

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

**January 19, 2023 Meeting Minutes**

**A. OPENING**

Chairperson Thomas Luhrs called to order the January 19, 2023 meeting of the Nebraska Real Property Appraiser Board at 9:02 a.m., by virtual conferencing in the Nebraska Real Property Appraiser Board meeting room located on the first floor of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

**B. NOTICE OF MEETING**

Chairperson Luhrs 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](http://www.nebraska.gov) on January 12, 2023. The agenda was kept current in the Nebraska Real Property Appraiser Board office and on the Board's website. In accordance with the Open Meetings Act, at least one copy of all reproducible written material for this meeting, either in paper or electronic form, was available for examination and copying by members of the public. The material in paper form was available on the table in a public folder, and the material in electronic form was available on the Board's website in Public Meeting Material ([https://appraiser.ne.gov/board\\_meetings/](https://appraiser.ne.gov/board_meetings/)). A copy of the Open Meetings Act was available for the duration of the meeting. For the record, Board Members Thomas Luhrs of Imperial, Nebraska, Wade Walkenhorst of Lincoln, Nebraska, Bonnie Downing of Dunning, Nebraska, Cody Gerdes of Lincoln, Nebraska, and Kevin Hermesen of Gretna, Nebraska were present. Also present were Director Tyler Kohtz, Business and Licensing Program Manager Allison Nespor, and Business and Education Program Manager Katja Peppe, who are headquartered in Lincoln, Nebraska.

**ADOPTION OF THE AGENDA**

Chairperson Luhrs 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 Walkenhorst moved to adopt the agenda as printed. Board Member Downing seconded the motion. With no further discussion, the motion carried with Walkenhorst, Downing, Gerdes, Hermesen, and Luhrs voting aye.

**C. ELECTION OF OFFICERS**

Chairperson Luhrs called for nominations for Chairperson of the Board in 2023. Board Member Downing nominated Wade Walkenhorst as Chairperson of the Board for 2023. Board Member Hermesen seconded the nomination. Chairperson Luhrs recognized the nomination and asked for any additional nominations or discussion. With no additional nominations or discussion, Chairperson Luhrs called for a vote. Walkenhorst was elected with Walkenhorst, Downing, Gerdes, Hermesen, and Luhrs voting aye.

Chairperson Walkenhorst called for nominations for Vice-chairperson of the Board in 2023. Board Member Gerdes nominated Bonnie Downing as Vice-chairperson of the Board for 2023. Board Member Luhrs seconded the nomination. Chairperson Walkenhorst recognized the nomination and asked for any additional nominations or discussion. With no additional nominations or discussion, Chairperson Walkenhorst called for a vote. Downing was elected with Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye. Downing abstained.

Board Member Luhrs congratulated Board Members Walkenhorst and Downing. Chairperson Walkenhorst thanked Board Member Luhrs for his leadership during his time as Chairperson.

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 Luhrs seconded the motion. The time on the meeting clock was 9:07 a.m. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

Neal Hilston and Peter Christensen appeared before the Board from 9:30 a.m. to 9:40 a.m.

Board Member Downing moved to come out of executive session at 10:00 a.m. Board Member Luhrs seconded the motion. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

Break from 10:01 a.m. to 10:30 a.m.

## **H. WELCOME AND CHAIR'S REMARKS**

Chairperson Walkenhorst welcomed all to the January 19, 2023 meeting of the Nebraska Real Property Appraiser Board and thanked everyone for attending. The Chairperson once again thanked Board Member Luhrs for his year of service as chairperson and five years as a board member. Board Member Luhrs thanked staff for making the job easy, and applauded the current board for working well together. Chairperson Walkenhorst welcomed Ryan Paulus, who was attending via virtual conferencing. There were no other members of the public present.

## **I. BOARD MEETING MINUTES**

### **a. APPROVAL OF DECEMBER 15, 2022 MEETING MINUTES**

Chairperson Walkenhorst asked for any additions or corrections to the December 15, 2022 meeting minutes. With no discussion, Chairperson Walkenhorst called for a motion. Board Member Downing moved to approve the December 15, 2022 meeting minutes as presented. Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst called for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

## **J. DIRECTOR'S REPORT**

### **1. REAL PROPERTY APPRAISER AND AMC COUNTS AND TRENDS**

#### **a. Real Property Appraiser Report**

Director Kohtz presented eleven charts outlining the number of real property appraisers as of January 19, 2023, including the real property appraiser renewal reports, to the Board for review. The Director guided the Board to page J.1 and discussed the current trends for each classification for those credentialed through education, experience, and examination, and for those credentialed through reciprocity. Director Kohtz informed the Board that a significant number of “92” and “93” numbered real property appraisers did not renew for 2023. The Director indicated that he was surprised by this as a similar situation occurred around 2017-18, and he anticipated a steady decline after that. The number of certified general real property appraisers credentialed through education experience and examination declined by nineteen, which is much higher than the previous four years. Director Kohtz added that, on the positive side, the trend for the certified residential real property appraisers credentialed through education, experience, and examination is showing a steady increase. The past trends remain for the licensed residential and the trainee classifications credentialed through education, experience, and examination. The Director informed the Board that the current growth trend for the certified general classification credentialed through reciprocity slowed slightly, and the certified residential classification experienced a surprising drop. Director Kohtz informed the Board that there does not appear to be an obvious reason for the decline in this classification, but it may be related to the decline in the number of appraisal management companies the Board is currently experiencing. The Director then guided the Board to page J.2, and informed the Board that the total decline for the number of certified and licensed real property appraisers was twenty-five, which includes twenty-one credentialed through education, experience, and examination. Director Kohtz then guided the Board to page J.4, and once again described the December to January change as it relates to the thirteen-month trend for each classification. The Director finished this section of this report by providing an update on the real property appraiser renewal numbers in total and by classification. In total, 485 of 576 have renewed, which amounts to 84%; the projected renewal percentage is 91%. Director Kohtz also reminded the Board that the number of real property appraiser renewal applications received after January 1st can be very unpredictable, so it is possible that these numbers will change quite a bit before the final renewal report in July. The Director asked for any questions or comments. There was no discussion.

#### **b. Temporary Real Property Appraiser Report**

Director Kohtz presented three charts outlining the number of temporary credentials issued as of December 31, 2022 to the Board for review. The Director reported that the number of temporary credentials issued for the calendar year ended right in line with the trends for the previous five years. The Director asked for any questions or comments. There was no discussion.

#### **c. Supervisory Real Property Appraiser Report**

Director Kohtz presented two charts outlining the number of supervisory real property appraisers as of January 19, 2023 to the Board for review. The Director reported that the number of supervisory real property appraisers is typical for January compared to the previous four years. Director Kohtz asked for any questions or comments. There was no further discussion.

**d. Appraisal Management Company Report**

Director Kohtz presented two charts outlining the number of AMCs as of January 19, 2023 to the Board for review, and remarked that the current downward trend in the number of registered AMCs is still in place. The Director asked for any questions or comments. There was no further discussion.

**2. DIRECTOR APPROVAL OF APPLICANTS**

**a. Real Property Appraiser Report**

Director Kohtz presented the Real Property Appraiser Report to the Board for review showing real property appraiser applicants approved for credentialing by the Director, and the real property appraiser applicants approved to sit for exam by the Director, for the period between December 7, 2022 and January 10, 2023. The Director asked for any questions or comments. There was no further discussion.

**b. Education Activity and Instructor(s) Report**

Director Kohtz presented the Education Activities and Instructors Report to the Board for review showing education activities and instructors approved by the Director for the period between December 7, 2022 and January 10, 2023. The Director asked for any questions or comments. There was no further discussion.

**3. 2022-23 NRPAB GOALS AND OBJECTIVES + SWOT ANALYSIS**

Director Kohtz presented the 2022-23 NRPAB Goals and Objectives and SWOT Analysis to the Board for review and indicated that he had no updates. The Director asked for any questions or comments. There was no further discussion.

**K. FINANCIAL REPORT AND CONSIDERATIONS – JANUARY 2023**

**1. APPROVAL OF DECEMBER RECEIPTS AND EXPENDITURES**

The receipts and expenditures for December were presented to the Board for review in the Budget Status Report. Director Kohtz brought attention to the Data Processing Expense of \$5,621.75 and informed the Board that this expenditure is for the last of the work on the AMC online renewal application and NRPAB Database AMC Interface upgrade project before it stalled. This expenditure will be more typical for the next couple of months until billing catches back up to the work when work resumes. The Director moved on to the Publication & Print Expense of \$311.37 and noted that the office ordered more receipt books and envelopes, which are infrequent expenses. Director Kohtz indicated that expenditures for the month of December totaled \$30,947.96, and the year-to-date expenditures for the fiscal year are \$199,443.99, which amounts to 41.52 percent of the budgeted expenditures for the fiscal year; 50.41 percent of the fiscal year has passed.

The Director turned the Board's attention to revenues. Director Kohtz informed the Board that new credential revenues are lagging behind in pace, but typically take off at this time of year due to applicants waiting until January to submit their applications to get a longer period of credentialing before renewal. Director Kohtz remarked that the percent of budget revenues for Certified General Renewals, Certified Residential Renewals, and Licensed Renewals reflect the actual renewal numbers at 89.21 percent, 97.02 percent, and 84.48 percent, respectively. The Director moved on to AMC Registered New Fees and AMC Application Fees and reported that no applications for new AMC registrations have been received in the fiscal year. Director Kohtz informed the Board that revenues have not met expectations for the first half of the fiscal year, but that could change in a hurry. The Director indicated that revenues for December were \$64,683.80, and that the year-to-date revenues for the fiscal year are \$293,065.89, which amounts to 69.02 percent of the projected revenues for the fiscal year. Director Kohtz asked for any questions or comments. There was no further discussion.

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

Director Kohtz presented four graphs showing expenses, revenues, and cash balances. The Director once again pointed out the expenditures and revenues for the month of December for the Real Property Appraiser Program, which includes both the Appraiser Fund and the AMC Fund. Director Kohtz then reported that Real Property Appraiser Fund revenues for the month of December totaled \$53,577.91, the Real Property Appraiser Fund expenses totaled \$18,138.66, the AMC Fund revenues totaled \$11,105.89, and the AMC Fund expenses totaled \$12,809.30. The Director remarked that the cash balance for the AMC Fund is \$350,371.65, the Appraiser Fund is \$483,106.73, and the overall cash balance for both funds is \$833,478.38. The Director asked for any questions or comments. There was no further discussion.

Board Member Luhrs moved to accept and file the December 2022 financial reports for audit. Board Member Gerdes seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst called for a vote. The motion carried with Downing, Gerdes, Hermsen, Luhrs, and Walkenhorst voting aye.

## **2. 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.

### **3. 2023 AARO MEMBERSHIP DUES**

Director Kohtz presented an invoice from AARO for 2023 membership dues to the Board for consideration. The Director asked the Board if it would like to remain a member of AARO. Chairperson Walkenhorst remarked that there is a request for a \$600.00 expense for AARO membership dues for 2023. The Chairperson opened the floor to discussion and questions. All Board Members agreed to remain a member of AARO. With no further discussion, Board Member Luhrs moved to approve payment of the 2023 AARO membership dues. Board Member Downing seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst called for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

### **L. GENERAL PUBLIC COMMENTS**

Chairperson Walkenhorst asked for any public comments. Ryan Paulus introduced himself as a compliance analyst with The CE Shop. Mr. Paulus informed the Board that The CE Shop is an online education provider of real estate continuing education. The company wishes to expand to offer appraisal continuing education as well. Mr. Paulus stated that he looks forward to learning more about the Board, and hopefully, The CE Shop will send course applications in the next few months. Chairperson Walkenhorst thanked Mr. Paulus for his comments and interest in the Board.

### **M. CONSIDERATION OF EDUCATION/INSTRUCTOR REQUESTS**

Director Kohtz invited BEPM Peppe to summarize the education and instructor matters to be considered by the Board. BEPM Peppe presented a memo regarding the two ASFMRA activities titled, "Appraising Ag Facilities: Feedlot Seminar," and reported that ASFMRA had submitted a timed outline that meets the requirements of Title 298 for each education activity as requested by the Board. Chairperson Walkenhorst asked for any discussion. All board members agreed that the submitted outlines are acceptable. Board Member Gerdes moved to approve the following education activities and instructors as listed:

#### **NEW CONTINUING EDUCATION ACTIVITIES AND INSTRUCTORS** **ASFMRA**

Appraising Ag Facilities: Feedlot Seminar (222140L.01) / 8 Hours / Classroom – Brian Gatzke, Stacey Meneses

Appraising Ag Facilities: Feedlot Seminar (222340M.01) / 8 Hours / Synchronous – Brian Gatzke, Stacey Meneses

Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst asked for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

### **N. UNFINISHED BUSINESS**

#### **1. OPEN AT-LARGE LICENSED REAL ESTATE BROKER POSITION**

Director Kohtz reported that he emailed Kathleen Dolezal's replacement at the Governor's office, Pat Selk, about the open At-large Licensed Real Estate Broker position. The Director reported that he has not received a response, and the phone number listed in the directory for this office is incorrect, so there is currently no contact with the Governor's office. The Director asked for any questions or comments. There was no discussion.

## **2. BUSINESS AND EDUCATION PROGRAM MANAGER POSITION**

Director Kohtz reported that four applications for the Business and Education Program Manager position have been received during the second posting. The Director stated that he planned to interview two of the candidates, but if neither is a good fit, another round of posting may be required. The Director requested permission to hire an SOS Temporary Employee at the Administrative Specialist classification should no hire be made after these two interviews. Director Kohtz noted that the agency used little of the budgeted allocation for the temporary employee to assist with real property appraiser renewals between September and January, so there is enough in the budget for this purpose. Board Member Luhrs moved to authorize the Director to hire an Administrative Services SOS Temporary Employee at the Administrative Specialist classification if needed. Board Member Downing seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst asked for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

**O. NEW BUSINESS:** No discussion.

## **P. LEGISLATIVE REPORT AND BUSINESS**

### **1. 108TH LEGISLATURE (1ST REGULAR SESSION) BILLS OF NRPAB INTEREST**

Director Kohtz presented the first legislative report of the current session to the Board for review. The following bills were discussed:

**LB16** – The Director reported that LB16 allows for recognition in Nebraska for most types of occupational licenses issued in other states and changes provisions relating to preliminary applications by individuals with a criminal conviction. Specifically, this bill requires that certain information is required to be reported by the applicant for mitigating factors, only allows for certain felony convictions to be disqualifying, requires issuance of a preliminary adverse determination by the director of the occupational board or the board's designated employee, provides for an opportunity for an informal meeting to be held within sixty days of application, and provides for a waiver of fees based on the applicant's income being at or below 300% of the federal poverty level. To the extent that an occupational board or lawful occupation is also governed by federal law, federal law shall take precedence over the Occupational Board Reform Act. The act shall not be construed to preempt federal law governing lawful occupations in this state.

Director Kohtz informed the Board that this bill is a former amendment that includes two bills from the previous Legislature. The Director indicated that two years ago he worked to get language added to one of the two bills to ensure that the Board does not violate XI. When the two bills were swept into an amendment bill, it passed out of committee and was added to the floor agenda on the last day of the session. During that discussion, an amendment was added exempting the Board's peer agencies from many provisions in the bill. LB16 is written exactly as the final amended version appeared. Director Kohtz then declared that there is no reason why the Board should be held to stricter standards compared to its peer agencies.

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In addition, there are a few other issues that need to be addressed, such as the different standards that exist between reviewing a background for issuance of a credential compared to reviewing a background for a preliminary review, the requirement that the executive director make the determination on the background of a preliminary application and the occupational board only ratify it, and that the occupational board shall waive a fee if the applicant proves that their income is at or below 300% of the federal poverty level. Director Kohtz requested that the Board authorize him to request that the Board be added to the exempted agencies found in Section 7 of LB16 on the Board's behalf. Also, if the Board is not added prior to the date of the hearing, oppose the bill as drafted due to unequal treatment compared to the Board's peer agencies. The Director indicated that he will also work with Senator Briese's office on the other issues. The Board agreed with the Director's position. Chairperson Walkenhorst asked for a motion. Board Member Luhrs moved to authorize the Director to request that that the Board be added to the exempted agencies found in Section 7 of LB16, and if the Board is not added prior to the date of the hearing, the director may, in representation of the board, oppose the bill. The motion was seconded by Downing. Chairperson Walkenhorst asked for any discussion on the motion. With no discussion, Chairperson Walkenhorst asked for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst.

**LB41** – The Director reported that this bill prohibits state agencies from imposing annual filing and reporting requirements on charitable organizations greater than those defined in state or federal law. Director Kohtz informed the Board that this bill will have no impact on the Board. There was no further discussion.

**LB104** – The Director reported that this bill change provisions of the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act. Specifically, LB104 changes the requirements for distribution of funds and updates definitions. Director Kohtz informed the Board that this bill will have impact on state teammates but no impact on the Board. There was no further discussion.

**LB164** – The Director reported that this bill updates the state building and energy codes to include the 2021 edition of the International Building Code and to include the 2021 edition of the International Residential Code. There was no further discussion.

**LB205** – The Director reported that the purposes of this bill are to provide for the efficient procurement of goods and services by governmental units, and to promote the economical, nondiscriminatory, and efficient administration and completion of construction projects funded, assisted, or awarded by a governmental unit. LB205 limits or prohibits certain language or provisions from being used in state contracts. Director Kohtz informed the Board that this bill will have minimal impact on the Board. There was no further discussion.

**LB214** – The Director reported that this bill adopts changes to federal law regarding banking and finance and change provisions relating to digital asset depositories, loan brokers, mortgage loan originators, and installment loans. LB214 also adopts updates to federal law relating to banks and financial institutions. There was no further discussion.



**LB279** – The Director reported that this bill eliminates the requirement that executive officers of banks submit a written report to the Department of Banking stating the amount of loans or indebtedness in which the officer is a borrower, co-signer, or guarantor, and how those proceeds have been or are to be used. There was no further discussion.

**LB293** – The Director reported that the purpose of this bill is to require that the Department of Administrative Services immediately adopt and promulgate rules and regulations establishing formal protest procedures, including procedures for a contested case hearing, for any state agency contract for services awarded in excess of ten million dollars. Any protest shall be filed with the department. Director Kohtz informed the Board that due to the dollar amount, this bill will likely have no impact on the Board. There was no further discussion.

**LB302** – The Director reported that this bill replaces “city, village, or school district” with “political subdivision,” and requires that any public employee, except as otherwise governed under section 49-1499.02, who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict and deliver it to the responsible public body, which shall enter it as a public record. The public employee must abstain from participating in the matter unless legally required to. There was no further discussion.

**LB360** – The Director reported that this bill adopts the Office of Inspector General of Nebraska Procurement Act and establishes the purpose and duties of the Office of Inspector General of Nebraska Procurement. There was no further discussion.

**LB408** – The Director reported that this bill requires that any member of a nonelective government body not designated in 49-1493 who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict and deliver it to the responsible public body, which shall enter it as a public record. The public employee must abstain from participating in the matter unless legally required to. There was no further discussion.

Director Kohtz asked for any additional 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. TITLE 298**

Director Kohtz reported that he has no update concerning the revisions to Title 298 adopted by the Board after the November 17, 2022 hearing and no response has been received from the Attorney General's Office.

**3. OTHER LEGISLATIVE MATTERS:** No discussion.

**Q. ADMINISTRATIVE BUSINESS:** No discussion.

**R. OTHER BUSINESS**

**1. BOARD MEETINGS:** No discussion.

**2. CONFERENCES/EDUCATION**

**a. Spring AARO Conference; May 9-11, 2023 – Savannah, GA**

Director Kohtz reported that the Spring 2023 AARO Conference would take place on May 9-11 in Savannah, Georgia. The Director informed the Board that he plans to attend and asked for permission to attend the conference on behalf of the Board. No board members expressed interest in attending. Board Member Luhrs moved to approve Director Kohtz for attendance at the Spring 2023 AARO Conference on May 9-11, 2023. Board Member Downing seconded the motion. Chairperson Walkenhorst recognized the motion and asked for any discussion. With no discussion, Chairperson Walkenhorst asked for a vote. The motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

**3. MEMOS FROM THE BOARD:** No discussion.

**4. QUARTERLY NEWSLETTER:** No discussion.

**5. APPRAISAL SUBCOMMITTEE**

**a. ASC Hearing on Appraisal Bias – January 24, 2023**

Director Kohtz reported that the Appraisal Subcommittee will hold a public hearing on appraisal bias on January 24, 2023. The Director asked for any questions or comments. There was no discussion.

**6. THE APPRAISAL FOUNDATION**

**a. Fourth Exposure Draft of Proposed Changes to USPAP December 13, 2022**

Director Kohtz presented the Fourth Exposure Draft of Proposed Changes to USPAP to the Board for review. The Director informed the Board that the ASB once again included a new section within the Ethics Rule titled, "Nondiscrimination." This section sets forth two broad prohibitions; a prohibition against unethical discrimination and a prohibition against illegal discrimination. This section also includes additional requirements in support of the two prohibitions. The content is a significant change from the third exposure draft; the language is more USPAP and real property appraiser centric as opposed to just explaining how existing federal laws apply to real property appraisal practice. The ASB also plans to issue new guidance, which includes new Advisory Opinions, to provide more detailed information about the concepts in the new proposed section.

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Director Kohtz then guided the Board to page R.15 to review the proposed language in the new Nondiscrimination section. The Director also informed the Board that the changes included in the second exposure draft remain in this draft as well. The Director asked for any questions or comments. There was no discussion.

**b. TAF December State Regulators Newsletter**

Director Kohtz presented The Appraisal Foundation's December State Regulator Newsletter to the Board for review. The Director noted that the Association of Real Estate License Law Officials (ARELLO) online education delivery mechanism has been approved under CAP by the AQB. Director Kohtz expressed support for this approval as there are now three options for online education delivery mechanism approval. The Director asked for any questions or comments. There was no discussion.

**c. TAF January Newsletter**

Director Kohtz presented The Appraisal Foundation's January Newsletter to the Board for review and informed the Board that he had no specific comments. The Director asked for any questions or comments. There was no discussion.

**d. BOT Public Meeting: May 18-20, 2023 – Cape Coral, FL**

Director Kohtz informed the Board that the next BOT public meeting is scheduled for May 18-20, 2023 in Cape Coral, FL. The Director asked for any questions or comments. There was no discussion.

**e. ASB Public Meeting: September 14, 2023 – Virtual**

Director Kohtz informed the Board that the next ASB virtual public meeting is scheduled for September 14, 2023. The Director asked for any questions or comments. There was no discussion.

**f. AQB Public Meeting: September 28, 2023 – Virtual**

Director Kohtz informed the Board that the next AQB virtual public meeting is scheduled for September 28, 2023. The Director asked for any questions or comments. There was no discussion.

**7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS:** No discussion.

**8. IN THE NEWS:** No discussion.

**D. CREDENTIALING AS A NEBRASKA REAL PROPERTY APPRAISER**

The Board reviewed applicants CG22024R, CG2021007R, CG2021009R, and CG2020028R. Chairperson Walkenhorst asked for a motion on CG2021007R, CG2021009R, and CG2020028R.

Board Member Downing moved to take the following action:

**CG2021007R / Approve renewal of Certified General Real Property Appraiser credential. Issue written advisory directing applicant to carefully read and truthfully answer all disciplinary and/or criminal background questions on any future application to the Board. All misdemeanor convictions must be reported within the five-year period immediately preceding the date of application.**

Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and called for a vote. Motion carried with Downing, Gerdes, Hermsen, Luhrs, and Walkenhorst voting aye.

Board Member Downing moved to take the following action:

**CG2021009R / Approve renewal of Certified Residential Real Property Appraiser credential. Issue written advisory explaining the Board's understanding of the Connecticut disciplinary action matter and directing applicant to carefully read and truthfully answer all disciplinary questions on any future application to the Board.**

Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and called for a vote. Motion carried with Downing, Gerdes, Hermsen, Luhrs, and Walkenhorst voting aye.

Board Member Downing moved to take the following action:

**CG2020028R / Approve renewal of Certified General Real Property Appraiser credential. Issue written advisory directing applicant to carefully read and truthfully answer all disciplinary questions on any future application to the Board.**

Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and called for a vote. Motion carried with Downing, Gerdes, Hermsen, Luhrs, and Walkenhorst voting aye.

**E. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY:** No discussion.

**F. CONSIDERATION OF COMPLIANCE MATTERS:** No discussion.

**G. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS**

**1. 2022.13**

The Board reviewed a complaint submitted to the Nebraska Department of Banking and Finance provided by the Nebraska Department of Banking and Finance concerning a potential conflict of interest between an employee at a financial institution and an employee at a real property appraisal company. No action was taken by the Board.

**2. 2022.14**

The Board reviewed a matter in which an appraisal management company failed to properly report disciplinary action taken by another state AMC regulatory authority. Board Member Downing moved to issue written advisory directing the organization to take notice of Neb. Rev. Stat. § 76-3216(4) and carefully read and truthfully answer all disciplinary questions on any future applications to the Board. Board Member Luhrs seconded the motion. Chairperson Walkenhorst recognized the motion and called for a vote. Motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye.

**3. PERSONNEL MATTERS**

Employee personnel matters were discussed.

**S. ADJOURNMENT**

Chairperson Walkenhorst declared that it was about time to adjourn. Board Member Downing indicated that she had one last comment. Board Member Downing thanked Business and Education Program Manager Katja Peppe for her years of service and wished her luck in her future endeavors. All board members agreed. Ms. Peppe thanked the Board for a good work experience and for the well wishes.

Chairperson Walkenhorst stated that the next meeting is scheduled for February 16, 2023, and noted that he would not be in attendance. Staff and board members acknowledged the report.

Board Member Downing moved to adjourn the meeting. Board Member Gerdes seconded the motion. Motion carried with Downing, Gerdes, Hermesen, Luhrs, and Walkenhorst voting aye. At 11:23 a.m., Chairperson Walkenhorst adjourned the January 19, 2023 meeting of the Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz  
Director

These minutes were available for public inspection on January 31, 2023, in compliance with Nebraska Revised Statute § 84-1413 (5).