

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

July 18, 2019 Meeting Minutes

A. OPENING

Chairperson Ben Hynek called to order the July 18, 2019 meeting of the Nebraska Real Property Appraiser Board at 9:00 a.m., 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 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 July 9, 2019. 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, Thomas Luhrs of Imperial, Nebraska, Christopher Mustoe of Omaha, Nebraska, Gary McCormick of North Platte, Nebraska, and Wade Walkenhorst of Lincoln, 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 Walkenhorst seconded the motion. With no further discussion, the motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

Board Member Mustoe 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 9:02 a.m. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

Board Member Mustoe moved to come out of executive session at 9:14 a.m. Board Member Luhrs seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

G. WELCOME AND CHAIR'S REMARKS

Chairperson Hynek greeted the public, and said "Less is more."

H. BOARD MEETING MINUTES

1. APPROVAL OF JUNE 20, 2019 MEETING MINUTES

Chairperson Hynek asked for any additions or corrections to the June 20, 2019 meeting minutes. With no further discussion, Chairperson Hynek called for a vote. Board Member Mustoe moved to adopt the June 20, 2019 meeting minutes as presented. Board Member McCormick seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

2. APPROVAL OF JUNE 20, 2019 STRATEGIC PLANNING MEETING MINUTES

Chairperson Hynek asked for any additions or corrections to the June 20, 2019 strategic planning meeting minutes. With no further discussion, Chairperson Hynek called for a vote. Board Member Mustoe moved to adopt the June 20, 2019 strategic planning meeting minutes as presented. Board Member Luhrs seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

I. DIRECTOR'S REPORT

1. APPRAISER COUNT REPORT

Director Kohtz presented seven charts outlining the number of appraisers as of July 18, 2019. The Director reported that this month, the total number of credentialed appraisers surpassed the high for last year. The Director expressed satisfaction with the positive progress in the number of credentialed appraisers to date. Director Kohtz asked for any questions or comments. There was no further discussion.

2. CREDENTIAL RENEWAL REPORT

Director Kohtz presented two charts outlining the credential renewals as of June 30, 2019. The Director reported that a 94% overall credential renewal rate was achieved this year, which is 2% greater than expected. He commented that the trainee classification was the only classification that underperformed. BLS Nesper reported that several trainee real property appraisers could not find a supervisory appraiser; therefore, did not renew their credentials. Director Kohtz informed the Board that he needs to build this factor into the projections. The Director then declared that the Board's policy decisions are having a positive effect on the appraiser community. Director Kohtz asked for any questions or comments. There was no further discussion.

3. TEMPORARY CREDENTIAL REPORT

Director Kohtz presented three charts outlining the number of temporary permits issued as of June 30, 2019, and informed the Board that the current pace would set a new record for temporary permits issued in a year. The Director then asked for any questions or comments. There was no further discussion.

4. SUPERVISORY APPRAISER COUNT REPORT

Director Kohtz presented two charts outlining the number of supervisory appraisers as of July 18, 2019. The Director informed the Board that he had no comments, and then asked for any questions or comments. There was no further discussion.

5. AMC COUNT REPORT

Director Kohtz presented two charts outlining the number of AMCs as of July 18, 2019. The Director informed the Board that he had no comments, and then asked for any questions or comments. There was no further discussion.

6. 2019-20 STRATEGIC PLANNING GOALS AND OBJECTIVES + SWOT ANALYSIS

Director Kohtz presented a copy of the 2019-20 Nebraska Real Property Appraiser Board Goals and Objectives and SWOT Analysis to the Board for review, explained that this document is used to help staff prioritize projects and manage the workload during the year, and asked for any questions or comments. Chairperson Hynek expressed his agreement with the contents as presented. There was no further discussion.

Director Kohtz recognized BLS Nespor for her third anniversary with the agency, which is today. Director Kohtz, board members, and AS Duerig expressed their congratulations and thanks.

J. FINANCIAL REPORT AND CONSIDERATIONS – JUNE 2019

1. APPROVAL OF JUNE RECEIPTS AND EXPENDITURES

Director Kohtz summarized the expenditures and revenues for the 2018-2019 fiscal year, which ended with \$370,576.48 in expenditures and \$337,261.70 in receipts. As of the end of June, expenses amount to 71.53 percent of the budgeted expenditures. Director Kohtz also noted that revenues finished at 107.50 percent of the budgeted revenues for the fiscal year. The Director then broke down expenditures by operations, encumbrances, and one time funded projects to give the Board a sense of its expenditures for the fiscal year. Specifically, Director Kohtz commented on the data processing expenses, and informed the Board that much of the work has been completed, but some will spill into the current fiscal year. Director Kohtz then moved to Conference Registration, and indicated that the Board surpassed the budgeted amount at 101.5% of budgeted. The Director attributed this to an increase in AARO conference registration fees. Director Kohtz then brought attention to the office supplies expense of \$792.56, and informed the Board that it is well below budget at 26.19%. The Director moved on to the legal and contractual services expenses, and reported that fewer grievances required the use of subject matter experts and the Board's Special Assistant Attorney General. The Director then commented on the SOS Temp Service-Personnel expense, and reminded the Board that it utilized a full-time temporary employee at a higher classification for a longer period compared to the usual interns for renewal season. Director Kohtz informed the Board that the interns will be hired again this fiscal year.

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The Director then proceeded to revenues. For education, Director Kohtz reported that Qualifying Ed Course Fees for new courses exceeded projections at 340%. The Director attributed this to the statutory change allowing qualifying education to be taken online. Director Kohtz mentioned that Continuing Ed New Fees revenues were below projected at 54.93%, but he did not have an explanation for the occurrence. The Director indicated that when reviewing the three-year history, there is definitely a dip. Director Kohtz continued down the Budget Status Report to the credentialing fees section. The Director reported that revenues came in at 83.33% of projected for Certified General New Fees, adding that most of the revenues were received in the second half of the fiscal year. Certified Residential New Fees ended on a high note at 137.50% of projected, and Licensed Renewal Fees ended at 124.07% of projected. Finally, the Director reported that AMC registration and renewal fees both exceeded budgeted revenues. Director Kohtz informed the Board that it was a good year financially overall. If the one-time project expenditures are removed from the expenses, the cash balances would have increased from the previous year. The Director then asked for any questions or comments. There was no further discussion on the 2018-19 fiscal year.

The receipts and expenditures for June were reviewed by the Director by line item with the Board in the Budget Status Report. Director Kohtz brought attention to the \$10,930.97 Data Processing Expense. The Director reported that this expense covers the work being done on the EFT payment function and online renewal application, as well as the enforcement interface. Director Kohtz informed the Board that the enforcement interface is finished and will be in use shortly. Director Kohtz asked for any questions or comments. There was no further discussion.

Director Kohtz then brought attention to the General Ledger for June. The Director noted three entries are related to end-of-year accounts cleanup. The Director first guided the Board to the two entries with the description, "Y/E CLEANUP ZERO OUT TAX REF", and reported that long ago some appraiser federal registry fees were accidentally deposited into a liability account once used to collect sales tax for USPAP books. Since the Board no longer retails USPAP books, these funds were just sitting in this account. Director Kohtz then informed the Board that a journal entry with the description, "Y/E CLEANUP ZERO OUT NSF SUSP" was required to balance the Board's records with the Treasurer's Office's records for returned checks during the past fiscal year. Finally, the Director brought attention to an entry with the description, "RECYCLING ENTERPRISES OF NE IN." This entry, said the Director, is for the destruction of files by the records management division according to the retention schedule. Director Kohtz asked for any questions or comments. There was no further discussion.

Director Kohtz presented three graphs showing expenses, revenues, and cash balance. For the Real Property Appraiser Program, which includes both the appraiser fund and the AMC fund, a total of \$30,170.62 in expenditures and \$10,828.47 in revenues were reported. The Director then remarked that the cash balance for the AMC fund is \$263,378.79, the Appraiser Fund is \$315,555.11, and the overall cash balance for both funds is \$578,933.90. Director Kohtz asked for any questions related to the graphs. There was no further discussion.

Board Member Luhrs moved to accept and file the June 2019 financial reports for audit. Board Member Walkenhorst seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

2. FY 2019-20 BUDGET

Director Kohtz presented the final Fiscal Year 2019-2020 budget to the Board for consideration, and informed the Board that, except for updating the salary information due to rounding differences in the State Accounting System, nothing has changed in the proposed budget since it was presented at the strategic planning meeting. The Director provided a summary regarding the application of budgeted expenditures to the Appraiser Fund and the AMC Fund, and informed the Board that the general expenses will once again be split 60% to the Appraiser Fund and 40% to the AMC Fund. Director Kohtz then reviewed expenditures and revenues, and explained the effect of projected expenditures on the base budget, the effect of one-time expenditures on the budget, and the projected revenues. Director Kohtz asked for any questions or comments. There was no further discussion. Board Member Luhrs moved to approve the Fiscal Year 2019-2020 Budget. Board Member Walkenhorst seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

3. 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.

K. GENERAL PUBLIC COMMENTS

Chairperson Hynek asked for any public comments. No members of the public were present.

L. CONSIDERATION OF EDUCATION-INSTRUCTOR REQUESTS

Board Member Mustoe moved to approve the following education activities and instructors as listed:

NEW CONTINUING EDUCATION ACTIVITIES AND INSTRUCTORS

Appraisal Institute

Litigation Appraising: Specialized Topics and Applications [22.5 hours] (2191453.02) / 22.5 Hours – Vincent Dowling

Online Fundamentals of Apartment Appraising (2192455.02) / 7 Hours – Kenneth Foltz

McKissock LLC

Appraisal of Fast Food Facilities (2192454.03) / 7 Hours – Paul Lorenzen

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

Board Member Mustoe moved to approve the following education activities and instructors effective as of the date on which Nebraska Legislative Bill 77 becomes effective:

NEW DISTANCE QUALIFYING EDUCATION ACTIVITIES AND INSTRUCTORS

Appraisal Institute

2018-2019 Online 15-hour Equivalent USPAP Course (1192150.02) / 15 Hours –

Thomas Kirby

Online Basic Appraisal Principles (1192451.02) / 30 Hours – Richard Dubay

Online Basic Appraisal Procedures (1192452.02) / 30 Hours –

Richard Dubay, Thomas Kirby

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

M. UNFINISHED BUSINESS

1. ONLINE APPRAISER RENEWAL APPLICATION SUBMISSION PORTAL WITH ELECTRONIC PAYMENT

Director Kohtz reported that progress is still being made on the Online Appraiser Renewal Application Submission Portal with Electronic Payment. The Director noted that, while he was not concerned about the progress, he was almost certain that the application would not be ready for the 2020-21 renewal season. Director Kohtz informed the Board that he would have a more concrete decision made by the August meeting. The Director asked for any questions or comments. There was no further discussion.

N. NEW BUSINESS

1. FBI Criminal Justice Information Security Audit

Director Kohtz presented an email from the FBI Criminal Justice Information Services (CJIS) Division, received by BLS Nespor on July 8, 2019, to the Board for review. The intent of the email was to notify the Board that a representative from the FBI CJIS would conduct an in-person noncriminal justice information technology security audit of the Board's program on August 22, 2019. The Director indicated that this should be a quick and easy process, as the focus will be on information technology security, and the Board does not store or transmit criminal history records electronically. Director Kohtz asked for any questions or comments. There was no further discussion.

2. Education Submission Portal Usage Report

Director Kohtz presented a memo drafted by AS Duerig regarding the usage of the Education Submission Portal. The Director then informed the Board that Ms. Duerig has the most interaction with the public regarding the Education Submission Portal, and asked AS Duerig to summarize her findings. According to AS Duerig, the most common problem was appraisers not entering the correct activity number when submitting education certificates. AS Duerig also reported that a ticket has been put in to OCIO that would provide better direction as how to enter the activity name and also simplify the activity selection process; the current dropdown list of activities can be confusing or overwhelming. Finally, AS Duerig showed that the number of education submissions rose sharply in April 2019, and has increased every month since. Director Kohtz asked the Board whether it would feel comfortable removing the “Beta testing” tagline from the Appraiser Education Submission Portal. Chairperson Hynek indicated that he felt comfortable doing so, and the other board members agreed. There was no further discussion.

3. Nebraska Real Property Appraiser Act Criminal History Background Check Language Report

Director Kohtz presented a memo regarding appraiser background check requirements, and reported that a goal set by the Board at the June 20, 2019 strategic planning meeting was to explore a reduction in background requirements for real property appraisers. Director Kohtz added that four exhibits were attached to the memo; the current statutory language found in Neb. Rev. Stat. § 76-2227, the current language in the Real Property Appraiser Qualifications Criteria (effective May 1, 2018), Guide Note #9 from the Real Property Appraiser Qualifications Criteria (effective May 1, 2018), and the language in the Real Property Appraiser Qualifications Criteria (effective January 1, 2015). The Director explained that the 2015 Criteria was the first instance in which the Appraiser Qualifications Board included language to establish background requirements for appraiser credentialing. Nebraska, as most states did, incorporated these requirements into its language when developing background requirements. LB717 was approved by the Governor on April 9, 2014. Right before the 2015 Criteria became effective, the Appraiser Qualifications Board voted to remove the background requirements from the criteria due to pushback received from the appraiser community, the banking industry, and appraiser credentialing authorities. At the time, Nebraska and most other states had no option but to implement the appraiser background requirements that became law. In 2015, the Appraiser Qualifications Board voted to approve a new background requirements section in the 2015 Criteria. This section includes the same language as found in the current criteria. The Board discussed this change at its September 23, 2015 meeting, and agreed that the general nature of the new AQB language should be included in the act to ensure that the intent of the new language is met. Director Kohtz asked as preparation begins for the next USPAP update bill, does the Board want to make changes to the appraiser background check requirements found in the act, or leave the language as it is currently written? The Director continued, the current language includes many layers that are not required by the criteria and can be simplified. However, the current language is very specific and provides excellent guidance to staff when evaluating applicant backgrounds. Because of the current language, staff can easily determine if a background issue should be brought to the Board’s attention or not.

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Chairperson Hynek expressed interest in adopting the simplified language reflecting the current criteria. Director Kohtz noted that he had a conversation with Bill Marienau about these requirements during the last legislative session. Mr. Marienau recommended that the Board either leave it the way it is or adopt the 2018 criteria language in its entirety. Board Member Luhrs asked the Director if the Board would see more background check results if they adopted the 2018 language only. Director Kohtz replied, “Yes,” adding that the longer 2015 version better clarifies what background results are required to be reviewed by the Board, and vagueness in the shorter 2018 version would require more Board interaction. Board Member Luhrs expressed support for keeping the current statutory language in place; the Board agreed with Board Member Luhrs assessment. There was no further discussion.

O. LEGISLATIVE REPORT AND BUSINESS

1. TITLE 298 DRAFT_MAY 28, 2019

Director Kohtz presented the May 28, 2019 Title 298 Draft to the Board for review. The Director reported that staff had already reviewed the draft, and that a majority of the changes reflect the statutory changes made through LB77. Director Kohtz informed the Board that he would not go through every change found in the draft, specifically those directly related to LB77, but that board members are free to bring up and discuss any of the changes. The Director declared that he wanted to bring attention to those changes that are a reflection of issues faced by staff, or that have been brought up by the Board or individual board members since the last draft was adopted. Director Kohtz finished by informing the Board that the items discussed during strategic planning are also included in the draft.

The Director first guided the Board to page O.3, and indicated that the statutory phrase “ceases operation in this state” is defined for AMCs, as this has been a point of contention for AMCs. There was no discussion.

The Director then moved to page O.4, and informed the Board that the requirement that the supervisory appraiser and trainee course to be taken by a certified appraiser prior to applying to become a supervisory appraiser, and after any disciplinary action if the certified appraiser would like to become a supervisory appraiser, is added as discussed during strategic planning. There was no discussion.

On page O.5, Director Kohtz informed the Board that the requirements for acceptance of an online or correspondence supervisory appraiser and trainee course completed in another jurisdiction is defined as discussed during strategic planning. The Director informed the Board that the draft language for online or correspondence qualifying education and continuing education mirror this language. There was no discussion.

Director Kohtz then guided the Board to page O.14, and reminded the Board of a question asked by a member of the public concerning “significant appraisal assistance.” After that meeting, the Director indicated that he found the exact language in the criteria regarding this topic, and felt that it would be a benefit to include it in the rules. Chairperson Hynek asked if there was a definition in the rules before this draft. Director Kohtz replied that there was a vague statement, but that staff has to rely on the criteria. Chairperson Hynek proposed keeping the statement vague, so that the Board does not need to change the language every time the criteria changes. Board Member Luhrs commented that it might be better for trainee real property appraisers to have a specific criteria for experience. BLS Nespors mentioned that anything that is written in the rules may be copied onto the Board’s forms, like the experience logs and upgrade applications. Board Member Walkenhorst asked if the Board could simply reference the criteria in its rules. Director Kohtz replied that, since the criteria itself has no legal weight, the Board couldn’t enforce it, so it is a slippery slope. Board Member Mustoe expressed support for the additional explanation in the rules. The Board agreed to keep the language as drafted.

The Director then moved on to page O.24, and brought attention to the draft language added to § 001.04. According to the Director, this language is to clarify that only a finding of “poor” by the ASC would not satisfy the requirement that the applicant’s jurisdiction of practice is effective in accordance with Title XI. Director Kohtz informed the Board that this is clearly defined by the ASC, so it would be best that the Board set the same standard to avoid potential confusion in the future. A conversation took place regarding each state’s requirements regarding reciprocal credentialing. Director Kohtz informed the Board that a state is not required to have a reciprocal program, but if it does, the program must meet the Policy Statements of the ASC. BLS Nespors mentioned that she sometimes receives inquiries from other states asking if Nebraska would accept an appraiser from their state by reciprocity. BLS Nespors requested guidance, asking, if she gets a call from an out-of-state appraiser seeking reciprocity, should she first check the ASC compliance review for the appraiser’s jurisdiction of practice before giving instructions on how to apply for reciprocity? Director Kohtz responded that she should not, as Nebraska is not concerned with the policies or practices of another state. The Director continued by saying that if another state makes an inquiry, staff should simply reiterate what the requirements are for application by reciprocity.

Finally, the Director navigated to page O.27, and informed the Board that § 001.01 is amended to allow the USPAP instructor certification course to count as the 7-hour USPAP update course for continuing education to mirror the requirements of the criteria. There was no discussion.

Director Kohtz reminded the Board that he did not cover any of the LB77 changes, and asked for any questions or comments concerning the draft. The Director then informed the Board that the next step would include a preliminary review by the Governor’s Policy and Research Office and the Attorney General’s Office. Board Member Mustoe moved to approve the Title 298 Draft_May 28, 2019 for preliminary review by the Governor’s Policy and Research Office and the Attorney General’s Office. Board Member Walkenhorst seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

2. OTHER LEGISLATIVE MATTERS: No discussion.

P. ADMINISTRATIVE BUSINESS

1. GUIDANCE DOCUMENTS: No discussion.

2. INTERNAL PROCEDURAL DOCUMENTS

a. 201907: Investigation of AMC that Ceases Operation and Fails to Maintain a Surety Bond for One Year

Director Kohtz presented internal procedure document 201907 titled, “Investigation of AMC that Ceases Operation and Fails to Maintain a Surety Bond for One Year” to the Board for consideration. The Director informed the Board that he spoke with AAG Hart regarding the enforcement of Neb. Rev. Stat. § 76-3203 (2) when an AMC is no longer in existence. Director Kohtz indicated that both he and AAG Hart agreed that investigation of these organizations is not a good use of the Board’s funds. This internal procedure document is proposed to establish a procedure for those AMCs that meet the criteria laid out in the language. No grievance will be filed by the Board if evidence is obtained that an organization is no longer in business and no harm to the public has been reported. Chairperson Hynek expressed support for the proposed internal procedure document. Board Member Mustoe moved to approve internal procedure document 201907 as presented. Board Member Luhrs seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

3. FORMS AND PROCEDURES

a. Updated NRPAB USPAP Review Report Form

Director Kohtz presented the Updated NRPAB USPAP Review Report Form to the Board for review. AS Duerig reported that she incorporated the feedback received from board members since the last meeting, and asked for any additional comments. Director Kohtz noted that all three versions – 2014-15 USPAP, 2016-17 USPAP, and 2018-19 USPAP – would be ready for final Board review in August. Board Member Mustoe expressed satisfaction with the current format. There was no further discussion.

b. AMC Forms and Applications

Director Kohtz presented the following three AMC documents to the Board for consideration:

- i. Application for Nebraska AMC Registration
- ii. Application for Renewal of Nebraska AMC Registration
- iii. Federally Regulated AMC Nebraska Reporting Form

The Director informed the Board that the documents were updated to address the statutory changes included in LB77. BLS Nespor commented that she added the definition of “federally regulated” to the forms as well.

c. Real Property Appraiser Forms and Applications

Director Kohtz presented the following nine real property appraiser documents to the Board for consideration:

- i. 2020-21 Application for Renewal of Real Property Appraiser Credential
- ii. 2020-21 Application for Two-Year Renewal of Nebraska Real Property Appraiser Trainee Credential
- iii. Application for Inactive Status of Nebraska Real Property Appraiser Credential
- iv. Application for Nebraska Real Property Appraiser Credential Through Reciprocity
- v. Application for Nebraska Certified General Real Property Appraiser Credential
- vi. Application for Nebraska Certified Residential Real Property Appraiser Credential
- vii. Application for Nebraska Licensed Residential Real Property Appraiser Credential
- viii. Application for Trainee Real Property Appraiser Credential
- ix. Application for Registration as Supervisory Appraiser

The Director informed the Board that the documents were updated to address the statutory changes included in LB77, and noted that the application for credentialing was split into three different forms due to the complicated qualifications in place for the certified residential classification.

Board Member Luhrs moved approve the following forms and applications as presented:

- Updated NRPAB USPAP Review Report Form
- Application for Nebraska AMC Registration
- Application for Renewal of Nebraska AMC Registration
- Federally Regulated AMC Nebraska Reporting Form
- 2020-21 Application for Renewal of Real Property Appraiser Credential
- 2020-21 Application for Two-Year Renewal of Nebraska Real Property Appraiser Trainee Credential
- Application for Inactive Status of Nebraska Real Property Appraiser Credential
- Application for Nebraska Real Property Appraiser Credential Through Reciprocity
- Application for Nebraska Certified General Real Property Appraiser Credential
- Application for Nebraska Certified Residential Real Property Appraiser Credential
- Application for Nebraska Licensed Residential Real Property Appraiser Credential
- Application for Trainee Real Property Appraiser Credential
- Application for Registration as Supervisory Appraiser

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

Q. OTHER BUSINESS

1. BOARD MEETINGS

Director Kohtz requested that the April 2020 board meeting be moved from April 16th to April 23rd for personal reasons related to travel for the Spring AARO Conference. The Board saw no reason not to change the date of the April meeting. Board Member Luhrs moved to change the date of the regular meeting in April from April 16, 2020 to April 23, 2020. Board Member Walkenhorst seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

2. CONFERENCES/EDUCATION

a. Duerig 2019 Investigator Level 2 Report

AS Duerig reported that she attended The Appraisal Foundation's second level of Investigator Training in Tampa from July 15th through 17th. She stated the presenters were Don Rodgers, the Executive Director of the North Carolina Appraisal Board, and Dennis Badger, an investigator/consultant for the Kentucky Real Estate Appraisers Board. AS Duerig provided a brief description of the training. The first day included introductions and discussion regarding the different roles of an appraiser regulatory authority, as well as a USPAP quiz and discussion. AS Duerig said that the second day included materials and discussion related to interview tactics and investigative report writing. Finally, AS Duerig reported that the training session concluded with two case examples, which was a highlight of the event.

b. TAF 2019 Investigator Training – Level 3; September 16-18 – Portland, OR

Director Kohtz brought attention to the Level 3 Investigator Training taking place September 16th through 18th in Portland, Oregon. The Director reminded the Board that the attendance and registration is paid for by an Appraisal Subcommittee grant through The Appraisal Foundation. Director Kohtz requested approval for AS Duerig to attend. Board Member Mustoe moved to approve AS Duerig to register for and attend The Appraisal Foundation's 2019 Level 3 Investigator Training. Board Member Luhrs seconded the motion. The motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye.

3. MEMOS FROM THE BOARD: No discussion.

4. QUARTERLY NEWSLETTER: No discussion.

5. APPRAISAL SUBCOMMITTEE: No discussion.

6. THE APPRAISAL FOUNDATION

a. The Appraisal Foundation Pleased SB1722 Improves FHA Mortgage Process

Director Kohtz presented the TAF publication titled, "The Appraisal Foundation Pleased SB1722 Improves FHA Mortgage Process." The Director reported that the Senate Bill would once again allow licensed appraisers to perform FHA appraisals. Currently, SB1722 has been referred to the Committee on Banking, Housing, and Urban Affairs. The Director asked for any questions or comments. There was no further discussion.

b. TAF Opens Candidate Search for AQB and ASB

Director Kohtz presented The Appraisal Foundation's notice that it is seeking candidates for the AQB and ASB to the Board for review, and noted that he would send the information to anyone who was interested. There was no further discussion.

c. ASB Public Meeting; October 18, 2019 – Washington, DC

Director Kohtz reported that the next ASB Public Meeting would be held on October 18, 2019 in Washington, DC. There was no further discussion.

d. AQB Public Meeting; November 1, 2019 – St. Petersburg, FL

Director Kohtz reported that the next AQB Public Meeting would be held on November 1, 2019 in St. Petersburg, FL. There was no further discussion.

e. Board of Trustees Meeting; November 14-16, 2019 – Kansas City, MO

Director Kohtz reported that the next TAF Board of Trustees Meeting would be held on November 14-16, 2019 in Kansas City, MO. There was no further discussion.

7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS: No discussion.

8. IN THE NEWS: No discussion.

C. CONSIDERATION OF APPLICANTS FOR CREDENTIAL AS NEBRASKA REAL PROPERTY APPRAISER

Board Member Mustoe moved to take the following action for the applicant as listed:

CG18007 / Deny.

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

D. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY

Board Member Mustoe moved to take the following action for the applicant as listed:

NE2019003 / Approve for registration as an Appraisal Management Company.

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

E. CONSIDERATION OF DISCIPLINARY ACTIONS/ ENFORCEMENT MATTERS

Board Member Mustoe moved to take the following enforcement actions:

17-04 / Ongoing.

18-10 / Dismiss without prejudice; send advisory letter.

19-03 / Hold.

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

F. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS: No discussion.

R. ADJOURNMENT

Board Member Mustoe moved to adjourn the meeting. Board Member Luhrs seconded the motion. Motion carried with Mustoe, McCormick, Luhrs, Walkenhorst, and Hynek voting aye. At 10:19 a.m., Chairperson Hynek adjourned the July 18, 2019 meeting of the Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

These minutes were available for public inspection on July 26, 2019, in compliance with Nebraska Revised Statute § 84-1413 (5).