

**NEBRASKA REAL PROPERTY APPRAISER BOARD
NRPAB OFFICE MEETING ROOM, FIRST FLOOR
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

February 18, 2021 Meeting Minutes

A. OPENING

Chairperson Ben Hynek called to order the February 18, 2021 meeting of the Nebraska Real Property Appraiser Board at 9:03 a.m., by electronic telecommunication in the Nebraska Real Property Appraiser Board's office on the first floor of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, as permitted by Executive Order 21-02.

B. NOTICE OF MEETING

Chairperson Hynek announced the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared on the State of Nebraska Public Calendar found at www.nebraska.gov on February 8, 2021. The agenda was kept current in the Nebraska Real Property Appraiser Board office and on the Board's website. Materials generally used by the Board for this meeting were available in the public folder for inspection by the public, in accordance with the Open Meetings Act. A copy of the Open Meetings Act was available for the duration of the meeting. For the record, Board Members Benjamin Hynek of Lincoln, Nebraska, Christopher Mustoe of Omaha, Nebraska, Thomas Luhrs of Imperial, Nebraska, Wade Walkenhorst of Lincoln, Nebraska, and Bonnie Downing of Dunning, Nebraska, were present. Also present were Director Tyler Kohtz, Business and Licensing Specialist Allison Nespor, and Administrative Specialist Katja Duerig, who are all headquartered in Lincoln, Nebraska.

ADOPTION OF THE AGENDA

Chairperson Hynek reminded those present for the meeting that the agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Mustoe moved to adopt the agenda as printed. Board Member Downing seconded the motion. With no further discussion, the motion carried with Mustoe, Walkenhorst, Downing, Hynek, and Luhrs voting aye.

C. ELECTION OF OFFICERS

Board Member Downing nominated Christopher Mustoe as Chairperson of the Board for 2021. Board Member Walkenhorst seconded the nomination. With no further nominations or discussion, Mustoe was elected with Mustoe, Luhrs, Walkenhorst, Downing, and Hynek voting aye.

Board Member Downing nominated Thomas Luhrs as Vice-chairperson of the Board for 2021. Board Member Walkenhorst seconded the nomination. With no further nominations or discussion, Luhrs was elected with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

Board Member Luhrs moved that the Board go into executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Board Member Walkenhorst seconded the motion. The time on the meeting clock was 9:18 a.m. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

Board Member Luhrs moved to come out of executive session at 9:58 a.m. Board Member Downing seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

Break from 9:58 a.m. to 10:01 a.m.

H. WELCOME AND CHAIR'S REMARKS

Chairperson Mustoe welcomed everyone and thanked the board members for their trust. Chairperson Mustoe expressed gratitude to Ben Hynek for his years of leadership and service. Board Member Hynek thanked Chairperson Mustoe. There were no members of the public present.

I. BOARD MEETING MINUTES

1. APPROVAL OF DECEMBER 17, 2020 MEETING MINUTES

Chairperson Mustoe asked for any additions or corrections to the December 17, 2020 meeting minutes. With no discussion, Chairperson Mustoe called for a motion. Board Member Downing moved to adopt the December 17, 2020 meeting minutes as presented. Board Member Luhrs seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

J. DIRECTOR'S REPORT

1. APPRAISER AND AMC REPORTS

a. Appraiser Count Report

Director Kohtz presented seven charts outlining the number of appraisers as of February 18, 2021. The Director reported that he had no specific comments and asked for questions or comments. There was no discussion.

b. Temporary Credential Report

Director Kohtz presented three charts outlining the number of temporary credentials issued as of January 31, 2021. The Director asked for any questions or comments. There was no further discussion.

c. Supervisory Appraiser Count Report

Director Kohtz presented two charts outlining the number of supervisory appraisers as of February 18, 2021. The Director reported that he had no comments, and asked for any questions or comments. There was no discussion.

d. AMC Count Report

Director Kohtz presented two charts outlining the number of AMCs as of February 18, 2021. The Director reported that he had no comments, and asked for any questions or comments. There was no discussion.

2. EXECUTIVE AUTHORITY APPROVAL REPORT

Director Kohtz presented three Executive Authority Approval Reports for the real property appraisers and applicants, appraisal management companies, and education activities and instructors that have been approved under the executive authority granted to waive rules pertaining to examinations and applications as a result of Governor Ricketts's 2020 State of Emergency Proclamation made on March 13, 2020 for the period between December 8, 2020 and February 9, 2021. The Director noted that real property appraiser renewal applicants appeared on the Real Property Appraiser and Applicants report. The Director asked for any questions or comments. There was no further discussion.

K. FINANCIAL REPORT AND CONSIDERATIONS – FEBRUARY 2021

1. APPROVAL OF DECEMBER RECEIPTS AND EXPENDITURES

The receipts and expenditures for December were presented to the Board in the Budget Status Report. Director Kohtz reported that expenditures for the month of December totaled \$33,204.04, which amounts to 36.59 percent of the budgeted expenditures for the fiscal year; 50.41 percent of the fiscal year has passed. Revenues reported for December were \$100,046.86, and total revenues amount to 79.02 percent of the projected revenues for the fiscal year. The Director reported that he had no specific comments, and asked for any questions or comments. There was no further discussion.

Director Kohtz then brought attention to the General Ledger for December. The Director reported that he had no specific comments, and asked for any questions or comments. There was no further discussion.

Board Member Luhrs moved to accept and file the December 2020 financial reports for audit. Board Member Downing seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

2. APPROVAL OF JANUARY RECEIPTS AND EXPENDITURES

The receipts and expenditures for January were presented to the Board in the Budget Status Report. Director Kohtz reported that expenditures for the month of January totaled \$25,183.66, which amounts to 42.46 percent of the budgeted expenditures for the fiscal year; 58.90 percent of the fiscal year has passed. Revenues reported for January were \$34,347.27, and total revenues amount to 88.04 percent of the projected revenues for the fiscal year. The Director reported that he had no specific comments, and asked for any questions or comments. There was no further discussion.

Director Kohtz then brought attention to the General Ledger for January. The Director reported that he had no specific comments, and asked for any questions or comments. There was no further discussion.

Director Kohtz presented three graphs showing expenses, revenues, and cash balance. The Director once again announced the expenditures and revenues for the month of January for the Real Property Appraiser Program, which includes both the Appraiser Fund and the AMC Fund. The Director then remarked that the cash balance for the AMC Fund is \$309,543.37, the Appraiser Fund is \$427,181.39, and the overall cash balance for both funds is \$736,724.76. Director Kohtz reported that the Appraiser Fund and overall cash balance amounts were at the highest they had been since 2014. The Director then asked for any questions related to the graphs. There was no further discussion.

Board Member Walkenhorst moved to accept and file the January 2021 financial reports for audit. Board Member Downing seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

3. 2021-2023 BIENNIAL BUDGET UPDATE

Director Kohtz provided an update to the Board regarding its 2021-2023 Biennial Budget Request, and presented the Nebraska State Legislature's Appropriations Committee's preliminary recommendation to the Board for review. Director Kohtz informed the Board that the Appropriations Committee's preliminary recommendation includes the full amount requested by the Board. The Director commented that the Board's Legislative Fiscal Office Analyst mentioned that, due to COVID-19, many agencies are sending letters in support of the Appropriations Committee's recommendation instead of attending the hearing. The Director added that he followed suit, and sent a letter to the Chairperson Stinner in support of the Appropriations Committee's preliminary recommendation for the Board. The Director asked for any questions or comments. There was no further discussion.

4. 2021 AARO MEMBERSHIP DUES

Director Kohtz presented an invoice for the 2021 Association of Appraiser Regulatory Officials dues, and asked if the Board would like to renew its AARO membership. Board Member Walkenhorst moved to approve the 2021 AARO membership dues as presented. Board Member Luhrs seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

5. PER DIEMS

Director Kohtz informed the Board that he had no per diem requests for this meeting, and asked if any board members had a request for the Board to consider. There was no further discussion.

L. GENERAL PUBLIC COMMENTS

Chairperson Mustoe asked for any public comments. With no comments, Chairperson Mustoe proceeded to Education.

M. CONSIDERATION OF EDUCATION-INSTRUCTOR REQUESTS

Director Kohtz announced that matters in Section M are connected to matters in Section G which have not yet been discussed by the Board. The Director recommended that the Board move discussion for Section M to the end of the meeting agenda, so that discussion of the other executive session items may take place before discussion of education requests. Chairperson Mustoe made a motion to amend the agenda to move discussion of Section M to the end of the agenda. Board Member Walkenhorst seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

N. UNFINISHED BUSINESS

1. OPEN 1ST CONGRESSIONAL DISTRICT CERTIFIED REAL PROPERTY APPRAISER REPRESENTATIVE POSITION

Director Kohtz brought attention to the open First Congressional District Certified Real Property Appraiser Representative position, and reported that the Governor's office should be making the appointment soon. The Director asked the Board if it had any comments or feedback to pass along to the Governor's office concerning this appointment. There were no comments during the meeting. Director Kohtz reminded board members to let him know at any time if there were any comments or feedback concerning this appointment.

O. NEW BUSINESS: No discussion.

P. LEGISLATIVE REPORT AND BUSINESS

1. CURRENT LEGISLATION

Director Kohtz presented the first legislative report of the current session to the Board for review. The Director provided a brief summary for each bill included in the report.

LB23 – This bill updates the Nebraska Real Property Appraiser Act to implement the Real Property Appraiser Qualifications Criteria adopted by The Appraisal Foundation's Appraiser Qualifications Board, effective on January 1, 2020 and May 15, 2020; and to maintain compliance with Title XI, and the Policy Statements of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council. Director Kohtz reported that this was one of the first bills moved to select file and the process is moving right along.

LB54 – This bill amends the Political Subdivisions Tort Claims Act and the State Tort Claims Act to include that any act that is the direct result of the negligent failure of a state agency, political subdivision, or an employee of the state or political subdivision, to protect a person to whom the agency or employee owes a duty of care is not exempt for a claim for damages under each act.

LB61 – LB61 provides formal protest procedures for certain state contracts for services.

LB71 – This bill amends the Political Subdivisions Tort Claims Act and the State Tort Claims Act to include that any act committed by a third party as a result of negligence by a state agency or political subdivision, or an employee of a state agency or political subdivision, is not exempt for a claim for damages under each act.

LB83 – This bill amends the Open Meetings Act to modernize the way public bodies hold virtual meetings, allows for up to half of a public body’s meetings to be held virtually during a year, and creates the statutory framework for public bodies to hold virtual meetings during a declared emergency by the Governor, Mayor, Village Board Chair or County Board Chair. AM127 clarifies that motions taken prior to LB83 becoming law are not invalidated.

LB112 – LB112 requires members of the public to be allowed to speak at each meeting subject to the Open Meetings Act.

LB161 – LB161 would make several technical changes to the Building Construction Act, which governs state and local building codes.

LB179 – This bill would eliminate future elections for county assessors where required, and make the county assessor a county board appointed position.

LB213 – This bill would require the Department of Administrative Services to contract with an outside entity to carry out an efficiency review of all state departments, agencies, board, and councils. The review would focus on keeping or making government services more cost effective, eliminating outdated practices, increasing efficiencies, and increasing accountability to taxpayers.

LB221 – This bill would update Nebraska's default plumbing code to the 2021 Uniform Plumbing Code (UPC).

LB263 – This bill would allow for recognition in Nebraska for most types of occupational licenses issued in other states.

LB368 – This bill provides for a late fee to be assessed if political subdivisions required to file a report with the Auditor of Public Accounts fail to file such report by the applicable due date.

LB380 – Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2023.

LB422 – This bill would presume all services in Nebraska, except for business inputs, to be subject to taxation, and would lower the sales tax rate to 5 percent.

LB423 – This bill requires that home inspectors register with the Secretary of State’s Office.

LB446 – This bill adopts the Nebraska Housing Index and Financing Investment Systems Act, which creates a comprehensive, sustainable, and collaborative data system that would include the statewide status of housing stock as well as the types and amounts of state and federal funding available to housing developers.

LB468 – LB468 instructs the Game and Parks Commission to adopt and promulgate rules and regulations for compensating landowners for damages caused by wildlife and mandates the Game and Parks Commission to compensate landowners for damages to property caused by wildlife.

LB501 – LB 501 would codify Nebraska law permitting the owner of property burdened by an easement to relocate an easement without the consent of the holder of the easement running across the property.

Director Kohtz asked for any questions or comments concerning the legislative report. The Director asked if there is a bill that is not included in the report that may be of importance to the Board, that he be contacted to have it added to the list. There was no further discussion.

2. OTHER LEGISLATIVE MATTERS

a. State Legislature's Banking Commerce and Insurance Committee OBRA Review of NRPAB

Director Kohtz presented the Banking, Commerce, and Insurance Committee Occupational Regulation Review of the Real Property Appraiser Board to the Board for review. The Director reminded the Board that Senator Williams had asked him for permission to conduct the audit last spring. Director Kohtz reported that, although it was a lot of work, it was well worth going through the process last fall. The Director informed the Board that a summary was not going to be provided, but that the audit report speaks highly of the Board's mission and operations. The Director asked for any questions or comments. There was no further discussion.

Q. ADMINISTRATIVE BUSINESS

1. GUIDANCE DOCUMENTS: No discussion.

2. INTERNAL PROCEDURAL DOCUMENTS: No discussion.

3. FORMS AND PROCEDURES: No discussion.

R. OTHER BUSINESS

1. BOARD MEETINGS: No discussion.

2. CONFERENCES/EDUCATION

a. Spring Virtual AARO Conference

Director Kohtz reported that the in-person Spring AARO Conference had been cancelled, and that virtual presentations will be made on these dates instead. The Director reported that he would listen in on those presentations during the workday and report on anything he found relevant or interesting. There was no further discussion.

3. MEMOS FROM THE BOARD: No discussion.

4. QUARTERLY NEWSLETTER

a. Winter 2021 Edition of The Nebraska Appraiser

Director Kohtz presented the Winter 2021 Edition of The Nebraska Appraiser to the Board for review. Board Member Luhrs moved to approve the Winter 2021 Edition of The Nebraska Appraiser as presented. Board Member Downing seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

5. APPRAISAL SUBCOMMITTEE

a. 2022 ASC Compliance Review – February 14-17, 2022

Director Kohtz announced that the ASC's next compliance review of the Board's programs is scheduled to be conducted February 14-17, 2022. The Director reported that, according to Nebraska's policy manager Jenny Tidwell, this is tentative and could be pushed back to 2023. There was no further discussion.

b. ASC Federal Registry Notice for Agency Information Collection Activities; Renewal of an Approved Information Collection; Reporting information for the AMC Registry

Director Kohtz presented an entry in Volume 85, No. 244 of the Federal Register titled, "Agency Information Collection Activities; Renewal of an Approved Information Collection: Reporting information for the AMC Registry" to the Board for review. The Director informed the Board that this entry is for renewal of an information collection authority that the ASC already has. There was no further discussion.

c. ASC May 13, 2020 Meeting Minutes

Director Kohtz presented the ASC May 13, 2020 Meeting Minutes to the Board for review. The Director informed the Board that he had no specific comments, and asked for any questions or comments. There was no further discussion.

d. ASC Meeting; March 10, 2021 – Washington, D.C.

Director Kohtz reported that the next ASC meeting will be held on March 10, 2021, in Washington, D.C. The Director asked for any questions or comments. There was no further discussion.

6. THE APPRAISAL FOUNDATION

a. TAF and AI Hold First Joint Valuation Symposium on Public Trust, Fair and Affordable Housing

Director Kohtz presented an announcement from The Appraisal Foundation that videos of its joint symposium with Appraisal Institute on public trust and fair and affordable housing are available on YouTube. The Director indicated that he had no specific comments, and asked for any questions or comments. There was no further discussion.

b. TAF Opens Call for Board of Trustees Members

Director Kohtz presented an announcement from The Appraisal Foundation calling for applicants for open Board of Trustees membership positions. The Director asked for any questions or comments. There was no further discussion.

c. TAF – Resources for New State Regulators Available Now

Director Kohtz presented an announcement from The Appraisal Foundation regarding online resources for new state appraiser regulators. The Director indicated that he had no specific comments, and asked for any questions or comments. There was no further discussion.

d. TAF January Newsletter

Director Kohtz presented The Appraisal Foundation's January newsletter to the Board for review. There was no discussion.

e. TAF February Newsletter

Director Kohtz presented The Appraisal Foundation's February newsletter to the Board for review. There was no discussion.

f. TAF Board of Trustees Meeting: May 20-22, 2021 – San Diego, CA

Director Kohtz announced that the next TAF Board of Trustees meeting would be held May 20-22, 2021, in San Diego, CA. There was no discussion.

g. TAF Board of Trustees Meeting: October 21-23, 2021 – Atlanta, GA

Director Kohtz announced that TAF had scheduled a Board of Trustees meeting for October 21-23, 2021, in Atlanta, GA. There was no discussion.

h. Appraiser Qualifications Board

i. AQB Public Meeting: November 18-19, 2021 – Torrance, CA

Director Kohtz announced that an AQB public meeting would be held on November 18-19, 2021, in Torrance, CA. There was no further discussion.

i. Appraiser Standards Board

i. Virtual ASB Public Meeting: February 19, 2021

Director Kohtz announced that the next Appraiser Standards Board public meeting will be held virtually on February 19, 2021. There was no further discussion.

7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

a. AARO Quarterly Update – February 2021

Director Kohtz presented the AARO Quarterly Update – February 2021 to the Board for review. The Director indicated that he had no specific comments, and asked for any questions or comments. There was no discussion.

8. IN THE NEWS: No discussion.

Board Member Downing moved that the Board go into executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Board Member Walkenhorst seconded the motion. The time on the meeting clock was 10:34 a.m. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

Board Member Luhrs moved to come out of executive session at 11:18 a.m. Board Member Downing seconded the motion. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

M. CONSIDERATION OF EDUCATION-INSTRUCTOR REQUESTS

Board Member Luhrs moved to approve the following new continuing education activities and instructors as listed:

McKissock

National USPAP Update (2020-2021) (2201102.03) / 7 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Residential Property Inspection for Appraisers (2201449.03) / 7 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

That's a Violation: Appraisal Standards in the Real World (2201450.03) / 3 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

The FHA Handbook 4000.1 (2201451.03) / 7 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Appraising REO Properties (2201452.03) / 4 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Desktop Appraisal Assignments: An Overview (2201453.03) / 3 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Evaluating Today's Residential Appraisal: Reliable Review (2201454.03) / 7 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Focus on FHA Minimum Property Requirements (2201455.03) / 4 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Mortgage Lending Appraisal Requirements: Fannie Mae and Freddie Mac (2201456.03) / 7 Hours – Robert Abelson, Joanne Bailey, Dan Bradley, Wally Czekalski, Charles Fisher, Robert Frazier, Alex Gilbert, Charles Huntoon, Philicia Lloyd, Robert Luciani, Steve Maher, Robert McClelland, Larry McMillen, Julie Molendorp, Tony Pistilli, Dale Shea, Steve Vehmeier, Josh Walitt

Seconded by Board Member Downing. Chairperson Mustoe called for the vote. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

Board Member Walkenhorst moved to approve the following new education activity as listed:

Appraisal Institute

Online Appraising Convenience Stores (2212401.02) / 7 Hours

Seconded by Board Member Downing. Chairperson Mustoe called for the vote. The motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

D. CREDENTIALING AS A NEBRASKA REAL PROPERTY APPRAISER

Board Member Luhrs moved to take the following actions for the applicants as listed:

- T21001 / Request response to criminal history information.**
- SA-T21001 / Request revised application to correct deficiency, and include a letter of explanation as required in the application.**
- L20003 / Hold. Request response regarding experience reported on log from applicant and supervisory appraiser.**
- CR21001 / Hold. Request response regarding experience reported on log from applicant and supervisory appraiser.**

Board Member Downing seconded the motion. Motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

E. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY

Board Member Luhrs moved to take the following action for the AMC renewal applicant as listed:

- NE2016013 / Approve renewal of registration as an Appraisal Management Company. Send advisory letter.**

Board Member Downing seconded the motion. Motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

F. CONSIDERATION OF COMPLIANCE MATTERS

Board Member Luhrs moved to take the following actions for compliance matters:

- 20-11 / Proceed with investigation for the alleged violation of Neb. Rev. Stat. §§ 76-2237 and 76-2238 (5), (12), (14).**
- 20-12 / Dismiss without prejudice. Send advisory letter.**

Board Member Walkenhorst seconded the motion. Motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

G. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS

1. 2021.01

The Board reviewed an appraisal report received from the Fannie Mae Loan Quality Center. The Board concluded that there were no substantial errors that lead to non-credible results. No action was taken by the Board.

2. 2021.02

The Board reviewed disciplinary action taken by an appraiser regulatory agency in another jurisdiction against a Nebraska real property appraiser. No action was taken by the Board.

3. 2021.03

The Board reviewed an Application for Instructor Approval for an individual who answered “No” to Question #8, “Has the instructor applicant ever been the subject of any disciplinary actions by the Nebraska Real Property Appraiser Board or by a licensing/certification Board located in the United States?” The ASC Federal Registry Report obtained by the Board indicates that disciplinary action had been taken against the applicant’s real property appraiser credential.

4. 2021.04

The Board reviewed an Application for Instructor Approval for an individual who answered “No” to Question #8, “Has the instructor applicant ever been the subject of any disciplinary actions by the Nebraska Real Property Appraiser Board or by a licensing/certification Board located in the United States?” The ASC Federal Registry Report obtained by the Board indicates that disciplinary action had been taken against the applicant’s real property appraiser credential. The applicant’s response to the Board’s inquiry regarding this matter was also reviewed by the Board.

5. 2021.05

The Board reviewed a letter from the Nebraska Department of Education concerning an education provider with education activities approved by the Board, in which the education provider was notified that it has been closed by the agency of Private Postsecondary Career Schools due to non-compliance with its administrative rules.

6. Personnel Matters: No discussion.

Board Member Luhrs moved to take the following actions for other executive session items:

2021.03 / Send certified letter requesting that applicant provide response to the Board's inquiry by April 1, 2021.

2021.04 / Deny Applications for Instructor Approval.

2021.05 / Send written notice of intent to rescind all education activities approved by the Board for violation of 298 NAC, Chapter 6, § 001.04 and request written response before April 8, 2021.

Board Member Downing seconded the motion. Motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye.

R. ADJOURNMENT

Board Member Luhrs moved to adjourn the meeting. Board Member Downing seconded the motion. Motion carried with Luhrs, Walkenhorst, Downing, Hynek, and Mustoe voting aye. At 11:30 a.m., Chairperson Mustoe adjourned the February 18, 2021 meeting of the Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

These minutes were available for public inspection on February 25, 2021, in compliance with Nebraska Revised Statute § 84-1413 (5).