

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

DATE: December 12, 2023

TIME: 10:32 a.m.

PLACE: 1100 N. Eutaw Street (hybrid – both in person and virtual)
Baltimore, Maryland 21201

MEMBERS PRESENT: Commissioner Sean Troxell, Chairman
Commissioner Coleen Courtney-Morrison, Vice-Chair
Commissioner Anatol Polillo
Commissioner Jeremiah Hosford
Commissioner Thomas Owen
Commissioner Jerry Pickholtz
Commissioner Bob Hergenroeder
Commissioner Onyemaechi Nweke
Commissioner Todd Warren (arrived late)
Commissioner Bill McCain (left early)
Commissioner Stacy Harman
Commissioner Karen Trendler

MEMBERS ABSENT: Commissioner Roxanne Alston

DEPT. OF LABOR STAFF PRESENT: Todd Blackistone, Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Michael Szlachetka, Administrative Specialist
Danielle Anderson, Web Content and Outreach
Coordinator, DOL Assistant

OTHERS PRESENT: Christa McGee, Maryland Realtors Association

Call to Order

Commission Chairman, Sean Troxell, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:32 a.m.

Approval of Minutes

The minutes of the business meeting held on October 10, 2023 were reviewed and considered.

By a Motion made by Commissioner Pickholtz, seconded by Commissioner Hergenroeder, and, by a unanimous vote, the minutes of the October 10, 2023 business meeting were approved with an amendment to remove the name of a former Commissioner from those in attendance. Commissioner Warren was not yet present and did not vote on the matter.

Real Estate Appraiser Complaint Committee Report

Executive Director, Todd Blackistone, reported to the Commission that the Real Estate Appraiser Complaint Committee met prior to the public meeting and reviewed 5 items of new business. The disposition of which was as follows:

Complaints	-	23- REA - 43	Dismissed
		24- REA - 16	Dismissed
		24- REA - 19	Remedial Education
		24- REA - 20	Remedial Education
		24- REA - 22	Dismissed

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Pickholtz, and, by a unanimous vote, accepted the report and recommendations of the Appraiser Complaint Committee. Commissioner Warren, who was not yet present, did not vote on the matter.

Home Inspector Complaint Committee Report

Commissioner Troxell reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 5 items of new business. The disposition of which was as follows:

Complaints	-	23- INSP - 44	Precharge
		24- INSP - 12	Precharge
		24- INSP - 13	Precharge
		24- INSP - 15	Precharge
		24- INSP - 18	Precharge

A Motion was made by Commissioner Hergendoeder, seconded by Commissioner Pickholtz and, by a unanimous vote, the Commission accepted the recommendations of the Home Inspector Complaint Committee. Commissioner Warren, who was not yet present, did not vote on the matter.

Education Committee Report

Commissioner Polillo reported that the Real Estate Appraiser and Home Inspection Education Committees met on this date and approved 22 courses. The Appraiser Education Committee reviewed 16 courses, and of those, 15 were approved; the Home Inspection Education Committee reviewed 8 courses, and, of those, 7 courses were approved.

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Pickholtz and, by a unanimous vote of the members then present, the Commission accepted the report and recommendations of the Appraiser Education Committee. Commissioner Warren, who was not yet present, did not vote on the matter.

A Motion was made by Commissioner Owen, seconded by Commissioner Pickholtz and, by a unanimous vote of the members then present, the Commission accepted the report and recommendations of the Home Inspector Education Committee. Commissioner Warren, who was not yet present, did not vote on the matter.

Old Business

Mandatory Education Requirements for Home Inspectors

Executive Director, Todd Blackistone, continued a conversation from a prior meeting regarding proposed action to require education in report writing and the Home Inspector Standards of Practice as part of the 30 hours of the continuing professional competency (“CPC”) set forth in COMAR 09.36.08.02 required for license renewal. Mr. Blackistone informed the Commission that the proposed regulation is going through the approval process and he will continue to update the Commission regarding the status of the proposed regulation.

Massachusetts Consumer Rights House Bill

Commissioner Sean Troxell, Chairman, continued a conversation from a prior meeting regarding a proposed bill in Massachusetts pertaining to consumer rights, House Bill 245 and Senate Bill 197, for the purpose of “protecting consumer rights and the purchase of safe and habitable homes”. The bill would require a home inspection in a property sale in Massachusetts. The bill addresses the pressure to waive a home inspection when a consumer submits an offer to purchase a home. Commissioner Troxell suggested that similar protections may benefit the Maryland public. Commissioner Troxell has contacted the Maryland Real Estate Commission regarding the topic and will continue to provide updates to the Commission about a similar proposal in Maryland.

Home Inspector Standards of Practice

Commissioner Polillo addressed the Commission regarding re-evaluation of the Maryland Standards of Practice for home inspectors. At the October 2023 Commission meeting, Commissioner Polillo highlighted multiple areas of concern in COMAR 09.36.07 and noted that some of the provisions are outdated or require amendment to reflect industry standards. The Commission discussed the matter and created a committee to review COMAR 09.36.07.01—.13 and make recommendations to the Commission regarding amendments, if necessary. The Maryland Home Inspector Standards of Practice Review Committee was established and Chairman Troxell and Commissioners Pickholtz, Owen, and Polillo serve on the Committee. There have been 4 meetings to discuss revisions to the Standards of Practice to date. The goal of reviewing the Standards of Practice is to improve the quality of home inspections. The Commission continued the discussion regarding amending COMAR 09.36.07 and the potential path forward.

Additionally, Commissioner Polillo suggested amending home inspector CPC requirements under COMAR 09.36.08.02. Currently, a home inspector may take 30 hours of approved CPC in any subject matter of home inspection prior to license renewal. Commissioner Polillo suggested that the provision be amended to set a maximum of 8 hours in any one subject of the 13 authorized topics of CPC as a condition of license renewal.

A Motion was made by Commissioner Polillo and seconded by Commissioner Pickholtz. By unanimous vote, the Commission approved proposed action, pending approval by the Secretary, to amend COMAR 09.36.08.02 to limit a licensed home inspector to credit for not more than 8 hours in any subject matter as part of the 30 hours of continuing professional competency education required for license renewal.

Home Inspector Code of Ethics

Commissioner Polillo addressed the Commission pertaining to an amendment to the Maryland home inspector Code of Ethics, COMAR 09.36.06.01—.04, and the need for all home inspectors to follow federal laws, codes, and regulations. Commissioner Polillo emphasized that the Maryland Commission is responsible for protecting the public. The Commission discussed instances in which a federal law may

have been violated, and the need for home inspectors to follow the law. Counsel questioned whether it was necessary for the Commission to include in Home Inspector Code of Ethics enforcement of a violation of existing federal, state, and local laws or requirements. The Commission discussed that these infractions would be difficult to enforce and that the Commission would need support from a federal agency to testify on the Commission's behalf.

A Motion was made by Commissioner Polillo, seconded by Commissioner Warren and by majority carried, that the Commission amend COMAR 09.36.06.01H requiring all home inspectors to follow federal laws, codes, and regulations. All members voted in favor of the motion, except Commissioner Owen, who voted against the motion.

New Business

Departing Commission Members

Executive Director, Todd Blackistone, thanked Commissioner Polillo and Commissioner Hosford for their time with the Commission. The term for both members ends on December 31, 2023. The Commission members thanked them for their service. They will be missed.

It was noted that they served on the Home Inspector and Real Estate Appraiser Complaint Committees, respectively, and those Committees should be reestablished with additional members.

Establish the Home Inspection Complaint Committee

Executive Director, Todd Blackistone, addressed the Commission regarding establishing membership of the Home Inspection Complaint Committee. Commissioner Pickholtz volunteered to be a new member.

A motion was made by Commissioner Hergenroeder, seconded by Commissioner Owen, and, by a unanimous vote of the members present, the Commission voted to confirm Commissioners Troxell and Pickholtz are the members of the Home Inspection Complaint Committee.

Commissioner McCain had left the meeting and did not vote on this or subsequent matters.

Establish the Home Inspection Application Committee

Executive Director, Todd Blackistone, addressed the Commission regarding the loss of Commissioner Polillo from the Education Committee and the need to confirm a new Committee. Commissioner Troxell, Chairman, volunteered to remain on the Home Inspection Education Committee.

A motion was made by Commissioner Pickholtz, seconded by Commissioner Polillo, and, by a unanimous vote of the members present, the Commission voted to confirm Commissioner Troxell as the sole Home Inspection Education Committee member.

Establish the Real Estate Appraiser Application Review Committee

Executive Director, Todd Blackistone, addressed the Commission to formally establish a Real Estate Appraiser Application Review Committee. Members will be responsible for reviewing real estate appraiser applications. The Commission discussed the topic and Commissioners Courtney-Morrison and McCain volunteered to be members.

A motion was made by Commissioner Hergenroeder, seconded by Commissioner Pickholtz, and, by a unanimous vote of the members present, that the Commission voted to establish the Real Estate Appraiser Application Review Committee with Commissioners Courtney-Morrison and McCain.

Establish the Real Estate Appraiser Complaint Committee

Executive Director, Todd Blackistone, addressed the Commission regarding the loss of Commissioner Hosford from the Real Estate Appraiser Complaint Committee and the need to confirm a new Committee. The Commission discussed the topic and Commissioners Courtney-Morrison, Trendler and Harman volunteered to be members.

A motion was made by Commissioner Hergenroeder, seconded by Commissioner Pickholtz, and, by a unanimous vote of the members present, the Commission voted to confirm Commissioners Courtney-Morrison, Trendler, and Harman as the Real Estate Appraiser Complaint Committee members.

Chairman’s Report

Commissioner Sean Troxell, Chairman, addressed the Commission and thanked Commissioner Polillo and Commissioner Hosford for their time and service with the Commission. The Commission wished them well in their future endeavors

Assistant Attorney General’s Report

Counsel informed the Commission that a license application would be conducted in the afternoon following the meeting, which was open to the public, and would concern a previously-denied home inspector license application. Counsel went over procedural matters for the hearing presided over by a Home inspector Hearing Board, in compliance with Md. Ann. Code, Bus. Occ. & Prof. § 16-210.1. Counsel expressed her gratitude to Commissioners Polillo and Hosford for their technical advice and guidance to the Commission and to her, in particular, during their tenure as well as their commitment to the citizens of Maryland.

Executive Director’s Report

Executive Director Blackistone addressed the Commission and thanked Commissioner Polillo and Commissioner Hosford for their time and service with the Commission. They will be missed.

Commissioner Hergenroeder informed Mr. Blackistone and the Commission that this will be his last Commission meeting , as he was notified that his term had been completed. The Commission wished him well in his future endeavors. He will be missed. Mr. Blackistone stated he would confirm this.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Pickholtz, seconded by Commissioner Owen and, by a unanimous vote of the members present, that the meeting adjourn at 11:36 a.m.

_____ Approved without corrections

_____ Approved with corrections

Commissioner Sean Troxell, Chair

Date