. O'Brien
- 2893 Bruce A. Lopez
- 2894 Rodney L. Martensen (See 5C above/5H below)
- 2896 Jorge Aguilar
- 2898 Fred J. Donaldson
- 2899 Jason A. Lusk
- 2901 Ken J. Rhoads
- 2902 Ardeth L. Fair
- 2903 Patrick J. Sichmeller
- 2904 Christianne M. Simmons
- 2905 Matthew D. Wright
- 2906 Kyle D. Lindsey
- 2908 Kenneth J. Lemoine
- 2909 Michael Jeklinski
- 2915 Chad D. Behn
- 2921 Richard P. Fasano
- 2922 Gary D. Ferguson
- 2925 Ryan P. Graffius

H. 12-MONTH FILE REVIEW: Review and possible action on Complaints pending longer than 12 months from receipt of reply:

		<u>Reply Date</u>	<u>Status</u>
2439/	William A. Buehl	9/21/07	Pending formal hearing (See 5C above)
2520/		1/28/08	
2523		1/28/08	
2492	Felicia M. Coplan	11/21/07	(See 5F above)
2542/	Rodney L. Martensen	No reply	Pending formal hearing (See 5C/5G above)
2543/			
2544/			
2632			

2565/ 2630/ 2631	Paul R. Fortier	3/14/08	Certificate expired 8/31/09
2586	Mark L. Andrews	4/18/09	Pending formal hearing
2613/ 2629	Marc J. Seigleman	6/3/08 6/12/08	Certificate expired 6/30/09
2648	Julie D. Friess	7/3/08	Pending informal hearing (See 5A above)
2667	Chad Ray Talbert	No reply	Certificate expired 5/31/09 (See 5E above)
2673	Calvin E. Walls	7/23/09	Pending formal hearing
2674	Clinton E. Walls	7/1/09	Pending formal hearing
2681	Leonid Zavlnov	7/14/08	Pending consent

6. REPORTS OF CHAIRPERSON, EXECUTIVE DIRECTOR AND COMMITTEES:

A. BOARD CHAIRPERSON REPORT:

B. EXECUTIVE DIRECTOR REPORT:

- (1) Assistant Attorney General's assignments
- (2) Complaints with answer dates extended by staff
- (3) Complaint statistics
- (4) Current events
 - (a) 9/8/09 Arizona Mortgage Fraud Task Force meeting
 - (b) 9/9/09 meeting with Judy Lowe, Commissioner, Arizona Department of Real Estate
 - (c) Statutes and rules
 - (d) Board appointments

C. COMMITTEE REPORTS:

(1) **APPLICATION REVIEW:**

Discussion and possible action on recommendations from the Committee regarding approval of applicants and revisions to application materials and procedures (See attached Committee meeting agenda for 9/17/09)

(2) **APPRAISAL TESTING AND EDUCATION:**

Discussion and possible action on recommendations from the Committee regarding approval of courses, course providers and education requirements (See attached Committee meeting agenda for 9/17/09)

(3) **PERSONNEL:**

****EXECUTIVE SESSION**** Discussion and possible action regard personnel matters (See attached Committee meeting agenda for 9/16/09)

7. OLD BUSINESS:

- A. Discussion and possible action concerning legal guidance for the opening and nonopening of complaints to comply with Board statutes and rules (Tabled from 5/09)
- B. Discussion and possible action concerning Board audit of requested appraisal performed by Andrew E. Ament

- C. Discussion and possible action concerning Board audit of requested appraisals performed by Razvan P. Silvas

8. NEW BUSINESS:

- A. Discussion and possible action concerning correspondence from Leigh Gawthorp, Gawthorp & Associates, LLC

9. CONFIRMATION OF MEETING DATES, TIME, LOCATIONS AND PURPOSES:

Dates and times

10. ADJOURNMENT:

One or more members of the Arizona Board of Appraisal may participate by telephone conference call. Members of the Board will attend either in person or by telephone conference call. All items assigned a specific time will be addressed at that time or as soon thereafter as the item may be heard. All items not assigned a specific time may be addressed at any time during the meeting. Copies of this agenda and additional information regarding any of the items listed above may be obtained 24 hours prior to the scheduled meeting from the Arizona Board of Appraisal, 1400 W. Washington, Suite 360, Phoenix, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding holidays. Telephone: (602) 542-1558, or on the Board's website under Meetings. If a disabled person needs any type of accommodation, please notify the Board's ADA Compliance Coordinator, Deborah Pearson, as soon as possible prior to the meeting at (602) 542-1593.

**AGENDA
COMMITTEE ON APPLICATION REVIEW
THURSDAY, SEPTEMBER 17, 2009
7:30 A.M.**

The Committee may go into Executive Session, which will not be open to the public, for the purposes of obtaining legal advice from the Board's attorney on any matters listed below or to consider confidential material pursuant to A.R.S. § 38-431.03 (A)(3) and A.R.S. § 38-431-03(A)(2), respectively.

I. Call to Order and Roll Call

II. Other Business

A. Report on number of Arizona Appraisers and Property Tax Agents:

	<u>9/07</u>		<u>9/08</u>		<u>9/09</u>	
Licensed Residential	1136		939		712	
Certified Residential	1040		1186		1211	
Certified General	791		813		827	
Nonresident Temporary	31	Total 2998	38	Total 2976	45	Total 2795
Property Tax Agents	262		287		334	

B. Discussion and possible action regarding additional information received on September 1, 2009 from the Department of Public Safety, regarding David R. Butler, Nonresident Temporary Certificate #TP41157

III. Applications Reviewed for the First Time

A. Renewal

21257 Kenneth M. Jordan

B. Certified Residential by exam unless otherwise noted

7708 Christina L. Scaturro
7753 Glenda R. Lawson*
7754 Dana C. McCready
7760 Racheal A. Siler
7767 Michael J. Heaton*
7769 Grant E. Coates* (by reciprocity)
7770 Mark N. Gibson* (by reciprocity)
7775 Cheryl J. Hatzopoulos*

C. Certified General by exam unless otherwise noted

7762 Janardan R. Nukalapati* (by reciprocity)

IV. Applications to Be Reconsidered

7722 Brett S. Heaton
7726 Benjamin J. Weisman
7729 Juan Restrepo
7734 Kevin K. Varga

V. Applications for License/Certificate Already Issued

Discussion and possible action concerning approval of applications as substantively complete and confirming issuance of the license/certificate:

A. Reciprocity

22083	Jack Driscoll
22087	Paul J. Worden
31740	James Messina
31741	Michael W. Porter
31742	Richard W. Latella
31743	John M. Cowart, Jr.
31744	Deverick P. Jordan
31745	William R. Lemas
31746	G. Christopher Louis
31747	Kimberly Kountz
31748	Jeff A. Greenwald

B. Nonresident Temporary

TP41158	John M. Cowart
TP41159	Carter D. Morrison
TP41160	Eric B. Lewis
TP41161	Alan M. Schmook

VI. Applications Pending - Substantively Incomplete

7587	Keith T. Kavula (by reciprocity)
7745	Joseph M. Turner (by reciprocity)
7747	Mark R. Long (by reciprocity)

Notification of applicants with substantively incomplete applications who have not responded to the Committee's request for additional information. Pursuant to R4-46-202(D) applicants have up to a year to meet all requirements for license/certificate or applicant's file is to be closed by the Board and applicant shall reapply.

VII. Adjournment

Copies of this agenda and additional information regarding any of the items listed above may be obtained 24 hours prior to the scheduled meeting from the Arizona Board of Appraisal, 1400 W. Washington, Suite 360, Phoenix, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding holidays. Telephone (602) 542-1558. If a disabled person needs any type of accommodation, please notify the Board's ADA Compliance Coordinator, Deborah Pearson, as soon as possible prior to the meeting at (602) 542-1593.

**AGENDA
COMMITTEE ON APPRAISAL TESTING AND EDUCATION
THURSDAY, SEPTEMBER 17, 2009
8:00 A.M.**

The committee may go into executive Session, which will not be open to the public, for the purposes of obtaining legal advice from the Board's attorney on any matters listed below or to consider confidential material pursuant to A.R.S. § 38-431.03(A)(3) and A.R.S. § 38-431-03(A)(2), respectively

I. Call to Order and Roll Call

II. Discussion and possible action regarding proposed approval of **qualifying education courses:**

A. Previously approved by the Board:

1. Submitted by Arizona School of Real Estate & Business

- a. **AP-15 General Appraiser Report Writing and Case Studies**, #ABA 1008-825-15 30 hours
*Eric Bohlander, Rick Boulter, Leo Canale, Tracey Captain, Earl Cass, Gasper Crimando, Neil Dauler-Phinney, Thomas Denny, Anthony Dinnell, Bill Dowdy, Richard Fasano, Jacques Fournier, Bill Gray, Thomas Heineman, Kathleen Holmes, Faye Humphrey, Robert Kaczmarek, Gretchen Koralewski, William Kozub, Mark Kramoltz, Don Miner, Roy Morris, Thomas Morrison, Tom Noble, Marlene Olsen, David Rider, Becky Ryan, Ron Schilling, Daniel D. Smith, Don Sponberg, Donald Staley, Janice Staropoli, Stan Strom, Diane Thomas, Rick Turkian, Gerard Vick, John Wenner, Jeff Young, David Ziegler

III. Discussion and possible action regarding proposed approval of **continuing education courses:**

A. Previously approved by the Board:

1. Submitted by Arizona School of Real Estate & Business

- a. **C7431 FHA Minimum Property Standards and FNMA Appraisal Guidelines**, #ABA 1205-492
4 hours
*Tracey Captain, Earl Cass, Gasper Crimando, Neil Dauler-Phinney, Richard Fasano, Jacques Fournier, Bill Gray, Kathleen Holmes, Robert Kaczmarek, Kim Kobriger, Gretchen Koralewski, Don Miner, Roy Morris, Thomas Morrison, Dave Rider, Ron Schilling, Julie Sims, Daniel D. Smith, Becky Ryan, Richard V. Turkian, Gerard Vick, David Ziegler
- b. **Supervising Beginning Appraisers – A Plan for Success**, #ABA 1107-711 4 Hours
*Tracey Captain, Earl Cass, Gasper Crimando, Neil Dauler-Phinney, Thomas Denny, Richard Fasano, Jacques Fournier, Bill Gray, Kathleen Holmes, Faye Humphrey, Robert Kaczmarek, Kim Kobriger, Gretchen Koralewski, Don Miner, Roy Morris, Thomas Morrison, Becky Ryan, Ron Schilling, Daniel D. Smith, Rick Turkian, Gerard Vick, David Ziegler

2. Submitted by Hogan School of Real Estate

- a. **Using the Internet for Disclosure of Material Facts**, #ABA 1003-303 4 hours
*Steven Cole

3. Submitted by Just Valuation Inc.

- a. **Introduction to HUD REO Appraisals, Course #3211**, #ABA D1008-826 12 hours
*Ron Nation, Robert McKenna

4. Submitted by McKissock LP

- a. **Mortgage Fraud-Protect Yourself!**, #ABA 0907-695 7 hours
Tracy Martin, Kenneth Guilfoyle
- b. **Land and Site Valuation**, #ABA D1008-827 7 hours
*Alan Simmons

B. Not previously approved by the Board:

1. Submitted by Allterra Group, LLC
 - a. **2009 Keynote/Valuation Visionaries**, 7 hours
*Pete Gillispie, Sue Potteigu, Mark Johnson, Bill Rayburn, Chuck Muroddu, George Opelka, Jacqueline Doty, Gerald Kifer
 - b. **2009 Regulatory Updates/Re-Engineering the Appraisal Process**, 7 hours
*Jim Park, Larry Disney, Don Kelly, Lewis Allen, Kelly Davids, Rachel Dollar, Guillerino Gower, Rick Langdon, David Hundrieser
2. Submitted by Appraisal Institute/Phoenix Chapter
 - a. **Appraisal Policy Changes: Challenges and Opportunities for Appraisers**, 6 hours
*William E. Garber, Jr.
3. Submitted by Appraisal Institute/Southern Arizona Chapter
 - a. **The Canary in the Coal Mine: ENERGY STAR and the Appraisal Process**, 3 hours
*Dan Swango
 - b. **Regression Analysis in Appraisal Practice: Concepts & Applications**, 7 hours
*Jim L. Sanders
4. Submitted by Arizona Appraisers State Conference LLC
 - a. **I—Arizona Appraisers State Conference 10/19/09 P.M. Tracts A&B (Sage/Liability)** 4 hours
*Daphne J. Reaume, Todd F. Stevens, Lindsay McMEnamin
 - b. **II—Arizona Appraisers State Conference 10/19/09 P.M. Tract C (Sage/Valuation)** 4 hours
*Daphne J. Reaume, William R. Hahn, Noelle Sanders, John C. Nelson, Mark Snow, Lance J. Mills, Kathleen M. Holmes
 - c. **III—Arizona Appraisers State Conference 10/20/09 A.M. Tract C (Future/Valuation)** 4 hours
*Jay Q. Butler, Michael S. Young, Ann Susko, Peter J. Martori, Gerard L. Vick
 - d. **IV—Arizona Appraisers State Conference 10/20/09 A.M./P.M. Tracts A&B (Future/Mortgage)** 4 hours
*Jay Q. Butler, Darcy A. Rich, Richard Hagar
 - e. **V—Arizona Appraisers State Conference 10/20/09 P.M. Tracts A,B&C (Mortgage)** 3 hours
*Darcy A. Rich, Richard Hagar
5. Submitted by McKissock LP
 - a. **How to Analyze & Value Income Properties**, 7 hours
Distance Education
*Bruce Coin
6. Submitted by US Department of Housing and Urban Development/ Federal Housing Administration
 - a. **FHA Basics for Appraisers**, 4 hours
Distance Education
*Jan Marquardt, George Hibbert, Linda Middleton, Malcolm Jefferson

IV. Discussion and possible action regarding proposed rescission of approval of **continuing education course**:

1. Submitted by Appraisal Institute
 - a. **Online Valuation of Detrimental Conditions in Real Estate**, #ABA D0705-459 Distance Education
7 hours (expires 3/31/10)

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