

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

DATE: October 11, 2016

TIME: 11:00 a.m.

PLACE: 500 N. Calvert Street
2nd Floor Conference Room
Baltimore, Maryland 21202

PRESENT: Commissioner Steven O'Farrell, Chair
Commissioner George Fair
Commissioner Derek Owings
Commissioner Joseph Berk
Commissioner Terry Dunkin
Commissioner Anatol Polillo
Commissioner Michael Picarello
Commissioner Joseph Norman
Commissioner Helen Won
Commissioner James Smith
Commissioner Mike Ranelli
Commissioner Denise Herndon
Commissioner Harold Huggins

ABSENT: Commissioner Christopher Daniell

OTHERS PRESENT: Patricia Schott, Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Simone Chambers, Board Specialist

Call To Order

Commissioner O'Farrell called the regular meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors to order at 11:00 a.m.

Approval of Minutes

The minutes of the business meeting held on August 9, 2016 were approved without corrections. A Motion was made by Commissioner Fair, seconded by Commissioner Owings and by majority vote carried that the minutes of the business meeting be approved without corrections. Commissioner Huggins abstained from voting.

Real Estate Appraiser Complaint Committee Report

Commissioner O'Farrell reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed many items of business, which had been placed before the Committee. The disposition of which was as follows:

Complaints - 30 cases were reviewed;
1 case was referred to technical review;
1 case was referred for an informal;
11 cases were dismissed; and
18 cases were tabled.

The Appraiser Complaint Committee met prior to the public meeting in Executive Session, pursuant to Md. State Gov't Code Ann., § 10-508(a)(7), to receive the advice of counsel regarding the above-mentioned matters. A Motion was made by Commissioner Fair and seconded by Commissioner Dunkin that the Commission accept the report and recommendations of the Appraiser Complaint Committee. This motion passed by a unanimous decision.

Appraiser Education/Application Committee Report

Commissioner O'Farrell reported that the Appraiser Education Committee met on this date and reviewed 12 courses, 10 were approved and 2 were denied. A Motion was made by Commissioner Fair, seconded by Commissioner Owings and unanimously carried that the Commission accept the recommendations of the Real Estate Appraiser Education Committee.

Home Inspector Complaint Committee Report

Board Specialist Chambers reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 15 items of business, which had been placed before the Committee. The disposition of which was as follows:

Complaints - 6 cases were dismissed;
1 case was referred to investigation;
1 case was referred to precharge;
3 case dispositions are pending;
1 case informal was postponed; and
3 cases are awaiting further information.

A Motion was made by Commissioner Fair, seconded by Commissioner Norman and unanimously carried that the Commission accept the recommendations of the Home Inspector Complaint Committee.

New Business

Proposed Action COMAR 09.36.02 Work Experience Requirements

Executive Director Schott explained that pursuant to Governor Hogan's regulatory reform initiatives, State agencies are tasked with reviewing their regulations and amending regulations that are obsolete, duplicative, confusing or may present barriers to efficient processing of licenses. Given this task, Executive Director Schott Executive Director Schott recommended that the Commission promulgate a regulation to repeal Regulation .01 Eligibility for Licensure. under COMAR 09.36.02 Work Experience Requirements. She explained that the regulation references obsolete work experience requirements for individuals seeking a home inspector license under a grandfather provision that expired on June 30, 2002.

A Motion was made by Commissioner Fair, seconded by Commissioner Norman and unanimously carried that the Commission promulgate proposed action to repeal COMAR 09.36.02 Work Experience Requirements.

Proposed Action COMAR 09.19.07.01 Fees Owed the Commission

Executive Director Schott recommended that the Commission also promulgate a regulation to amend COMAR 09.19.07.01A and B. Fees Owed the Commission. She explained that the purpose of the regulatory action is to eliminate the dollar amount that an applicant pays to a testing vendor contracted by the Commission to administer appraisal examinations; and eliminate the dollar amount that appraisers pay the Appraisal Subcommittee to have their name listed on the National Registry. She explained that the elimination of the dollar amount has no impact on the actual fees charges. The measure simply eliminates the need for the Commission to promulgate regulatory action should those fees change in the future.

A Motion was made by Commissioner Huggins, seconded by Commissioner Norman and unanimously carried that the Commission promulgate proposed action to amend COMAR 09.19.07.01A and B Fees Owed the Commission.

Executive Session

A Motion was made by Commissioner Owings, seconded by Commissioner Dunkin and unanimously carried that the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors go into executive session at 11:34 p.m. in the 2nd floor conference room, 500 N. Calvert Street, Baltimore, MD 21202. The purpose of the meeting was to receive advice of counsel. The meeting was permitted to be closed pursuant to Md. State Gov't Code Ann., § 10-508(a)(7).

The Commission reconvened its regular meeting at 12:00 p.m. A Motion was made by Commissioner Huggins, seconded by Commissioner Polillo, and unanimously carried that the Commission accept the decisions rendered in Executive Session.

Assistant Attorney General's Report

Assistant Attorney General Kinstler reported on two new laws relevant to the Commission: Open Meetings Act – Requirements for Agendas, and the Justice Reinvestment Act.

Effective October 1, 2016, all public bodies will be required to make an agenda available to the public before each meeting as soon as practicable, but no later than 24 hours before the meeting.. The agenda must contain known items of business or topics to be discussed at the portion of the meeting that is open and must indicate whether the public body expects to close any portion of the meeting under law. A body may make the agenda available by any of the methods authorized for giving notice under the law, but is not prohibited from using a different method. A public body may alter the agenda of a meeting after the agenda has been made available to the public.

Beginning October 2017, the Department of Corrections will issue a Certificate of Rehabilitation to individuals convicted of non-violent and non-sexual felonies and misdemeanors who were supervised by the Division of Parole and Probation under conditions of parole, probation, or mandatory release supervision, and who have completed all such conditions. A licensing board may not deny an occupational license or certificate to an applicant who has been issued a certificate of rehabilitation solely on the basis that the applicant has previously been convicted of the crime that is the subject of the certificate of rehabilitation, unless the licensing board determines that there is a direct relationship between the applicant's previous conviction and the specific occupational license or certificate sought; or the issuance of the license or certificate would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Fair, seconded by Commissioner Smith and unanimously carried that the meeting adjourn. The meeting adjourned at 12:08 p.m.

Approved without corrections

Approved with corrections



Steven O'Farrell, Chairperson

12/13/16
Date