

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

September 19, 2024 Meeting Minutes

A. OPENING

Chairperson Downing called to order the September 19, 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 September 11, 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, Kevin Hermsen of Gretna, Nebraska, Rodney Johnson of Norfolk, Nebraska, and Derek Minshull of North Platte, Nebraska were present. Cody Gerdes of Lincoln, Nebraska was absent and excused. Also present were Director Tyler Kohtz, Business Programs Manager Karen Loll, Licensing Programs Manager Allison Nespor, 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 Hermsen moved to adopt the agenda as printed. Board Member Johnson seconded the motion. With no further discussion, the motion carried with Hermsen, Johnson, Minshull, and Downing voting aye.

Board Member Hermsen 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 9:03 a.m. The motion carried with Hermsen, Johnson, Minshull, and Downing voting aye.

Board Member Johnson moved to come out of executive session at 9:59 a.m. Board Member Minshull seconded the motion. The motion carried with Hermsen, Johnson, Minshull, and Downing voting aye.

Break from 9:59 a.m. to 10:15 a.m.

G. WELCOME AND CHAIR'S REMARKS

Chairperson Downing welcomed all to the September 19, 2024 meeting of the Nebraska Real Property Appraiser Board. Chairperson Downing thanked LPM Nespor for her invaluable years of service with the Board and congratulated BPM Loll on her upcoming promotion. Board Member Hermsen agreed with the Chairperson. Chairperson Downing then recognized Roger Morrissey as the only member of the public in attendance.

H. BOARD MEETING MINUTES

1. APPROVAL OF AUGUST 15, 2024 MEETING MINUTES

Chairperson Downing asked for any additions or corrections to the August 15, 2024 regular meeting minutes. With no discussion, Board Member Downing called for a motion. Board Member Minshull moved to approve the August 15, 2024 meeting minutes as presented. Board Member Hermsen 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 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 September 19, 2024 to the Board for review. The Director reported that trends were stable and indicated that he had no specific comments. Director Kohtz 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 August 31, 2024 to the Board for review. The Director reported that trends were stable and indicated that he had no specific 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 September 19, 2024 to the Board for review. The Director reported that trends were stable and indicated that he had no specific comments. Director Kohtz asked for any questions or comments. There was no further discussion.

d. Appraisal Management Company Report

Director Kohtz presented two charts outlining the number of AMCs as of September 19, 2024 to the Board for review. The Director reported that the slow decline trend for AMCs is continuing. Chairperson Downing asked if there were any identified factors that contributed to the slow decline. Director Kohtz responded that there has not been any additional consolidation that he is aware of, so the cause is likely market attrition. LPM Nespior reported one of the losses was due to an AMC being acquired by another AMC, and the other was loss was a non-renewal of a registration. LPM Nespior then offered some contrasting news and reported that an application for a new AMC registration is in progress. Chairperson Downing thanked staff for the update. 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 August 7, 2024 and September 10, 2024. The Director asked for any questions or comments. 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 August 7, 2024 and September 10, 2024. The Director remarked that staff had been rather busy with education review this month and asked for any questions or comments. There was no further discussion.

3. 2024-25 NRPAB GOALS AND OBJECTIVES + SWOT ANALYSIS

Director Kohtz presented the 2024-25 NRPAB Goals and Objectives and SWOT Analysis to the Board for review and provided a status update. The Director brought attention to the goal to work with the Banking, Commerce, and Insurance Legislative Committee's Legal Counsel to draft a bill for introduction to add language to the Real Property Appraiser Act and the Appraisal Management Company Registration Act allowing the use of a conditional dismissal in lieu of disciplinary action under the Laws, Rules, and Guidance Documents section and reported that the requisition drafts are still being prepared. The Director informed the Board that the committee legal counsel indicated that progress was slowed due to the special session and that the drafts will be completed soon.

The Director then moved to the next goal under Laws, Rules, and Guidance Documents to adopt Title 298 changes to harmonize Title 298 with the changes made to the Nebraska Real Property Appraiser Act and Appraisal Management Company Registration Act in 2024, address the Board's PAVE Dashboard regulations review, add fee schedule, and incorporate changes made to the Real Property Appraiser Qualification Criteria Effective January 1, 2026 and CAP Guidelines effective September 17, 2023 and reported that the Board-approved draft was sent to the AGO, GPRO, and the ASC for preliminary review. Responses have been received from the AGO and ASC. According to the Director, the ASC made some non-substantive recommendations and the AGO indicated that the language is legally sound and the Board has the proper authority for the proposed rules. Once the response from the GPRO is received, the responses will be placed before the Board for discussion.

Director Kohtz then guided the Board to the goal to obtain a second special assistant attorney general for compliance matters under Compliance and indicated that five requests for proposal for appointment as a Special Assistant Attorney General for the NRPAB have been sent. There has been one response received to date.

The Director moved to Administration and informed the Board that the goal to explore use of Federal grant money for development of online temporary real property appraiser credential application and NRPAB Database interface has been completed. The Grant application was submitted to the ASC on September 3, 2024. BPM Loll stated that September 20, 2024 is the selection date; however, the award date is October 15, 2024. Chairperson Downing asked if Staff would know before the next board meeting. BPM Loll confirmed that the office should be notified prior to the October meeting. Board Member Minshull thanked BPM Loll for the update.

Finally, Director Kohtz brought attention to the goal under Financials to complete the 2025-27 Biennial Budget Request addressing agency issues discussed at strategic planning and informed the Board that the biennial budget request was approved by the Board at its regular meeting on August 15, 2024 and submitted on August 16, 2024.

J. FINANCIAL REPORT AND CONSIDERATIONS

1. APPROVAL OF AUGUST RECEIPTS AND EXPENDITURES

The receipts and expenditures for August were presented to the Board for review in the agency Budget Status Report. Director Kohtz brought attention to the Postage Expense of \$582.18 and reported that this expenditure is unusually high due to the mailing of the real property appraiser renewal notice postcards, which totaled roughly \$300.00. The Director then guided the Board to the Data Processing Expense of \$221.76 and informed the Board that this expenditure is low due to a discrepancy in July CIO IMS. The issue has been resolved and the July bill will be included on the September Budget Status Report. Next, Director Kohtz moved to the Non-Capitalized Equipment Purchase expense of \$1,800.00 and noted that this expenditure for conference room tables utilized encumbered funds from the previous fiscal year. The Director then turned the Board's attention to the Purchasing Assessment expenditure of \$39.00 and informed the Board that this expense is an annual assessment for services provided by DAS Materiel Division for purchasing and procurement.

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The Director also informed the Board that the Educational Services expense of \$51.00 is the amount changed to the Board for the LinkedIn Learning subscription. Director Kohtz then reported that the overall expenditures for the month of August totaled \$33,936.33, and the year-to-date expenditures for the fiscal year are \$64,396.24, which amounts to 12.46 percent of the budgeted expenditures for the fiscal year; 16.99 percent of the fiscal year has passed.

The Director then turned the Board's attention to revenues and stated that revenues are right on pace with projected revenues for the fiscal year. Director Kohtz reported that the overall revenues for the month of August were \$16,385.86, and that the year-to-date revenues for the fiscal year are \$47,332.42, which amounts to 12.59 percent of the projected revenues for the fiscal year. The Director reiterated that 16.99 percent of the fiscal year has passed.

Director Kohtz then moved to the Budget Status Report for the Appraiser Fund and the AMC Fund. The Director reported that the Real Property Appraiser Fund expenditures for the month of August totaled \$22,415.34, and the year-to-date expenditures for the fiscal year are \$42,139.68, which amounts to 12.03 percent of the budgeted expenditures for the fiscal year. The Real Property Appraiser Fund revenues were \$12,522.64, and the year-to-date revenues for the fiscal year are \$32,491.27, which amounts to 12.41 percent of projected revenues for the fiscal year. Director Kohtz then reported the AMC Fund expenditures for the month of August were \$11,520.99, and the year-to-date expenditures for the fiscal year are \$22,256.56, which amounts to 13.39 percent of budgeted expenditures for the fiscal year. The AMC Fund revenues were \$3,863.22, and the year-to-date revenues for the fiscal year are \$14,841.15, which amounts to 13.00 percent of the projected revenues for the fiscal year.

Director Kohtz then guided the Board to the MTD General Ledger Detail report for the month of August and brought the Board's attention to Batch #7571877 with the Payee/Explanation, "Correct May Postage JE to J9" found on page J.12 and reminded the Board of the encumbrance issue that he brought attention to last month where an expenditure from the previous fiscal year is paid in the current fiscal year, but not yet encumbered, causing a negative expenditure when the expenditure is split between the two funds. The Director reported that this issue has been corrected. The Director then moved to Batch #7563227 with the Payee/Explanation, "Correctional Services, Departm" found on page J.13 and reported that these entries are for the conference room table purchase. LPM Nespor asked if the \$640.50 amount with the Payee/Explanation "NRPAB CSI 6 Tables" is the revenue for sale of the old tables. Director Kohtz responded that this entry is for the split between the Appraiser Fund and the AMC Fund pertaining to the purchase of the new tables; the receipts for sale of the old tables have not yet been received. The Director asked for any questions or comments. There was no further discussion.

Director Kohtz presented four graphs showing expenses, revenues, and cash balances. The Director noted expenditures of \$33,936.33 and revenues of \$16,385.86 for the month of August for the Real Property Appraiser program, which includes both the Appraiser Fund and the AMC Fund. The Director once again reported that the Real Property Appraiser Fund expenditures totaled \$22,415.34, the Real Property Appraiser Fund revenues totaled \$12,522.64, the AMC Fund expenditures totaled \$11,520.99, and the AMC Fund revenues totaled \$3,863.22. Director Kohtz remarked that the cash balance for the AMC Fund is \$312,303.10, the Appraiser Fund is \$381,181.70, and the overall cash balance for both funds is \$693,484.80. The Director asked for any questions or comments. There was no further discussion.

Board Member Minshull moved to accept and file the August financial reports for audit. Board Member Hermsen 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 Hermsen, Johnson, Minshull, and Downing voting aye.

2. ASC GRANT REPORT

BPM Loll presented an update to the Board regarding the ASC Grant Application. BPM Loll stated that the office initially submitted the application informally to obtain feedback from the ASC. The ASC asked for additional information concerning the background information on the projects included and more information on contractual work as assigned in the application. BPM Loll provided a summary of the statistics that were submitted in response to the request. Seventy-six percent of all real property appraiser and sixty-three percent of all AMC registration renewal applications are received online. Office staff is asked almost daily for options to submit temporary real property appraiser applications and education activity applications online, and for a credit card payment option. BPM Loll then provided a brief summary regarding the additional information provided concerning the Director's AARO Conference attendance. Director Kohtz brought attention to BPM Loll's work on the application and reminded the Board that this process began from scratch, so much of the learning was on the fly. Staff has built a strong foundation to go through this process in the future. Board Member Minshull expressed his gratitude for the ASC's willingness to engage in the application process as more competitive grants may just discredit an application based on minute errors and move on. Chairperson Downing thanked staff for their hard work. BPM Loll informed the Board that the selection date is set for September 20, 2024 and the award date is October 15, 2024. There was no further discussion.

3. FY 2024-2025 BUDGET ADJUSTMENTS

a. Labor for Electrical Connection Installation on Meeting Room Tables

Director Kohtz presented an Agenda Item Summary to the Board requesting approval for funding to be transferred from Other Operating Expenses to Rep & Maint – Office Equip for labor to install electrical connections on the meeting room tables. The Director reported that at its November 16, 2023 meeting, the Board approved funding in the amount of \$1,830.00 to be transferred from Other Operating Expenses, 559100, to Non-Capitalized Equip PU, 532100.

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Board Member Gerdes recommended that it would be reasonable to include an additional amount to add customized electrical connections to the tables. An additional \$300.00 was approved to be moved from Other Operating Expenses to Non-Capitalized Equip PU. The electrical connections were purchased through Amazon under the Board's office supplies purchasing authority, so no funds are required to be transferred for the purchase. The electrical connections were installed by DAS Buildings Division for \$136.00. The Director requested approval for the funding in the amount of \$136.00 to be transferred from Other Operating Expenses, 559100, to Rep & Maint – Office Equip, 527100, instead of Non-Capitalized Equipment, 532100, as previously approved by the Board. Board Member Johnson moved to approve the funding in the amount of \$136.00 to be transferred from Other Operating Expenses, 559100, to Rep & Maint – Office Equip, 527100. 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 Hermsen, Johnson, Minshull, and Downing voting aye.

b. Temporary Administrative Specialist Classified Employee

Director Kohtz presented an Agenda Item Summary to the Board requesting approval for funding in the amount of \$6,200.00 to be transferred from Other Operating Expenses, 559100, to SOS Temp Serv – Personnel, 542100, for an SOS temporary Accountant 1 classified employee. Board Member Minshull moved to approve funding in the amount of \$6,200.00 to be transferred from Other Operating Expenses, 559100, to SOS Temp Serv – Personnel, 542100, for an SOS temporary Accountant 1 classified employee. 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 Hermsen, Johnson, Minshull, and Downing voting aye.

4. 2024 AARO MEMBERSHIP DUES

Director Kohtz presented an invoice from AARO for 2025 membership to the Board for consideration. The Director informed the Board that the AARO membership invoice has historically been presented to the Board for approval each year but added that this is not typical for how the agency pays invoices. AARO membership is discussed at strategic planning each year and the Board includes funding specifically for payment of the AARO membership cost in its budget. Director Kohtz asked the Board if wished to continue approving the invoice for AARO membership each year. Chairperson Downing expressed no concerns with the invoice being paid without the Board's approval. Board Member Minshull asked if this expenditure would need to be itemized for the purpose of the ASC Grant application. BPM Loll responded no. Board Member Minshull stated, in his mind, it has already been approved in the budget for the Director to use. The Director agreed and informed the Board that if there were an issue with membership or if there were a concern with the costs, the invoice would still be presented to the Board for consideration. Board Member Hermsen moved to approve payment of 2025 AARO membership dues in the amount of \$600.00 authorize Director to pay future AARO membership invoices within already approved and existing spending authority.

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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 Hermsen, Johnson, Minshull, and Downing voting aye.

5. PER DIEMS

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

K. GENERAL PUBLIC COMMENTS

Chairperson Downing asked for any public comments. Roger Morrissey appeared before the Board and requested clarity on the requirements for real property appraisal practice experience credit to be awarded to a trainee real property appraiser credential who engages in real property appraisal practice in another jurisdiction. Morrissey indicated that it is his understanding that the real property appraisal practice experience requirements for the trainee real property appraiser are meant to provide experience in real property appraisal practice and display competence in, and knowledge of, the Uniform Standards of Professional Appraisal Practice. Morrissey went on to say that USPAP competency is the same in every state, so why would credit not be awarded to a trainee real property appraiser. Director Kohtz explained that real property appraisal practice experience obtained in another jurisdiction is required to be legally obtained, which means that any experience accepted by the Board must meet the requirements for acceptance of experience in the jurisdiction in which the real property appraisal practice experience was obtained. LPM Nespor indicated that a Nebraska credential does not authorize a trainee real property appraiser to engage in real property appraisal practice in another jurisdiction, so the Board has no jurisdiction over practice in another jurisdiction; therefore, it must rely on that jurisdiction to ensure that the experience is acceptable. Morrissey brought attention to credentials issued by reciprocity and inquired about the difference between this matter and a person credentialed in one state receiving a credential in another state by reciprocity. Morrissey mentioned that he has a driver's license that allows him to drive in other states. Director Kohtz responded that this discussion pertains to professional licensing, not driving a vehicle. Accountants, engineers, architects, or any other licensed professional must be aware of the differences in laws from state to state. The free movement of real property appraisers is written into law at the federal level, so all states must allow real property appraisers to enter their state by reciprocity or temporary credential. The requirements for acceptance of real property appraisal practice experience is left up to each state. The Director recommended that any time a supervisory real property appraiser and trainee real property appraiser intend for the trainee real property appraiser to obtain real property appraisal practice experience in another jurisdiction, that jurisdiction should be contacted to inquire about the requirements for experience to be accepted in that jurisdiction. Morrissey thanked the Board for providing information and expressed dissatisfaction with the requirement that a trainee real property appraiser is not freely given credit for any USPAP-compliant experience claimed in another jurisdiction. There was no further discussion.

L. EDUCATION

1. Application for Approval as Continuing Education

a. 2243485.85: Aloft, Inc – “Mastering Market Based Adjustments”

EPM Sims presented an Agenda Item Summary to the Board concerning the Aloft, Inc. Application for Approval as a Continuing Education Activity in Nebraska for the activity titled, “Mastering Market Based Adjustments” received on July 23, 2024. EPM Sims indicated that Andraya LaFredo is listed as one of five instructors for the activity. LaFredo’s qualification as an instructor is listed by the education provider as holding a bachelor’s degree in any field and having at least three years of experience directly related to the subject matter to be taught. The Appraisal Subcommittee’s Appraiser Registry Report shows that LaFredo holds a credential in the state of Washington, effective on June 13, 2023; no other credentials are listed. EPM Sims indicated that supporting documentation was requested from LaFredo evidencing three years of experience. LaFredo’s resume was received on September 3, 2024, evidencing experience as a certified residential appraiser between July 13, 2023 and the submission date of the application, experience as a trainee appraiser between March 2021 and the date of credentialing as a certified residential real property appraiser, and experience as a licensed real estate agent between September 2018 and the Application submission date. EPM Sims asked if the experience presented meets the requirements of an instructor under 298 NAC Chapter 6, § 005.01A. The Board held a discussion regarding what is qualified experience. The Board agreed that LaFredo’s experience as a real estate agent is not applicable to the requirement in Title 298 as the audience for the education activity is real property appraisers; therefore, the experience should be in real property appraisal practice. Board Member Hermsen moved to approve the Application for Approval as a Continuing Education Activity in Nebraska for the Aloft, Inc. activity titled, “Mastering Market Based Adjustments” (2243485.85) with requested instructors Heather Sullivan, Hansel Dobbs, Pam Teel, and Josh Walitt. Board Member Minshull seconded the motion. Chairperson Downing recognized the motion and called for any discussion. With none, Chairperson Downing called for a vote. The motion carried with Hermsen, Johnson, Minshull, and Downing voting aye.

2. Rescission of Approval of Education Activities

EPM Sims presented an Agenda Item Summary to the Board indicating that the Appraisal Institute is requesting that approval of the qualifying education activities, "2020-2021 15-hour Equivalent USPAP Course", approved on February 20, 2020 for fifteen hours of asynchronous qualifying education (Activity #1202101.02), and "2020-2021 15-Hour National USPAP Course" approved on November 21, 2019 for fifteen hours of classroom qualifying education (Activity #1201101.02) be rescinded. In addition, the Appraisal Institute is requesting that approval of the continuing education activities, "Cool Tools: New Technology for Real Estate Appraisers", approved on August 7, 2017 through August 7, 2027 for 7 hours of asynchronous continuing education (Activity #2122403.02), "Online Appraising Convenience Stores", approved on February 18, 2021 through February 18, 2026 for 7 hours of asynchronous continuing education (Activity #2212401.02), "Online Measure it Right! -

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Using the ANSI-Z765-2013 Standard for Residential Properties", approved on May 26, 2020 through May 26, 2025 for 4 hours of asynchronous continuing education (Activity #2202430.02), and "Online Valuation Resources for Solar Photovoltaic Systems", approved on February 21, 2019 through February 21, 2029 for 3 hours of asynchronous continuing education (Activity #2192407.02) be rescinded. Board Member Hermsen moved to rescind approval of the Appraisal Institute education activities "2020-2021 15-hour Equivalent USPAP Course" (1202101.02), "2020-2021 15-Hour National USPAP Course" (1201101.02), "Cool Tools: New Technology for Real Estate Appraisers" (2122403.02), "Online Appraising Convenience Stores" (2212401.02), "Online Measure it Right! - Using the ANSI-Z765-2013 Standard for Residential Properties" (#2202430.02), and "Online Valuation Resources for Solar Photovoltaic Systems" (2192407.02). 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 Hermsen, Johnson, Minshull, and Downing voting aye.

LPM Nespor declared that the activity, "Cool Tools: New Technology for Real Estate Appraisers" has been very popular with Nebraska real property appraisers and many would be sad to see it go. EPM Sims responded that there have been other approved education activities with similar content; however, she would pass this information along to the education provider. There was no further discussion.

M. UNFINISHED BUSINESS:

1. BOARD MEMBER COMMUTING/TRAVEL STATUS

Director Kohtz reported that there was no update for this agenda item and informed board members that expense reimbursement requests should continue to be submitted until notified otherwise.

2. SECOND SPECIAL ASSISTANT ATTORNEY GENERAL REQUEST FOR PROPOSALS

Director Kohtz reported that there were five Requests for Proposal for Appointment as Special Assistant Attorney General sent and one response has been received, to date. There was no further discussion.

N. NEW BUSINESS:

1. OPEN 3RD CONGRESSIONAL DISTRICT CERTIFIED REAL PROPERTY APPRAISER REPRESENTATIVE

Director Kohtz presented a draft Memo from the Board titled, "State of Nebraska Accepting Applications for Open 3rd Congressional District Certified Real Property Appraiser Member on NRPAB" to the Board for consideration. The Director reported that Chairperson Downing's term will expire on December 31, 2024 and it is time to begin advertising this opening. Director Kohtz informed the Board that the memo will reach all contacts and the Governor's office will be notified that the Board is now advertising for the opening.

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Board Member Hermsen moved to approve the Memo from the Board titled, “State of Nebraska Accepting Applications for the Open 3rd Congressional District Certified Real Property Appraiser Member on NRPAB” and begin public advertisement of the opening. 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 Hermsen, Johnson, Minshull, and Downing voting aye.

2. LICENSING PROGRAMS MANAGER POSITION

Director Kohtz announced that BPM Loll will be filling the Licensing Programs Manager position being vacated by LPM Nespor. The Director informed the Board that the position must be posted for seven days as required before BPM Loll can officially be transferred into the position. Once the Licensing Programs Manager position is filled, advertising will begin for the open Business Programs Manager position. The Director asked for any questions or comments. The Board congratulated BPM Loll on her promotion. There was no further discussion.

O. LEGISLATIVE REPORT AND BUSINESS

1. NEBRASKA REAL PROPERTY APPRAISER ACT UPDATE: No discussion.

2. NEBRASKA APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT UPDATE: No discussion.

3. TITLE 298 UPDATE

Director Kohtz reiterated his comments made during review of the 2024-25 NRPAB Goals and Objectives + SWOT Analysis discussion. The Board-approved draft was sent to the AGO, GPRO, and the ASC for preliminary review. Responses have been received from the AGO and ASC. The ASC made some non-substantive recommendations and the AGO indicated that the language is legally sound and the Board has the proper authority for the proposed rules. Once the response from the GPRO is received, the responses will be placed before the Board for discussion. Chairperson Downing asked if there is a deadline for when the preliminary review responses are due. The Director responded that the requested date for completion is November 1, 2024. There was no further discussion.

4. OTHER LEGISLATIVE MATTERS: No discussion.

P. ADMINISTRATIVE BUSINESS: No discussion.

Q. OTHER BUSINESS

1. BOARD MEETINGS: No discussion.

2. CONFERENCES/EDUCATION:

a. Kohtz UNL Agricultural Economics Course Presentation; September 16, 2024

Director Kohtz informed the Board that he gave a presentation to approximately twenty Ag Econ students at the University of Nebraska on September 16, 2024. The presentation focused on the Board's purpose, what real property appraisal practice is, and the requirements to become a real property appraiser. The Director felt that the students were engaged in the presentation and asked very well thought out and detailed questions at the conclusion of the presentation. Director Kohtz finished by saying that, in the past, he used to address an agricultural appraisal class at UNL and a real estate class at UNO each year; he hopes that the presentation to this group can become a regular occurrence again. There was no further discussion.

3. MEMOS FROM THE BOARD: No discussion.

4. QUARTERLY NEWSLETTER

a. Summer 2024 Edition of The Nebraska Appraiser

Director Kohtz presented the Summer 2024 Edition of The Nebraska Appraiser to the Board for consideration. The Director asked for any questions or comments. Board Member Minshull indicated that he reviewed the content but did not review for typos. Director Kohtz informed the Board that at least one more staff member, if not all, reviews the newsletter for spelling, grammar, and accuracy. With no further discussion, Chairperson Downing asked for a motion. Board Member Hermsen moved to approve the Summer 2024 Edition of The Nebraska Appraiser as presented. Board Member Johnson 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 Hermsen, Johnson, Minshull, and Downing voting aye.

5. APPRAISAL SUBCOMMITTEE: No discussion.

6. THE APPRAISAL FOUNDATION

a. TAF September Newsletter

Director Kohtz presented The Appraisal Foundation's September 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.

7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

a. AARO Quarterly Update – August 2024

Director Kohtz presented the AARO Quarterly Update to the Board for review. The Director guided the Board to page Q.27 and brought attention to a photograph that included him. Director Kohtz informed the Board that he was taking in all that the conference had to offer by osmosis. The Board held a lighthearted discussion regarding the Director's appearance in the newsletter. There was no further discussion.

8. IN THE NEWS: No discussion.

C. CREDENTIALING AS A NEBRASKA REAL PROPERTY APPRAISER

The Board reviewed applicants L23003, CR23013, CR24002, and CG23039. Chairperson Downing asked for a motion on CR23013, CR24002, CG23039, and L23003.

Board Member Hermsen moved to take the following action:

CR23013 / Provide redacted copy of UPSAP Compliance Review Report pertaining to the 2-4 unit residential property report and request that applicant revise the subject report to demonstrate competency in USPAP and submit to the Board.

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

Board Member Hermsen moved to take the following action:

CR24002 / Authorize staff to select one additional report for a property zero to twenty years old that includes at least two approaches to value from the submitted real property appraisal practice experience logs and continue processing the application according to established procedures. Send written advisory to supervisory real property appraiser reminding them of the requirement in USPAP to summarize the extent of any significant real property appraisal practice assistance.

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

Board Member Hermsen moved to take the following action:

CG23039 / Approve to sit for exam and authorize Director to issue a credential as a certified general real property appraiser upon providing evidence of successful completion of the National Uniform Licensing and Certification Examination and providing the necessary fees.

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

Board Member Hermsen moved to take the following action:

L23003 / Request single family report for non-traditional client, prepared without the assistance of supervisory real property appraiser, demonstrating the ability to perform real property appraisal practice. Report to be submitted to the Board for review before October 31, 2024.

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

D. REGISTRATION AS AN APPRAISAL MANAGEMENT COMPANY: No discussion.

E. COMPLIANCE

The Board reviewed compliance matters 23-08, 23-12, 24-08, and 24-09. Chairperson Downing asked for a motion on 24-08 and 24-09.

Board Member Hermsen moved to take the following action:

24-08 / Request that Respondent provide a copy of the USPAP Compliance Review Report obtained for the subject report and a copy of the revised subject report completed upon receipt of the USPAP Compliance Review Report.

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

Board Member Hermsen moved to take the following action:

24-09 / Dismiss without prejudice.

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

F. OTHER EXECUTIVE SESSION ITEMS

1. Personnel Matters

Personnel Matters were discussed.

R. ADJOURNMENT

Board Member Hermsen moved to adjourn the meeting. Board Member Minshull seconded the motion. The motion carried with Hermsen, Johnson, Minshull, and Downing voting aye.

At 11:14 a.m., Chairperson Downing adjourned the September 19, 2024 meeting of the Nebraska Real Property Appraiser Board.

Respectfully submitted,

Tyler N. Kohtz
Director

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