

**MARYLAND COMMISSION OF REAL ESTATE APPRAISERS,
APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS
BUSINESS MEETING MINUTES**

DATE: August 10, 2021

TIME: 10:30 a.m.

PLACE: 500 N. Calvert Street (virtual meeting and in-person)
2nd Floor Conference Room
Baltimore, Maryland 21202

PRESENT: ✓ Commissioner Anatol Polillo, Chairman
✓ Commissioner Harold Huggins, Vice-Chair
✓ Commissioner Jeremiah Hosford
✓ Commissioner Coleen Courtney-Morrison
✓ Commissioner Sean Troxell
✓ Commissioner Gwen Skillern
✓ Commissioner Michelle Marzullo
✓ Commissioner Stacy Harman
✓ Commissioner James Smith
✓ Commissioner Steve Feyerick
✓ Commissioner Bob Hergenroeder
✓ Commissioner Thomas Owen
✓ Commissioner Karen Trendler

ABSENT: Commissioner Nathan Cavey

DEPT. OF LABOR STAFF PRESENT: ✓ Todd Blackistone, Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Michael Szlachetka, Administrative Specialist

OTHERS PRESENT: Navid Omad

Call to Order

Commission Chairman, Anatol Polillo, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:37 am.

Approval of Minutes

The minutes of the business meeting held on June 8, 2021, were reviewed, and considered. By Motion made by Commissioner Marzullo, seconded by Commissioner Owen, and carried by a

unanimous vote, the minutes of the June 8, 2021 business meeting were approved.

Real Estate Appraiser Complaint Committee Report

Commission Chair Polillo reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed 13 items of business placed before the Committee. The disposition of which was as follows:

Complaints	-	21-REA-54	Remedial Education
		21-REA-63	Settlement Negotiations
		21-REA-64	Remedial Education
		21-REA-68	Remedial Education
		21-REA-69	Tabled
		21-REA-73	Tabled work file requested
		21-REA-74	Settlement Negotiations
		21-REA-75	Technical Review
		21-REA-76	Technical Review
		21-REA-77	Remedial Education
		21-REA-78	Dismissed
		21-REA-79	Tabled work file requested
		21-REA-80	Technical Review

A Motion was made by Commissioner Huggins, and seconded by Commissioner Hergenroeder, that the Commission accept the report and recommendations of the Appraiser Complaint Committee. This motion passed by a unanimous vote.

Home Inspector Complaint Committee Report

No report offered as there were no complaint to be reviewed and therefor no complaint meeting.

Education Committee Report

Commission Chair Polillo reported that the Appraiser and Home Inspection Education Committees met on this date and approved 30 courses. The Appraiser Education Committee reviewed 44 courses and of those approved 28 courses. The Home Inspection Education Committee reviewed 3 courses and, of those, approved 2 courses.

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Courtney-Morrison, and unanimously carried that the Commission accept the recommendations of the Education Committees.

Old Business

Executive Director, Todd Blackistone, addressed the Commission regarding regulations pertaining to real estate appraiser requirements for licensure. Mr. Blackistone reminded the Commission of its prior action to amend appraiser education requirements set forth in COMAR

09.19.02 in accordance with the May 2018 Appraiser Qualifications Board (AQB) guidelines and its previous discussion to similarly adopt appraiser work experience requirements in accordance with the 2018 AQB guidelines. Mr. Blackistone notified the Commission that the Secretary had approved its concept to seek proposed action to amend COMAR 09.19.03.01 pertaining to appraiser work experience requirements required for licensure in accordance with the 2018 AQB guidelines, reducing the total hour requirement and time within which such experience was to be obtained for appraiser license classifications.

Counsel explained that under the current language of COMR 09.19.03.01, the requirements for qualifying work experience are: for license appraisers, 2,000 hours obtained during 2 calendar years; for certified residential appraisers, 2,500 hours obtained over 2 calendar years; and for certified general appraisers, 3,000 hours over 2 calendar years.

Counsel further explained the AQB guidelines for work qualifying experience are: 1,000 obtained during no fewer than 6 months for licensed appraisers; 1,500 hours obtained during no fewer than 12 months for certified residential appraisers; and the same 3,000 hours obtained during no fewer than 18 months for certified general appraisers.

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Huggins, and unanimously carried that the Commission propose action to amend COMAR 09.19.03.01 pertaining to real estate appraiser work experience hours requirements as well as the time within which such experience may be obtained to meet the May 2018 AQB federal guidelines.

Counsel further advised the Commission that its final action to adopt the current edition of USPAP in COMAR 09.19.05.01, proposed during the June 8, 2021 Commission meeting, was published in the July 2, 2021 Maryland Register and became effective on July 12, 2021.

Chairman's Report

No report offered.

Assistant Attorney General's Report

No report offered.

New Business

Reinstatement of a Real Estate Appraiser License # 1

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who contacted the Commission to reinstate their license. This license was revoked in 2011 for failure to respond to the Commission. The former licensee submitted a letter and his employment history, in which he explained that, at the time relevant to prior charges against the individual, the former licensee was going through a divorce and no longer lived at the address the Commission had on file. The former licensee claims that none of the communications from

the Commission or Office of Administrative Hearings pertaining to regulatory action were forwarded and were, therefore, not received.

The applicant has paid the civil monetary penalty imposed by the Commission. The former licensee also made restitution to all complainants relevant to the earlier action that led to the proceeding because of which, the Commission revoked the license. The former licensee has been working for an Appraisal Management Company since 2015. Several letters of recommendation of the individual were submitted. The Commission discussed the ripeness of the individual's knowledge of the appraiser industry and found that the individual had demonstrated a continued connection to the appraiser industry; it was decided to allow the individual to reinstate their license provided they complete 140 hours of continuing education and meet all qualifications for licensure.

A Motion was made by Commissioner Huggins, seconded by Commissioner Hergenroeder, to require the former real estate appraiser to appear before a hearing board. The motion failed with Commissioners, Huggins, Hergenroeder, Troxell, and Trendler (4) voting in favor of the motion and Commissioners Hosford, Courtney-Morrison, Skillern, Marzullo, Smith, Feyerick, and Owen (7) voting against the motion, and Commissioner Harman abstaining.

The Commission continued to discuss the matter which resulted in a new motion to reinstate the license.

A Motion was made by Commissioner Smith, seconded by Commissioner Marzullo, and by majority vote, that the Commission approve the request to reinstate the license, provided the former licensee complete 140 hours of continuing education and meet all qualifications for licensure. All members voted in favor of this motion except for Commissioner Harman who abstained.

Real Estate Appraiser License # 2

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who contacted the Commission. The former licensee voluntarily surrendered the license in 2013 after allegations pertaining to violations of the Uniform Standards of Professional Appraisal Practice as there were discrepancies in an appraisal report. This individual asked the Commission to allow them to start over again as an Appraiser Trainee. Counsel indicated that this was not a request for license reinstatement and, accordingly, no motion was required if the individual was seeking to apply for a trainee license. The Commission unanimously voiced its approval.

Home Inspector Audit

Executive Director, Todd Blackistone, addressed the Commission regarding a home inspector who was audited upon license renewal for continuing education compliance and failed to produce 30 hours of qualifying continuing education as instructed. Applicable renewal requirements mandate that an applicant shall complete at least 30 hours of qualifying continuing professional competency for each 2-year registration term. Md. Ann. Code, Bus. Occ. & Prof. §

16-3A-07 and COMAR 09.36.08.02. The licensee requested the Commission grant an exemption from disciplinary action and as well as an extension to complete the required education.

A Motion was made by Commissioner Hosford, seconded by Commissioner Marzullo, and unanimously carried to deny the request for an exemption from disciplinary actions by the Commission.

Education Review for Consideration

Executive Director, Todd Blackistone, reported to the Commission that he had received a home inspector license application from an applicant who expressed that he was unable to produce a copy of a high school diploma as he graduated from a country that no longer exists (USSR). As a result, the applicant, who has resided in the United States since 1996, does not have access to the high school records. The individual was licensed by the Maryland Home Improved Commission in 2004. The Commission reviewed the applicant's work history and determined that, given the circumstances, his inability to produce a high school diploma or its equivalent, should not bar the individual from licensure.

A Motion was made by Commissioner Trendler, seconded by Commissioner Hergenroeder, and unanimously carried that the Commission would not bar the applicant from licensure and would waive the requirement to provide evidence of a high school diploma.

Home Inspector Applicant

Executive Director, Todd Blackistone, addressed the Commission regarding a potential home inspector license applicant who inquired whether a felony conviction from 20 years ago would him from disqualify him from home inspection licensure. The Commission determined that they need more information of the conviction, any other offenses, and the individual's employment and community activities before being able to evaluate an individual's qualification for licensure.

A Motion was made by Commissioner Huggins, seconded by Commissioner Troxell, and unanimously carried that the Commission request an explanation, a true test copy reflecting the docket(s) or proceeding(s) relevant to each conviction(s), and description of the individual's activities to before making a determination.

Home Inspection Continuing Education Requirements

Commissioner Troxell addressed the Commission regarding the existing home inspection continuing education requirements. Commissioner Troxell informed the Commission that, due to the pandemic, the lack of onsite courses currently offered by providers and how this could hinder licensed home inspectors from compliance with continuing education required for license renewal. Per COMAR 09.36.08.02C, up to 30 percent of the total continuing professional competency hours required by §A may be obtained in "other than a classroom setting". Mr. Trexell asked the Commission to approve home inspection continuing professional competency course approved by the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors conducted in a virtual, live, and interactive

format (not pre-recorded) as fulfilling the classroom setting requirement as per 09.36.08.02C. Mr. Trexell provided an analysis that education presented in this format was not unlike remote education that most students obtained from primary, secondary, and college classes during the pandemic.

A Motion was made by Commissioner Marzullo, seconded by Commissioner Troxell, and unanimously carried that the Commission clarify that live, interactive, online training be differentiated from pre-recorded non-interactive online courses.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Huggins, seconded by Commissioner Marzullo, and unanimously carried that the meeting adjourn. The meeting adjourned at 12:37 p.m.

Approved without corrections

Approved with corrections

Signature on file

Commissioner Anatol Polillo, Chair

10/12/21

Date