



Executive Summary

State Board of Certified Real Estate Appraisers

2601 North Third Street, Harrisburg

July 9, 2015

Present at the regular meeting of the Board were: Chairman Tom Smith, Secretary Jeffrey Walters, Kurt Brink, Joseph Pasquarella, Bill Rothman, Martha Brown (Secretary of the Commonwealth Designee), John Abel (Office of Attorney General), and Paul Wentzel (Secretary of Banking Designee). Also present were Board Counsel Jacqueline Wolfgang and Board Administrator Heidi Weirich.

The following key discussions/actions were taken:

1. The Board approved minutes from the June meeting.
2. Report of Prosecutorial Division:
 - Consent Agreement and Order, File 14-70-06172 (James Thomas Coventry) The respondent has held a residential certification since 2006. The respondent prepared two appraisal reports for the same property. The first was prepared for a client, the second was prepared for the same client with different comparables. Terms of the Agreement: \$3,000 civil penalty; \$1,500 costs of investigation; and 45-hrs remedial education within six months. Board approved.
 - Consent Agreement and Order, File 13-70-07911 – The respondent has held a general certification since 2010 and also holds certificates in other states. This case is both a criminal and reciprocal matter. In New York, the respondent was found guilty of grand larceny and of filing a “false instrument” in an appraisal. The respondent did not disclose previous performance of an appraisal on the same property. The New Jersey board fined the respondent through a reciprocal action. Terms of the Agreement: \$2,000 civil penalty; 4-hr elements of disclosure course; and public reprimand. Board rejected.
 - Consent Agreement and Order, File 14-70-10310 (Michael Lawrence Dennis) – The respondent has held a residential certification since 2006. The respondent indicated that he performed an appraisal when an appraisal assistant actually conducted the inspection. The assistant was not disclosed on the appraisal report. Terms of the Agreement: \$3,000 civil penalty; 15-hr USPAP; and 4-hr ethics course within three months. Board approved.
3. Regulatory Report
 - Regulation 16A-7016 (Schedule of Civil Penalties) – The proposed rulemaking will codify and amend the Board’s current schedule of civil penalties statement of policy.
Status: The Board did not discuss the proposal.

- Regulation 16A-7018 (Assessment Record Keeping and Reporting) – The proposed rulemaking would revise requirements for the use of certificate number and title for Certified Pennsylvania Evaluators to make the regulation consistent with standards of USPAP, the International Association of Assessment Officers and existing practices in county assessment offices.
Status: The Board did not discuss the proposal.
 - Regulation 16A-7020 (Renewal Fee for Appraiser Trainees) – The proposed rulemaking would adopt a biennial renewal fee for licensed appraiser trainees.
Status: The Board did not discuss the proposal.
 - Regulation 16A-7021 (Appraisal Management Companies) – The proposed rulemaking defines the scope of the Board’s jurisdiction over Appraisal Management Companies.
Status: The Board did not discuss the proposal.
4. Counsel indicated that the Board will need to write a regulation to implement the AQB Criteria that went into effect January 2015. Counsel noted that current criteria is being used but it needs to be formally adopted by the Board.
 5. The Board determined that they will meet on the second Thursday of every month in 2016, except for September and December where they will meet on the second Friday of the month.
 6. BPOA vs Craig Howard Butterfield (File 12-70-04305) – The Board conducted a formal hearing in the matter which involves appraisal of a commercial property in the spring of 2012. A complaint was filed against the respondent, which was reviewed by an expert. The expert found approximately 12 areas where the report was in violation of USPAP. One of the alleged violations was the use of inaccurate comparables that led to an inaccurate assessment of value per square foot of the subject property. The respondent was not present at the hearing. Prosecution requested that discipline be imposed including a possible suspension or revocation of the certification.
 7. Next Meeting – August 13, 2015.

The foregoing represents the author’s best interpretation of the significant actions and discussions of the Board. Aside from the meeting agenda, the author receives no supporting documentation or materials in advance or during the meeting, nor is the author present during any executive sessions of the Board. Therefore, this summary may not accurately reflect official actions or positions taken. Official minutes of the proceedings may be secured by contacting the Bureau of Professional & Occupational Affairs.

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For further information, contact Jennifer Shockley, Political and Community Services Manager