

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

March 21, 2024 Meeting Minutes

A. OPENING

Chairperson Downing called to order the March 21, 2024 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 Downing 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 March 15, 2024. 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/). A copy of the Open Meetings Act was available for the duration of the meeting. For the record Bonnie Downing of Dunning, Nebraska, Cody Gerdes of Lincoln, Nebraska, Kevin Hermsen of Gretna, Nebraska, Rodney Johnson of Norfolk, Nebraska, and Derek Minshull of North Platte, Nebraska were present. Also present were Director Tyler Kohtz, Business Programs Manager Karen Loll, Licensing Programs Manager Allison Nesper, and Education Program Manager Kashinda Sims, who are headquartered in Lincoln, Nebraska.

ADOPTION OF THE AGENDA

Chairperson Downing reminded those present for the meeting that the agenda cannot be altered twenty-four hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Gerdes moved to adopt the agenda as printed. Board Member Minshull seconded the motion. With no further discussion, the motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

Board Member Gerdes 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 Hermsen seconded the motion. The time on the meeting clock was 9:02 a.m. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

Board Member Minshull moved to come out of executive session at 10:29 a.m. Board Member Johnson seconded the motion. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

Break from 10:30 a.m. to 10:40 a.m.

G. WELCOME AND CHAIR'S REMARKS

Chairperson Downing welcomed all to the March 21, 2024 meeting of the Nebraska Real Property Appraiser Board. The Chairperson then thanked the members of the public in attendance: Chase Nelms, Blythe McAfee, Emily Kaiser, and John Farris of Farm Credit Services of America.

H. BOARD MEETING MINUTES

1. APPROVAL OF FEBRUARY 15, 2024 MEETING MINUTES

Chairperson Downing asked for any additions or corrections to the February 15, 2024 meeting minutes. With no discussion, Board Member Downing called for a motion. Board Member Johnson moved to approve the February 15, 2024 meeting minutes as presented. Board Member Minshull seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

I. DIRECTOR'S REPORT

1. REAL PROPERTY APPRAISER AND AMC COUNTS AND TRENDS

a. Real Property Appraiser Report

Director Kohtz presented seven charts outlining the number of real property appraisers as of March 21, 2024 to the Board for review. The Director indicated that he had no specific comments on this report and asked for any questions or comments. There was no further discussion.

b. Temporary Real Property Appraiser Report

Director Kohtz presented three charts outlining the number of temporary credentials issued as of February 29, 2024 to the Board for review. The Director indicated that he had no specific comments on this report and asked for any questions or comments. There was no further discussion.

c. Supervisory Real Property Appraiser Report

Director Kohtz presented two charts outlining the number of supervisory real property appraisers as of March 21, 2024, to the Board for review. The Director indicated that he had no specific comments on this report and 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 March 21, 2024 to the Board for review. The Director indicated that the trends have stabilized and 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 February 7, 2024 and March 12, 2024. The Director asked for any questions or comments. There was no further discussion.

b. Appraisal Management Company Report

Director Kohtz presented the Appraisal Management Company Report to the Board for review showing one appraisal management company approved for registration by the Director for the period between February 7, 2024 and March 12, 2024. The Director asked for any questions or comments. There was no further discussion.

c. Education Activity and Instructors 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 February 7, 2024 and March 12, 2024. The Director asked for any questions or comments. There was no further discussion.

3. 2023-24 NRPAB GOALS AND OBJECTIVES + SWOT ANALYSIS

Director Kohtz presented the 2023-2024 NRPAB Goals and Objectives and SWOT Analysis to the Board for review and provided a status update. The Director brought attention to the Laws, Rules, and Guidance Documents goals and objectives and reported that, concerning the goals to work with the Banking, Commerce, and Insurance Legislative Committee's Legal Counsel to draft bills for introduction addressing the changes needed in the Real Property Appraiser Act and Appraisal Management Company Registration Act, the Governor signed LB989 on March 11, 2024 and LB992 on March 12, 2024.

J. FINANCIAL REPORT AND CONSIDERATIONS

1. APPROVAL OF FEBRUARY RECEIPTS AND EXPENDITURES

The receipts and expenditures for February were presented to the Board for review in the Budget Status Report. The Director brought attention to the SOS Temp Serv-Personnel Expense in the amount of \$852.20 and reported that this expenditure was for Elsayed's temporary employment in October 2023. Director Kohtz informed the Board that the State SOS Program failed to bill the Board for this period in a timely manner, which is why it was not paid until February. The Director indicated that the expenditures for the month of February totaled \$34,346.23, and the year-to-date expenditures for the fiscal year are \$247,829.05, which amounts to 54.56 percent of the fiscal year; 66.58 percent of the fiscal year has passed.

Director Kohtz next turned the Board's attention to revenues and indicated that he had no specific comments pertaining to any individual account code. Director Kohtz informed the Board that revenues for the month of February were \$11,255.01, and that the year-to-date revenues for the fiscal year are \$299,531.43, which amounts to 81.93 percent of the projected revenues for the fiscal year: 66.58 percent of the fiscal year has passed. The Director asked for any questions or comments. There was no further discussion.

Director Kohtz then presented the MTD General Ledger Detail Report for the month of February to the Board and brought attention to Batch #7385674 with the Payee/Explanation, "Office Innovations LLC – Purch" found on page J.7. The Director reported that this entry is for the labor for EPM Sims workstation remodel. There was no further discussion.

Director Kohtz presented four graphs showing expenses, revenues, and cash balances. The Director noted expenditures of \$34,346.23 and revenues of \$11,255.01 for the month of February for the Real Property Appraiser program, which includes both the Appraiser Fund and the AMC Fund. The Director reported that the Real Property Appraiser Fund expenditures totaled \$23,530.98, the Real Property Appraiser Fund revenues totaled \$7,347.40, the AMC Fund expenses totaled \$10,815.25, and the AMC Fund revenues totaled \$3,907.61. Director Kohtz remarked that the cash balance for the AMC Fund is \$335,676.08, the Appraiser Fund is \$463,258.81, and the overall cash balance for both funds is \$798,934.89. The Director commented that the cash fund balances are healthy. The Director asked for any questions or comments. There was no further discussion.

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

2. FY 2023-2024 Budget Amendment

Director Kohtz presented a proposed amendment to the FY 2023-2024 budget to the Board for consideration. The Director informed the Board that the budget approved in July of 2023 included projected expenditures based on the concept for the Business Programs Manager position. Now that the position has been established and filled, the actual and projected expenditures are known. The Director then provided a brief summary of changes. The changes found in the amendment include:

- Decrease in funding of \$9,806.00 for Permanent Salaries (511100).
- Increase in funding of \$3,025.00 for Overtime Payments (511300).
- Decrease in funding of \$500.00 for Per Diem Payments (511600)
- Increase in funding of \$4,223.00 for Health Insurance Expenses (515500).
- \$10.00 transferred from Other Operating Expenses (559100) to Household & Instit Expenses (533100) for already purchased cleaning supplies.
- Increase in funding of \$4,668.00 for SOS Temporary Employment (542100) between October and December 2023.
- Decrease in funding of \$5,666.00 for Vacation Leave Expenses (512100).

- Decrease in funding of \$1,204.00 for Sick Leave Expenses (512200).
- Decrease in funding of \$301.00 for Holiday Leave Expenses (512300).
- Decrease in funding of \$1,047.00 for Retirement Plan Expenses (515100).
- Decrease in funding of \$1,105.00 for FICA Expenses (515200).
- Increase in funding of \$7,703.00 for Other Operating Expenses (559100)

Director Kohtz asked for approval of the FY 2023-2024 Budget Amendment. Board Member Minshull moved to approve the FY 2023-2024 Budget Amendment as presented. Board Member Hermsen seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no discussion, Chairperson Downing asked for a vote. The motion carried with, Gerdes, Hermsen, Johnson, Minshull, and Downing 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 Downing acknowledged that four members of the public were in attendance. John Farris appeared before the Board and introduced himself and the three individuals from Farm Credit Services of America. Farris expressed his appreciation for the Board's work and thanked the Board for providing the opportunity for his team to attend the meeting. Chairperson Downing thanked Farris for the comments. The Chairperson then asked for any other comments. With no other comments, Chairperson Downing moved on to Consideration of Education/Instructor Requests.

L. CONSIDERATION OF EDUCATION/INSTRUCTOR REQUESTS:

1. Appraisal Institute

a. Historic Preservation (Façade) Easements:

Appraisal Techniques and Valuation Issues (223340D.02)

EPM Sims presented a summary concerning an Application for Approval as a Continuing Education Activity in Nebraska received from Appraisal Institute on August 21, 2023 for the activity titled, "Historic Preservation (Façade) Easements: Appraisal Techniques and Valuation Issues." The Application identified the education activity as AQB/CAP approved with an asynchronous activity setting. Upon review, it was discovered that the AQB/CAP document received with the application did not match the activity setting in accordance with Title 298 NAC Chapter 6 §003.02B.1. The AQB/CAP approval received was for classroom delivery. On February 7, 2024, EPM Sims notified the education provider of the deficiencies and requested an updated application and AQB/CAP document. On February 12, 2024, the education provider informed EPM Sims that this activity is intended to be offered via the synchronous activity setting. EPM Sims once again requested an updated application. There was no further response from the education provider.

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EPM Sims recommended that this activity be denied. Board Member Hermsen moved to deny the Application for Approval as a Continuing Education Activity in Nebraska for the education activity, "Historic Preservation (Façade) Easements: Appraisal Techniques and Valuation Issues" (223340D.02). Board Member Gerdes seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no further discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

b. The Discounted Cash Flow Model: Concepts, Issues, and Applications (223241R.02)

EPM Sims presented a summary concerning an Application for Approval as a Continuing Education Activity in Nebraska received for the activity, "The Discounted Cash Flow Model: Concepts, Issues, and Applications" on October 3, 2023. The Application identified the education activity as AQB/CAP approved. Upon review, it was discovered that the activity title as presented on the AQB/CAP document did not match the activity title as requested on the Application in accordance with Title 298 NAC Chapter 6, §003.02B.1. On March 13, 2024, EPM Sims notified the education provider of the deficiency and requested an updated application. On March 14, 2024, the education provider notified EPM Sims that it wished for the Board to deny this application. Board Member Gerdes moved to deny the Application for Approval as a Continuing Education Activity in Nebraska for the education activity, "The Discounted Cash Flow Model: Concepts, Issues, and Applications" (223241R.02). Board Member Minshull seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no further discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

M. UNFINISHED BUSINESS: No discussion

N. NEW BUSINESS

1. Real Property Appraiser CE Reminder Popup Window in Online Appraiser Renewal Application

LPM Nespor presented a summary to the Board requesting consideration for the addition of a continuing education reminder popup to the beginning of the online real property appraiser credential renewal application. LPM Nespor informed the Board that it is common for a real property appraiser to submit an online real property appraiser credential renewal application without first submitting evidence of completion for the required twenty-eight hours of continuing education. Staff reviewing the application must contact the real property appraiser to establish if the continuing education was completed or not, and if the evidence of completion could be submitted before the application is accepted. If the real property appraiser does not have the evidence of completion, or cannot provide it within a reasonable amount of time, the application must be rejected and a letter sent explaining the reason for the rejection. This adds to staff workload during this time of year.

Nespor then explained that the correct responses to the education questions found in the real property appraiser renewal application depends on the real property appraiser's current continuing education period and 7-Hour USPAP Update due date. The purpose of the popup window as presented on page N.4, is to remind real property appraisers that the evidence of completion of the continuing education must be submitted before submitting the online real property appraiser credential renewal application. The real property appraiser must acknowledge that this process has been completed by checking the box in the popup window to gain access to the rest of the application. The window also provides a link to the education tab so a real property appraiser can review their continuing education period, education activities received by the Board, and the due date for the 7-Hour USPAP Update Course. Nespor finished by informing the Board that OCIO estimates eight hours of work at a total cost of \$675.00 to complete this project.

Chairperson Downing expressed support for the popup window concept. Director Kohtz remarked that the popup window will make it easier for staff to reject a real property appraiser renewal application when twenty-eight hours of continuing education is not submitted. Board Member Gerdes asked if criteria could be added to the real property appraiser renewal application that locks an application if the system identifies a continuing education hour submission deficiency. Director Kohtz expressed support for this idea. LPM Nespor responded that the system wouldn't know if the education had been submitted via email or mail. The Director acknowledged LPM Nespor's statement as correct. Director Kohtz then added that the pop-up window makes it clear that the real property appraiser renewal application would be rejected if the real property appraiser is found to be deficient in the number of continuing education hours submitted. Board Member Gerdes inquired about what would happen if the education was submitted accounted for, but later rejected by staff. LPM Nespor acknowledged the situation presented by Board Member Gerdes, and responded that submissions that are not approved as continuing education will always be a part of the process, but that is unrelated to the issue addressed by the popup window, which is intended to stop those who have not completed twenty-eight hours of continuing education, if required, from submitting a real property appraiser renewal application. Director Kohtz asked the Board if it had any recommended changes to the popup window concept. The Board expressed satisfaction with the popup window as presented. Board Member Hermsen moved to approve the addition of a popup window to the beginning of the online real property appraiser renewal application to reminding applicants to submit twenty-eight hours of continuing education, if required, before proceeding. Board Member Gerdes seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no further discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

O. LEGISLATIVE REPORT AND BUSINESS

1. 108TH LEGISLATURE (2ND REGULAR SESSION) BILLS OF NRPAB INTEREST

Director Kohtz presented the third legislative report for the current session to the Board for review. The Director informed the Board that he will only provide a summary on those bills that have notable changes and reminded the Board to let him know if any discussion is needed on any of the bills not summarized. The following bills were discussed:

LB16 – The Director reported that LB16 was approved by the Governor on March 5, 2024 and reminded the Board that this bill has no negative impact on the Board as AM748 exempts the Nebraska Real Property Appraiser Board.

LB909 – The Director reported that LB909 was approved by the Governor on March 11, 2024. The Director indicated that this change is positive as only pending regulations that pertain to occupational regulation must now be submitted to the Executive Board of the Legislative Council.

LB989 – The Director reported that LB989, introduced on behalf of the Board, was approved by the Governor on March 11, 2024.

LB992 – The Director reported that LB992, introduced on behalf of the Board, was approved by the Governor on March 12, 2024

LB1417 – Director Kohtz provided an update on LB1417. According to the Director, the hearing on LB1417 before the Government, Military, and Veteran’s Affairs Committee took place on February 29, 2024. During the hearing, attention was brought to an amendment drafted on behalf of the Governor’s Policy and Research Office. In the amendment, as it pertains to the Board, the Nebraska Real Property Appraiser Board becomes the Nebraska Board of Real Property Appraisers and Registered Abstracters. The Board retains its current makeup with two registered abstracters added to the Board. The Board would then absorb the duties of the Nebraska Abstracter Board of Examiners. In his opening statement, Senator Brewer acknowledged the complexity of LB1417 and indicated that this is likely the start of this process and not the end. However, during testimony, Governor Pillen’s Chief of Staff Dave Lopez expressed his desire that LB1417 as amended be voted out of committee during this session. Except for those representing the Governor, all others who testified opposed LB1417; there was some scattered support for the amendment. Director Kohtz indicated that he testified in a neutral capacity and expressed the Board’s desire to remain independent, but also acknowledged the Governor’s intent and recognized the Governor’s Policy and Research Office for working with the Board to address its concerns found in LB1417. During Senator Brewer’s closing, he brought attention to agencies that were removed from LB1417 through the amendment and those that remain. The Senator indicated that the Committee would need to meet in executive session to discuss this bill and determine a path forward. The Director stated that it is likely the bill will be reintroduced during the next legislative session as amended. Director Kohtz then asked the Board if it had any interest in addressing, during this session, the potential reintroduction of this bill as amended at the beginning of the next session. The Board discussed possible actions and outcomes, but concluded that the appraisal business community has not had the opportunity to comment on the amendment, so feedback should be obtained prior to taking any further action. Chairperson Downing asked if this could be discussed during strategic planning. The Director responded that he would add it to the strategic planning agenda for discussion.

Director Kohtz then asked for any additional questions or comments concerning the legislative report. There was no further discussion.

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

P. ADMINISTRATIVE BUSINESS

1. **GUIDANCE DOCUMENTS:** No discussion.

2. **INTERNAL PROCEDURAL DOCUMENTS:** No discussion.

3. **FORMS, APPLICATIONS, AND PROCEDURES:** No discussion.

Q. OTHER BUSINESS

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

2. **CONFERENCES/EDUCATION:** No discussion.

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

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

a. Winter 2024 Edition of The Nebraska Appraiser

Director Kohtz presented the Winter 2024 Edition of The Nebraska Appraiser to the Board for consideration. The Director asked for any questions or comments. With no discussion, Chairperson Downing asked for a motion. Board Member Minshull moved to approve the Winter 2024 Edition of The Nebraska Appraiser as presented. Board Member Hermsen seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With no discussion, Chairperson Downing asked for a vote. The motion carried Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

5. **APPRAISAL SUBCOMMITTEE:** No discussion.

6. THE APPRAISAL FOUNDATION

a. TAF March Newsletter

The Director presented The Appraisal Foundation's March 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 further discussion.

b. 2024 ASB USPAP Q&As – March 6, 2024

Director Kohtz presented the TAF Appraisal Standards Board document titled, "USPAP Q&As" issued March 6, 2024 to the Board for review. Director Kohtz first brought attention to 2024-04 beginning on page Q.12. The first question, "Am I required to use the term "personal inspection" in my appraisal report?" The Director reported that the answer to the question is, no. USPAP does not require use of the specific term "personal inspection". The term "personal inspection" is only used in USPAP in the certification requirements.

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Director Kohtz then moved to the question for 2024-05, which says “For a new assignment (in which an inspection has been complete for a previous assignment) can I use the information I have already collected about the subject property as it relates to an already complete inspection?” The answer provided is, as with any assignment, you might be able to use information and analyses developed for a previous assignment. However, one must be mindful of obligations relating to the use of confidential information. The Director informed the Board that the rest of the questions build upon the last. Director Kohtz then guided the Board’s attention to the follow-up question for 2024-05, “For the new assignment, can I certify I made a personal inspection?” The answer is no. Director Kohtz guided the Board to the next follow-up question in 2024-05, which states “My assignment from the new client requires my report to include a certification indicating I had “inspected the property as of the effective date of value”. Since I did inspect the property as of the effective date of value, would this meet the requirement for addressing the USPAP certification element about “personal inspection?” The Director reported that the short answer is, no. Finally, Q&A 2024-06 was covered by Director Kohtz. The question is, “The certification in my appraisal report satisfies the requirement to disclose if I have (or have not) made a personal inspection . . . Am I required to make an additional disclosure in my appraisal report related to my personal inspection?” The answer is there is no requirement for every appraisal report to include an additional disclosure; however, for some appraisal assignments, it may be necessary for you to include more details about your personal inspection in the report. The Director asked for any questions or comments. There was no further discussion.

7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS: No Discussion.

8. IN THE NEWS: No discussion.

Board Member Gerdes 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 Minshull seconded the motion. The time on the meeting clock was 11:21 a.m. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

Board Member Hermsen moved to come out of executive session at 12:39 p.m. Board Member Minshull seconded the motion. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

C. Credentialing as a Nebraska Real Property Appraiser:

The Board reviewed applicants L23003, CG23036, CG23039, CG24002, and CG23033 and 2314. Chairperson Downing asked for motions on L23003, CG23036, CG23039, CG24002, and CG23033.

Board Member Gerdes moved to take the following action:

L23003 / Request that the supervisory real property appraiser update the real property appraisal practice experience log to provide an acceptable description of real property appraisal practice or scope of review performed by them, the applicant provide clarification in writing regarding the scope of analysis in which judgement was exercised in the three reports obtained by the Board, and the applicant provide a written summary as to how the experience reported on the real property appraisal practice experience log demonstrates progressive responsibility in the development and reporting for the assignment results.

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

Board Member Gerdes moved to take the following action:

CG23036 / Provide redacted copy of USPAP Compliance Review Report pertaining to the Merrick County, Nebraska report to the applicant and require the applicant to complete an additional 700 hours of real property appraisal practice experience: more than 350 of those hours must include three approaches to value.

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

Board Member Gerdes moved to take the following action:

CG23039 / Provide redacted copy of UPSAP Compliance Review Report pertaining to the York County, Nebraska report to the applicant and require the applicant to complete an additional 700 hours of real property appraisal practice experience; more than 350 of those hours must include three approaches to value.

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

Board Member Gerdes moved to take the following action:

CG24002 / Invite applicant to an informal conference and notify applicant of deficiencies found in the real property appraisal practice experience log. Assign Board Member Gerdes.

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

Board Member Gerdes moved to take the following action:

CG23033 / Send requested report for a USPAP compliance review.

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

D. Registration as an Appraisal Management Company

The Board reviewed applicant NE2012095 and Chairperson Downing asked for a motion.

Board Member Gerdes moved to take the following action:

NE2012095 / Approve Application for Nebraska Appraisal Management Company Registration and issue a written advisory reminding applicant of the importance of answering questions correctly on an application.

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

E. Consideration of Compliance Matters

The Board reviewed compliance matters 23-01, 23-07, 23-08, 23-09, and 23-12. Chairperson Downing asked for a motion on 23-07 and 23-12.

Board Member Gerdes moved to take the following action:

23-12 / Request, from the client, copies of all reports communicated to the client for the Hollow Road Project.

Board Member Johnson seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With none, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull and Downing voting aye.

Board Member Gerdes moved to take the following action:

**23-07 / Execute Determination by the Board and Cease and Desist Order.
Signed by Chairperson Downing on March 21, 2024.**

Board Member Hermsen seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With none, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull and Downing voting aye.

F. Consideration of Other Executive Session Items

1. 2023.23

The Board reviewed 2023.23. The Board took no action and will continue discussion at the April 18, 2024 regular meeting.

2. 2024.01

The Board reviewed 2024.01. Board Member Gerdes moved to close this matter. Board Member Hermsen seconded the motion. Chairperson Downing recognized the motion and asked for any discussion. With none, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

3. 2024.04

The Board reviewed 2024.04. The Board took no action and will continue discussion at the April 18, 2024 regular meeting.

4. 2024.06

The Board reviewed a matter in which a Nebraska real property appraiser failed to complete the 7-Hour USPAP Update Course at least once every two years as required by Neb. Rev. Stat. 76-2236(2) for a second time. Board Member Gerdes moved to issue a written advisory, sent by certified mail, informing real property appraiser of the requirement to complete the 7-Hour USPAP Update Course at least once every two years and that the next 7-Hour USPAP Update Course is due before January 1, 2026. If the real property appraiser fails to submit evidence of the successful completion of the 7-Hour USPAP Update Course in a timely manner, the next Application for Renewal of Nebraska Real Property Appraiser Credential shall go before the Board for consideration. The motion was seconded by Board Member Minshull. Chairperson Downing recognized the motion and asked for any discussion. With no discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

5. 2024.07

The Board reviewed a matter in which an education provider listed an education activity on their website as approved by the Nebraska Real Property Appraiser Board that has not been approved by the Board. Board Member Gerdes moved to send a list of all Board approved education activities for this education provider with a letter requesting that the education provider remove all education activities not found on the provided list from their website. The motion was seconded by Board Member Johnson. Chairperson Downing recognized the motion and asked for any discussion. With no discussion, Chairperson Downing called for a vote. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye.

6. Personnel Matters: No Discussion.

R. ADJOURNMENT

Board Member Johnson moved to adjourn the meeting. Board Member Minshull seconded the motion. The motion carried with Gerdes, Hermsen, Johnson, Minshull, and Downing voting aye. At 12:48 p.m., Chairperson Downing adjourned the March 21, 2024 meeting of the Nebraska Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

These minutes were available for public inspection on March 28, 2024, in compliance with Nebraska Revised Statute § 84-1413 (5).