

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

**April 18, 2024 Meeting Minutes**

**A. OPENING**

Chairperson Downing called to order the April 18, 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](http://www.nebraska.gov) on April 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/](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, and Derek Minshull of North Platte, Nebraska were present. Rodney Johnson of Norfolk, Nebraska was absent and excused. 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, 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 Minshull seconded the motion. The time on the meeting clock was 9:02 a.m. The motion carried with Gerdes, Hermsen, Minshull, and Downing voting aye.

Board Member Gerdes moved to come out of executive session at 10:59 a.m. Board Member Hermsen seconded the motion. The motion carried with Gerdes, Hermsen, Minshull, and Downing voting aye.

Break from 11:00 a.m. to 11:08 a.m.

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

Chairperson Downing welcomed all to the April 18, 2024 meeting of the Nebraska Real Property Appraiser Board and noted that there were no members of the public in attendance.

#### **H. BOARD MEETING MINUTES**

##### **1. APPROVAL OF MARCH 21, 2024 MEETING MINUTES**

Chairperson Downing asked for any additions or corrections to the March 21, 2024 meeting minutes. With no discussion, Board Member Downing called for a motion. Board Member Minshull moved to approve the March 21, 2024 meeting minutes as presented. Board Member Gerdes 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, 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 April 18, 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 March 31, 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 April 18, 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. Chairperson Downing asked if there was a way to revoke supervisory privileges. Director Kohtz responded that the investigative process would be the correct avenue to accomplish this. Chairperson Downing thanked the Director for the answer. There was no further discussion.

###### **d. Appraisal Management Company Report**

Director Kohtz presented two charts outlining the number of AMCs as of April 18, 2024 to the Board for review. The Director indicated that the trends were stable 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 March 13, 2024 and April 9, 2024. The Director asked for any questions or comments. LPM Nespor noted that the number of applications were down from the same time last year. Chairperson Downing thanked LPM Nespor for the information. There was no further discussion.

### **b. 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 March 13, 2024 and April 9, 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 goal to draft Title 298 changes to harmonize Title 298 with the changes made to the Nebraska Real Property Appraiser Act and Appraisal Management Company Registration Act, address the Board's PAVE Dashboard regulations review, incorporate changes made to the Real Property Appraiser Qualification Criteria Effective January 1, 2026, and incorporate changes made to the CAP Guidelines effective September 17, 2023, the draft is in progress. There was no further discussion.

## **J. FINANCIAL REPORT AND CONSIDERATIONS**

### **1. APPROVAL OF MARCH RECEIPTS AND EXPENDITURES**

The receipts and expenditures for March were presented to the Board for review in the Budget Status Report. Director Kohtz brought attention to the Conference Registration expense in the amount of \$600.00 and reported that this expenditure is for payment of the Director's 2024 Spring AARO Conference attendance. The Director then indicated that the expenditures for the month of March totaled \$28,619.35, and the year-to-date expenditures for the fiscal year are \$276,448.40, which amounts to 60.86 percent of the budgeted expenditures for the fiscal year; 75.34 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. The Director informed the Board that revenues for the month of March were \$13,145.37, and that the year-to-date revenues for the fiscal year are \$312,676.80, which amounts to 85.53 percent of the projected revenues for the fiscal year. Director Kohtz reiterated that 75.34 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 March to the Board and indicated that he had no specific comments on this report. There was no further discussion.

Director Kohtz presented four graphs showing expenses, revenues, and cash balances. The Director noted expenditures of \$28,619.35 and revenues of \$13,145.37 for the month of March 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 \$18,714.17, the Real Property Appraiser Fund revenues totaled \$5,783.90, the AMC Fund expenditures totaled \$9,905.18, and the AMC Fund revenues totaled \$7,361.47. Director Kohtz remarked that the cash balance for the AMC Fund is \$327,946.21, the Appraiser Fund is \$447,317.80, and the overall cash balance for both funds is \$775,264.01. The Director asked for any questions or comments. There was no further discussion.

Board Member Gerdes moved to accept and file the March financial reports for audit. 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, Minshull, and Downing voting aye.

## **2. PER DIEMS**

Director Kohtz requested a per diem payment in the amount of \$100.00 on behalf of Board Member Gerdes for representing the Board during an applicant informal conference on April 2, 2024. Board Member Hermsen moved to approve the per diem payment in the amount of \$100.00 for Board Member Gerdes. Board Member Minshull seconded the motion. Chairperson Downing recognized the motion and asked for a vote. The motion carried with Hermsen, Minshull, and Downing voting aye. Gerdes abstained.

## **K. GENERAL PUBLIC COMMENTS**

No members of the public were present. With no public comments, Chairperson Downing moved on to Consideration of Education/Instructor requests.

## **L. EDUCATION**

### **1. NEW CONTINUING EDUCATION ACTIVITY APPLICANTS**

#### **a. 223340H.02: Appraisal Institute - Practical Applications in Appraising Green Commercial Properties**

EPM Sims presented a summary concerning the Application for Approval as a Continuing Education Activity in Nebraska received at the Board office on August 29, 2023 titled "Practical Applications in Appraising Green Commercial Properties." The education activity as submitted may not meet the requirements under 298 NAC Chapter 6, § 003.02A.2e(3) as the student and instructor materials used for the activity may not reflect current theory, methods, and techniques. Specifically, the references utilized throughout the materials are dated from 1980 through 2017. Director Kohtz remarked that green building practices are not static and questioned if the materials as presented were relevant.

*(Continued on page 5)*

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Board Member Gerdes noted that much of the data is inconsequential because the methodology is what is being taught. Chairperson Downing inquired if the Board could approve the activity with a recommendation to update the references as appropriate. The Board expressed support for Chairperson Downing's recommendation. Board Member Gerdes moved to approve the Application for Approval as a Continuing Education Activity in Nebraska for the education activity, "Practical Applications in Appraising Green Commercial Properties – Synchronous" (223340H.02), and issue a written advisory reminding the education provider that all activities shall contain current material, theory, methodologies, and Uniform Standards of Professional Appraisal Practice requirements, and that references must be updated as needed. Board Member Hermsen 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, Minshull, and Downing voting aye.

## **2. NEW QUALIFYING EDUCATION ACTIVITY APPLICANTS**

### **a. 1243419.02: Appraisal Institute - General Appraiser Income Approach/ Part 1 – Synchronous**

EPM Sims presented a summary concerning an Application for Approval as a Qualifying Education Activity in Nebraska received on February 20, 2024 for the activity, "General Appraiser Income Approach/ Part 1 – Synchronous." The Application identified the education activity as AQB/CAP approved. Upon review, it was discovered that the activity title as requested in the application did not match the title as presented on the AQB/CAP document. In accordance with Title 298 NAC Chapter 6, § 002.01A, all core curriculum courses shall be approved as qualifying education by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program. Furthermore, the AQB/CAP approval for this activity expired on March 27, 2024. EPM Sims requested an updated application to match the AQB/CAP document from Appraisal Institute. Dee Alexander of Appraisal Institute responded that the Application should be discarded as Appraisal Institute is in the process of getting the AQB approval for the activity updated. EPM Sims recommended that the Board deny this application. Board Member Gerdes moved to deny the Application for Approval as a Qualifying Education Activity in Nebraska for the education activity, "General Appraiser Income Approach/ Part 1 – Synchronous" (1243419.02). Board Member Hermsen 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, Minshull, and Downing voting aye.

### **3. RESCISSION OF APPROVAL OF EDUCATION ACTIVITIES**

#### **a. 2221453.01: ASFMRA - Appraising Agricultural Land in Transition**

EPM Sims presented a summary concerning the ASFMRA activities titled, "Appraising Agricultural Land in Transition" (2221453.01) offered in a classroom activity setting, and "Appraising Agricultural Land in Transition" (2223454.01), offered in a synchronous activity setting. These education activities have been updated and recently approved, which creates a duplicate for each activity. During review of the applications received for these activities, EPM Sims requested clarification as to the intent of the education provider. Deanna Ilk responded and declared ASFMRA's intent to surrender approval of the activities approved in 2022 as the instructor and material have changed. Staff recommends rescinding approval of these activities.

Board Member Minshull moved to rescind approval for the education activity titled, "Appraising Agricultural Land in Transition" (2221453.01) as requested by the education provider. 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, Minshull, and Downing voting aye.

#### **b. 2223454.01: ASFMRA - Appraising Agricultural Land in Transition**

Board Member Minshull moved to rescind approval for the education activity titled, "Appraising Agricultural Land in Transition" (2223454.01) as requested by the education provider. Board Member Hermsen 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, Minshull, and Downing voting aye.

**M. UNFINISHED BUSINESS:** No discussion

**N. NEW BUSINESS:** No discussion

### **O. LEGISLATIVE REPORT AND BUSINESS**

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

Director Kohtz presented the fourth 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:

**LB143** – The Director reported that LB43 was approved by the Governor on March 27, 2024.

**LB164** – The Director reported that LB164 was passed on final reading on April 11, 2024. The Director indicated that after many revisions this bill is no longer pertains to building codes.

**LB1417** – Director Kohtz provided an update on LB1417. According to the Director AM3346 removed twenty-one boards, commissions, committees, and councils from the original bill including the Nebraska Real Property Appraiser Board. The Director added that he expects that AM3346 will be the starting point for the next session; however, the possibility of something similar to LB1417 is always possible. LPM Nespor added that the Abstracters Board had also been stricken in the amendment. Chairperson Downing noted that the appraisal community had spoken loudly and thanked Director Kohtz his hard work on this bill. Director Kohtz reciprocated the thanks to the Board.

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.

**N. ADMINISTRATIVE BUSINESS**

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

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

**3. FORMS, APPLICATIONS, AND PROCEDURES:**

**a. Real Property Appraiser Updates**

**i. Application for Nebraska Trainee Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “Application for Nebraska Trainee Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**ii. Application for Nebraska Licensed Residential Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “Application for Nebraska Licensed Residential Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**iii. Application for Nebraska Certified Residential Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “Application for Nebraska Certified Residential Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**iv. Application for Nebraska Certified General Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “Application for Nebraska Certified General Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**v. 2025-26 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “2025-26 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**vi. 2025-26 Application for Renewal of Nebraska Real Property Appraiser Credential**

LPM Nespor presented an updated document titled, “2025-26 Application for Renewal of Nebraska Real Property Appraiser Credential,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB989 changes and a few non-substantial changes.

**vii. Real Property Appraisal Practice Experience Log Cover Sheet**

LPM Nespor presented an updated document titled, “Real Property Appraisal Practice Experience Log Cover Sheet,” to the Board for consideration. LPM Nespor summarized the updates and pointed to format changes, clarifying that a supervisory real property appraiser approved by the Board is required for experience obtained in another state, and that a report for a non-traditional client must still be signed by the supervisory real property appraiser or appraiser-in-charge, if applicable.

**viii. Real Property Appraiser Credential Renewal Application Procedures**

LPM Nespor presented an updated document titled, “Real Property Appraiser Credential Renewal Application Procedures,” to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this document is a complete rewrite from the previous version to add the new Business Programs Manager position into procedures.

Board Member Gerdes moved to approve the Application for Nebraska Trainee Real Property Appraiser Credential, Application for Nebraska Licensed Residential Real Property Appraiser Credential, Application for Nebraska Certified Residential Real Property Appraiser Credential, Application for Nebraska Certified General Real Property Appraiser Credential, 2025-26 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential, 2025-26 Application for Renewal of Nebraska Real Property Appraiser Credential, Real Property Appraisal Practice Experience Log Cover Sheet, and Real Property Appraiser Credential Renewal Application Procedures as presented. 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, Minshull, and Downing voting aye.



**b. Appraisal Management Company Updates**

**i. Application for Nebraska Appraisal Management Company Registration**

LPM Nespor presented an updated document titled, "Application for Nebraska Appraisal Management Company Registration," to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB992 changes and a few non-substantial changes.

**ii. Application for Renewal of Nebraska Appraisal Management Company Registration**

LPM Nespor presented an updated document titled, "Application for Renewal of Nebraska Appraisal Management Company Registration," to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB992 changes and a few non-substantial changes.

**iii. Nebraska Appraisal Management Company Information Change Form**

LPM Nespor presented an updated document titled, "Nebraska Appraisal Management Company Information Change Form," to the Board for consideration. LPM Nespor guided the Board through the changes and informed the Board that this form is updated to implement the LB992 changes and a few non-substantial changes.

Board Member Hermsen moved to approve the Application for Nebraska Appraisal Management Company Registration, Application for Renewal of Nebraska Appraisal Management Company Registration, and Nebraska Appraisal Management Company Information Change Form as presented. 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, Minshull, and Downing voting aye.

**Q. OTHER BUSINESS**

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

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

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

**4. QUARTERLY NEWSLETTER:**

**a. Spring 2024 Edition of The Nebraska Appraiser**

Director Kohtz presented the Spring 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 Gerdes moved to approve the Spring 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, Minshull, and Downing voting aye.

**5. APPRAISAL SUBCOMMITTEE:**

**a. ASC Quarterly Meeting: June 12, 2024 (Online)**

Director Kohtz announced that the next ASC quarterly meeting will be held online June 12, 2024 and asked for any questions or comments. There was no further discussion.

**b. ASC FY24 Notice of Funding Availability (NOFA) – State Appraiser Regulatory Agencies Support (SARAS) Grant**

The Director presented the ASC FY24 Notice of Funding Availability (NOFA) - State Appraiser Regulatory Agencies Support (SARAS) Grant document to the Board for review and reported that he had no specific comments. The Director asked for any questions or comments. There was no discussion.

**6. THE APPRAISAL FOUNDATION**

**a. TAF April Newsletter**

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

**b. TAF Press Release: Kelly Davids Named President of The Appraisal Foundation**

The Director presented The Appraisal Foundation's press release, "Kelly Davids Named President of The Appraisal Foundation" to the Board for review and reported that he had no specific comments. The Director asked for any questions or comments. There was no discussion.

**7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS**

**a. April AARO Quarterly Newsletter**

The Director presented the April AARO Quarterly Newsletter to the Board for review and reported that he had no specific comments. The Director asked for any questions or comments. There was no discussion.

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

**C. Credentialing as a Nebraska Real Property Appraiser:**

The Board reviewed applicants L23001, CG24002, and 2314. Chairperson Downing asked for motions on L23001, CG24002, and 2314.

Board Member Gerdes moved to take the following action:

**L23001 / Deny application for failure to pass the National Uniform Licensing and Certification Examination within the twelve months following approval of the applicant's education and experience as required under N.R.S. §76-2230(1)(f).**

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

Board Member Gerdes moved to take the following action:

**CG24002 / Request that applicant complete additional agricultural-based education in 1) cost approach for general appraiser, 2) sales comparison approach for general appraiser, 3) income approach for general appraiser, and 4) integrated approaches offered by an education provider with an expertise in agricultural appraisal. Upon completion of education, submit two reports for a non-traditional client demonstrating all three approaches to value on an improved property. Submit evidence of completed education and non-traditional report no later than October 18, 2025.**

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

Board Member Gerdes moved to take the following action:

**2314 / Deny application for Nebraska Real Property Appraiser Temporary Credential submitted on March 4, 2024 for failure to meet Neb. Rev. Stat. § 76.2227(5) due to the failure to meet the minimum qualifications for credentialing established by or pursuant to the Real Property Appraiser Act in N.R.S. § 76-2238(1); for procuring or attempting to procure a credential under the act by knowingly making a false statement, submitting false information, or making a material misrepresentation in an application filed with the Board, or procuring or attempting to procure a credential through fraud or misrepresentation in N.R.S. § 76-2238(2); and for any violation of the act or any rules and regulations adopted and promulgated pursuant to the act in N.R.S. § 76-2238(12).**

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

**D. Registration as an Appraisal Management Company:** No discussion

**E. Consideration of Compliance Matters**

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

Board Member Gerdes moved to take the following action:

**23-08 / Proceed with an investigation for the alleged violation of Neb. Rev. Stat. §§ 76-2237 and 76-2238 (12), and (14).**

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, Minshull and Downing voting aye.

Board Member Gerdes moved to take the following action:

**23-09 / Dismiss without prejudice. Send written advisory to bring attention to the meaning of property rights, fee simple estate, and leased fee interest and to strongly advise that the Respondent take notice of the meaning of these terms when engaged in real property appraisal practice.**

Board Member Minshull 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, Minshull and Downing voting aye.

Board Member Gerdes moved to take the following action:

**23-12 / Request that client confirm that reports provided were considered final and payment was made to the Respondent for a completed assignment. Request that client provide copy of the invoice received by the client and a copy of the payment made to the Respondent, and supporting documentation. Request that Respondent confirm that client accepted reports as submitted and payment was made to the Respondent for a completed assignment. Request that Respondent provide copy of invoice sent to the client and a copy of the payment received from the client.**

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, Minshull and Downing voting aye.

Board Member Gerdes moved to take the following action:

**23-01 / Execute Consent Agreement. Signed by Chairperson Downing on April 18, 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, Minshull and Downing voting aye.

## **F. Consideration of Other Executive Session Items**

### **1. 2023.23**

The Board reviewed 2023.23 concerning the appraisal report provided by the Fannie Mae Loan Quality Center and concluded there were no substantial errors or omissions which lead to non-credible assignment results or USPAP violations. No action was taken by the Board. This matter is considered closed.

### **2. 2024.04**

The Board reviewed 2024.04. The Board concluded that a lack of evidence exists to proceed to investigation as there were no substantial errors or omissions which lead to non-credible assignment results or USPAP violations. No action was taken by the Board. This matter is considered closed.

### **3. 2024.07**

The Board reviewed 2024.07 and took no action as the education provider is working to resolve this matter. The Board will discuss this matter again at its May 16, 2024 meeting.

### **4. 2024.08**

The Board reviewed a request for an individualized program of continuing education. A Nebraska credentialed real property appraiser requested that education activities offered by a specific education provider, not approved by the Board for continuing education at the time of completion, be allowed as continuing education. In accordance with Neb. Rev. Stat. 76-2236(4) Board Member Gerdes moved to adopt an individualized program of continuing education for the real property appraiser, for the 2023-2024 continuing education period, as follows: Any education activity provided by the specific education provider as requested, not approved by the Board at the time the education activity was completed and advertised publicly by the specific education provider as approved by the Board in violation of Neb. Rev. Stat. § 76-2238(21), but approved through the TAF Appraiser Qualifications Board's Course Approval Program, shall be approved for continuing education credit for the number of hours as approved by the Appraiser Qualifications Board for continuing education, if evidence is provided that such education activity was satisfactorily completed during the two-year continuing education period. Except for the individualization of continuing education as stated, all other provisions of Neb. Rev. Stat. § 76-2236 shall apply. 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, Minshull and Downing voting aye.

**5. 2024.09**

The Board reviewed a matter in which a Nebraska real property appraiser submitted a document certifying completion for a qualifying education activity that is not approved for synchronous delivery in Nebraska. Although the Board acknowledged that this activity is not approved for synchronous delivery, it is approved for classroom and asynchronous delivery. As such, the Board accepted this qualifying education activity as approved for the real property appraiser. Board member Gerdes moved to accept the certificate of completion for this activity for the real property appraiser as submitted. 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, Minshull and Downing voting aye.

**6. Personnel Matters: No Discussion.**

**R. ADJOURNMENT**

Board Member Minshull moved to adjourn the meeting. Board Member Hermsen seconded the motion. The motion carried with Gerdes, Hermsen, Minshull, and Downing voting aye. At 11:47 a.m., Chairperson Downing adjourned the April 18, 2024 meeting of the Nebraska Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz  
Director

These minutes were available for public inspection on April 25, 2024, in compliance with Nebraska Revised Statute § 84-1413 (5).