

September 29, 2017

REAL ESTATE APPRAISER BOARD MINUTES

There was a meeting of the Real Estate Appraiser Board on September 29, 2017. The following were present: Sherman, Griffin, Schubert, Martin, St. Germain and Lamprey. Representing the OPLC were staff members Dawn Couture and Bobbie Carter. Also present were members of the public. Romeo Dupuis was not present.

1. Call to order – 9:00 a.m.

2. Interview/meeting/hearing –

- a. 9:15 Public Rules Hearing Rab 302.18 and Rab 403.06 – The public hearing opened at 9:15 a.m. George Brooks, Jack Lavoie, Sarah Lang, Barry Shea and George LeMay all offered oral testimony. The hearing closed at 10:10 a.m.

3. Reading and approval of the minutes of the August 11, 2017 meeting – Moved, seconded and voted unanimously to accept the public minutes as written.

4. Communications – General –

- a. Appraisal Subcommittee Correspondence dated 9/25/17 – Re: Final Rule regarding fees and the Federal Register reporting requirements of AMC's. – Carter to send Rules to Attorney Lamberti for review and to recommend changes.

5. Communications – Board Action –

- a. George Brooks – Re: Course providers marketing the USPAP update without first being certified. Mr. Brooks was present at the meeting. Carter provided the Board with an email from Magdalene Vasquez from the appraisal foundation that stated that they had no problem with course providers offering the 2018-2019 USPAP update. The Board concurred with the Appraisal Foundation and does not see this as a violation of the rules.
- b. George Brooks – Re: REAB staff not allowing public access to Appraiser emails. Mr. Brooks was present at the meeting. Carter provided the chair with an email from the Attorney General's office that stated, in part, that email addresses were not to be given to the public. Chairperson Sherman read the pertinent portion of the email to Mr. Brooks.
- c. David Cornell – Requesting CE credit for teaching as allowed per 403.03(b). Carter to respond that per Rab 403.03(b) Up to one half of an individual's continuing education requirement may also be granted for participation, other than as a student, in appraisal educational processes and programs. Credit for instructing any given course or seminar shall be awarded only once during a continuing education cycle.

5. Communications – Board Action, continued –

- d. Kathy Gosselin – Requesting to take 15 hour USPAP course to satisfy the 15 hour ethics course relating to appraising as required by the Decision and Order dated April 7, 2017. – Carter to respond that page 6 letter E of the order states that an “Ethics” course must be taken in a classroom setting with an exam within one year of the date of the order. Ethic’s related to real estate could include business ethics.
- e. Appraisal Subcommittee Correspondence dated 9/20/17 – Re: Federal Register revision of policy statements request for comment due 11/20/2017. – Carter to send Rules to Attorney Lamberti for review and to recommend changes.

6. Unfinished Business –

- a. George Lamprey discussed his continued concern with the guidance received from the Appraisal Subcommittee that the Board must review all complaints for violations. Accepting unsigned complaints or complaints without a complaint form could be a direct violation of the administrative rules. The Board has authorized George to speak with Division Director Capuchino regarding his concerns.

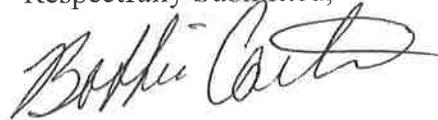
7. New Business –

- a. Upon the motion of Lamprey and the second of Griffin, the Board voted by roll call vote, to conduct a non-public session for the purpose of discussing pending investigations and noting that such a non-public session is authorized by RSA 91-A:3, II (c) & (j), RSA 91-A:5, IV, Lodge v. Knowlton, 11 N.H. 574 (1978), and the Board’s executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.
- b. Upon the motion of Sherman and the second of Griffin, the Board by roll call vote resumed public session.
- c. Upon the motion of Griffin and the second of Schubert, the Board, by roll call vote, resolved to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.
- d. Courses for Approval – Moved, seconded and voted unanimously to approve.
- e. Date and time of next meeting – *Friday, November 3, 2017 at 9:00 a.m.*

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8. Adjournment – 12:28 p.m.

Respectfully Submitted,



Bobbie Carter
Program Specialist II