



VIRGINIA REAL ESTATE APPRAISER BOARD

THE VIRGINIA APPRAISER

www.dpor.virginia.gov

Summer 2014

Message from the Chair



H. Glenn James

You may have noticed that *The Virginia Appraiser* has not been published by the Real Estate Appraiser Board since Winter 2011. As many of you know, DPOR's transition to its new database in 2012-2013 was quite an undertaking which required an "all hands on deck" strategy for DPOR and Board staff. Most of the challenges associated with the new database have now been resolved, and the Board will return to its regular schedule of publishing *The Virginia Appraiser* twice a year.

On April 18, 2014, Governor McAuliffe appointed Jay W. DeBoer as the new DPOR Director. Mr. DeBoer, a member of the Virginia House

of Delegates from 1983-2002, is quite familiar with DPOR and the Virginia real estate appraiser profession as he previously served as DPOR Director from 2006 to 2010. During the past few years he held administrative and legal positions with the Virginia Association of REALTORS®. The Board welcomes Jay back to DPOR and also recognizes and appreciates the fine work accomplished by past DPOR Director Gordon Dixon. Gordon provided exceptional leadership during his tenure to transition all of DPOR's programs to the new database with minimal disruption. We wish him the best.

The article on page 3 summarizes 2012-2014 General Assembly legislation affecting the Real Estate Appraiser Board and its licensees. The most significant of these laws is HB 210 from the 2012 General Assembly session which authorized the licensure and regulation of appraisal management companies (AMCs) and charges the Board with administering this new program, which has not yet become effective. The article on page 8 provides background and the current status of the Board's AMC Regulations.

Seven new Board Members have been appointed by the Governor

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Terence R. McAuliffe
Governor

Maurice Jones
Secretary, Commerce & Trade

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2014 Meeting Dates

February 25, 2014

May 6, 2014

August 19, 2014

November 5, 2014

All meetings are held at the above address at the Perimeter Center.

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BOARD MEMBERS

H. Glenn James, Chair

Norfolk

Licensee Member

Four-year term ends April 2, 2016

Michael G. Miller, Vice Chair

Richmond

Licensee Member

Four-year term ends April 2, 2018

Christopher S. Call

Springfield

AMC Representative Member

Four-year term ends April 2, 2017

Rene Fonseca

McLean

Citizen Member

Four-year term ends April 2, 2016

Jean M. Gannon

Powhatan

Licensee Member

Four-year term ends April 2, 2017

Scott Mayausky

Stafford

Licensee Member

Four-year term ends April 2, 2016

Robert O. "Rocky" Rochester

Richmond

Licensee Member

Four-year term ends April 2, 2017

Laura Sanchez del Solar

Henrico

Citizen Member

Four-year term ends April 2, 2018

Fay B. Silverman

Virginia Beach

Mortgage Lending Industry Member

Four-year term ends April 2, 2018

Thomas "Mack" Strickland, Jr.

Chester

Licensee Member

Four-year term ends April 2, 2017

(Continued from page 1)

since *The Virginia Appraiser* was last published.

They are Chris Call, Rene Fonseca, Jean Gannon, Scott Mayausky, Robert Rochester, Fay Silverman and Thomas "Mack" Strickland. They and the three reappointed Board members are introduced on pages 4, 5 and 15.

I would also like to take the opportunity to thank the following Board members whose terms expired during the past three years: Diane Quigley, Pat Turner, Sandra Johnson, Richard Pruitt, Jack Harry, Betsy Critzer and Ryan Myers. Each Board Member served well and their work is appreciated greatly.

The article on pages 6–7 summarizes changes to the Board's Regulations that are now under Executive Review by the Governor's Office. Although these changes are not yet effective, it is hoped that most, if not all, of these changes will go into effect once the Executive Review stage is complete.

The article on page 9 describes the Appraiser Qualifications Board (AQB) mandatory changes that go into effect on January 1, 2015. The two most significant changes are: 1) Mandatory training for new supervising appraisers and appraiser trainees; and 2) Raising college-level educational requirements for those seeking an initial license or upgrading to a higher level license. Anyone seeking licensure under the current requirements must submit a complete and correct application to the Board no later than December 31, 2014. Applicants are strongly advised to submit license applications by December 1, 2014, to allow them time to correct any application deficiencies before December 31, 2014.

The article on page 10 describes the Board's relationship with the Appraisal Subcommittee (ASC) - the national agency charged with oversight of all state appraiser licensing programs to ensure compliance with Title Eleven (*Real Estate Appraisal Reform*) of the *Financial Institutions Recovery, Reform and Enforcement Act* (FIRREA).

The Board's disciplinary actions from the past three years are listed on pages 11 through 14. The three regulations violated most often by licensees during this three-year period were 18 VAC 130-20-180.D - (Development of Appraisal), 18 VAC 130-20-180.E - (Appraisal Report Requirements), and 18 VAC 130-20-180.K.4 - (Unworthiness).

Please contact Board staff or me at reappraisers@dpor.virginia.gov or 804-367-2039 with your ideas and concerns about real estate appraisal in Virginia.

Glenn James, Chairman

General Assembly Update

Laws Affecting the Real Estate Appraiser Board

The 2012-2014 General Assembly Sessions considered and enacted several bills that affected the Real Estate Appraiser Board (Board) and its licensees.

Below are descriptions of Board-related bills enacted by the legislature and signed by the governor that are now Virginia law. For more information on these new laws, visit the [Legislative Information System](#).



HB 762, from the 2014 session, clarifies any ambiguity concerning the mandatory nature of the licensure program for Appraisal Management Companies (AMCs), and makes explicit the Board's authority to administer and enforce provisions of the AMC statutes.

In addition, in response to a request from the Virginia Association of REALTORS® and other interested parties, the new law increases the bond amount AMCs must provide to secure payment for appraisal services from \$25,000 to \$100,000. VAR requested the required bond amount be increased because AMCs that have gone out of business in other states have owed individual appraisers hundreds of thousands of dollars.

HB 2222, from the 2013 session, amended the 2012 AMC law by removing the word "residential" which modified real estate appraisal services. The law originally limited AMCs to contracting with appraisers to perform residential real estate appraisal services. Since AMCs also enter into agreements with licensed appraisers to perform commercial and other types of real estate appraisal services, removing the word "residential" permits AMCs to enter into agreements with licensed appraisers to perform all types of real estate appraisal services.

HB 210, from the 2012 session, required that AMCs be licensed and regulated by the Board no earlier than July 1, 2014 - pending the Governor's final approval of the Board-approved AMC regulations. HB 210 resulted from the federal Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, which requires that appraisal management companies "register with and be subject to supervision by a state appraiser certifying and licensing agency in each state in which such company operates."

HB 433 and **SB 507**, from the 2012 session, required the Board to evaluate the availability and need for continuing education on the topic of appraising residential real estate with energy efficient features and equipment. The Board concluded its existing continuing education curriculum, which complies with federal guidelines, is sufficient for the relicensure of licensed and certified appraisers. The Board therefore, recommended against developing additional, Virginia-specific continuing education on this topic.

The Board's report on requiring "Green Building" continuing education coursework for all Virginia licensed and certified appraisers can be reviewed [here](#).

Real Estate Appraiser Board Members

All ten Board Members have been appointed or reappointed by the Governor to four-year terms since *The Virginia Appraiser* was last published. They are Michael Miller, Fay Silverman, Thomas “Mack” Strickland, Laura Sanchez del Solar, Jean Gannon, Rene Fonseca, Robert “Rocky” Rochester, Chris Call, Scott Mayausky and Glenn James.



Mr. Miller of Richmond, a certified general appraiser, is the president and CEO of MGMiller Valuations, Inc. He served as chairman of the Virginia Housing Development Authority, Board of Visitors of Virginia Tech and president of the Virginia Tech Agricultural and

Life Science Alumni Organization. He serves on National Committees for the Appraisal Institute and is the chair of the Demonstration of Knowledge Panel for the Appraisal Institute. Mr. Miller is the Board’s vice chair and Education Committee chair.



Ms. Silverman of Virginia Beach is the Compliance Comptroller for Tidewater Mortgage Services, Inc., and is a licensed mortgage loan originator in Virginia and North Carolina. She is a former president of the Virginia Mortgage Lenders

Association and past chair of the Virginia

Beach Human Rights Commission. She serves on the VHDA Lender Advisory Board. She previously served on the Real Estate Appraiser Board from 2002-2006.

Mr. Strickland of Chester, a certified residential appraiser, is the president of Strickland Appraisals, Inc. He has served as chair of the National Association of REALTORS® Appraisal Committee, chair of the Virginia Association of REALTORS® Appraisal Alliance, and on the Virginia Association of REALTORS® Board of Directors. He also serves as a director for the Virginia Coalition of Appraisal Professionals.



Ms. Sanchez del Solar of Henrico, a citizen member, is the Program Director for REDC Center for Women’s Enterprise. She has more than thirty years of experience in management and operational departments in domestic and international ventures. She was the founder and executive director of the Virginia Hispanic Chamber of Commerce Foundation, where she served as the primary liaison for organizations such as the U.S. Small Business Administration.



Real Estate Appraiser Board Members



Ms. Gannon of Powhatan, a certified residential appraiser, specializes in residential real estate appraising with experience testifying as an appraisal expert in court cases. She holds the SRA designation from the Appraisal Institute (AI), served as treasurer of the

Virginia Commonwealth Chapter of the AI (VCCAI) in 2013 and will serve as the VCCAI vice president in 2015. Jean and her husband, Tom, have two daughters and one granddaughter.



Mr. Fonseca of McLean, a citizen member, currently manages the Fonseca Group, A real estate company affiliated with Long and Foster. Prior to this, he was president of the International Division of Ozinga Bros., Inc., a Chicago-based ready-mix concrete and construction company. He also

served as a U.S. Department of Justice consultant where he developed the DOJ's Faith-Based-Initiative for gang reduction programs in several U.S. cities. A native of Honduras, Mr. Fonseca retired as a colonel with honors from the Honduran Armed Forces after 27 years of service. He became a U.S. citizen in 2005.

Mr. Rochester of Richmond, a certified general appraiser, is the chief appraiser for Union First Market Bank in Richmond. He has served as an independent fee appraiser, bank review appraiser and held various management positions within the appraisal



departments of regional and national banks during his appraisal career. He also serves on the board of the Risk Management Association, a financial services professional organization.

Mr. Call of Springfield, a certified general appraiser, is the president and CEO of AREAS Appraisers, Inc. He has

served as president and state director of the Northern Virginia chapter of the National Association of Independent Fee Appraisers, chairman of the Appraisal Alliance of the Virginia Association of Realtors, and is a founding member of the Virginia Coalition of Appraisal Professionals. Mr. Call serves on the Board's AMC Committee, and he previously served on the Real Estate Appraiser Board from 2001-2005.



(Article continued on page 15)

Final Regulations in Executive Branch Review

The Real Estate Appraiser Board has two sets of Final Regulations that are currently undergoing Executive Branch review: 1) **2012 General Review**; and 2) **Fee Adjustment**. Both sets of Final Regulations must be reviewed and approved by the Governor. There is no deadline for the Governor's review and approval. After the Governor approves the Final Regulations they will be published in the *Virginia Register of Regulations*, which starts a thirty-day final adoption period, after which time the new Regulations will become effective.

The **2012 General Review** Final Regulations' text and associated documentation can be viewed on the Virginia Regulatory Town Hall (Town Hall) website [here](#). The **Fee Adjustment** Final Regulations' text and associated documentation can be viewed on the Town Hall website [here](#).

The following is a summary of the significant regulatory changes that will go into effect through these two regulatory actions unless changes are made during the Executive Review stage:

2012 General Review

18 VAC 130-20-10 - amending the definitions of "Certified Residential Appraiser" and "Licensed Residential Appraiser" to amplify the definition of "transaction value" to include "market value." Also amends the definition of the "Uniform Standards of Professional Appraisal Practice" (USPAP) to include the current biennial edition of USPAP.

18 VAC 130-20-20 - amending to ensure all business entities providing appraisal services in Virginia are registered with the Board and to require a Board licensee to serve as the contact person for a registered business entity providing appraisal services.

18 VAC 130-20-30 - amending to ensure Certified General Appraiser applicants demonstrate adequate experience in the use of the income approach and to ensure appraiser license applicants have recent experience in performing appraisal reports.

18 VAC 130-20-60 - amending to include provisions that the applicant must be 18 years old and to allow for a licensing hearing before the Board, and to remove the term "state-certified."

18 VAC 130-20-120 – amending to extend the license reinstatement period from three months to one year after license expiration date to align the license reinstatement period with almost all other professions and occupations regulated by DPOR.

18 VAC 130-20-160 – amending by updating the reference to the *Administrative Process Act* in the *Code of Virginia*.

18 VAC 130-20-180 – amending by changing the term "evaluation" to "valuation," by adding a Standard for four of the USPAP Rules, by replacing the term "Unworthiness" with "Prohibited Acts," and by changing eight references to USPAP to refer to the current edition of USPAP or to the prior edition of USPAP that was in effect when an appraisal report was prepared.

18 VAC 130-20-190 – amending to more efficiently take disciplinary action against a Certified Appraisal Instructor who also holds an appraiser license which has been the subject of disciplinary action.

(Continued on page 7)

(Continued from page 6 - "Final Regulations in Executive Branch Review")

Fee Adjustment

The fee adjustment regulatory action is mandated by § 54.1-113 of the Code of Virginia, which is also known as "The Callahan Act," being named for former Delegate and House Budget Committee Chairman Vince Callahan, who sponsored this law. This law requires that each Board within DPOR evaluate its current and projected financial position every two years. If a regulatory board's expenses during the past two-year period exceed its revenues by more than ten percent, then the regulatory board must increase its fees to provide revenue sufficient, yet not excessive, to cover its expenses.

The Real Estate Appraiser Board has never increased its fees since it began collecting licensing fees in 1991. However, due in large part to the cost of implementing the new DPOR database, and to a lesser part in accounting for a drop in the number of its licensees, the Board's expenses exceeded its revenues by more than ten percent during the 2010-2012 and 2012-2014 biennia. Therefore, in order to comply with the Callahan Act, the Board must increase its fees according to the following schedule:

18 VAC 130-20-90 - Application and Registration Fees

The registration fee for an appraisal business is adjusted from \$100 to \$160.

The application fee for an appraiser license is adjusted from \$230 to \$290.

The application fee for a temporary appraiser license is adjusted from \$45 to \$75.

The application fee for an appraiser trainee license is adjusted from \$105 to \$155.

The application fee to upgrade an appraiser license is adjusted from \$65 to \$130.

The application fee for an appraisal instructor certification is adjusted from \$135 to \$150.

18 VAC 130-20-130 - Renewal and Reinstatement Fees

The renewal fee for an appraisal business is adjusted from \$60 to \$120.

The renewal fee for an appraiser license is adjusted from \$150 to \$205.

The renewal fee for an appraiser trainee license is adjusted from \$70 to \$125.

The renewal fee for an appraisal instructor certification is adjusted from \$125 to \$150.

The reinstatement fee for an appraisal business is adjusted from \$100 to \$280.

The reinstatement fee for an appraiser license is adjusted from \$210 to \$385.

The reinstatement fee for an appraiser trainee license is adjusted from \$130 to \$250.

The reinstatement fee for an appraisal instructor certification is adjusted from \$230 to \$300.

Appraiser Licensees as of August 1, 2014

| <u>License Type</u> | <u>Number</u> |
|--|----------------------|
| Certified General Real Estate Appraisers - | 1138 |
| Certified Residential Real Estate Appraisers - | 1722 |
| Licensed Residential Real Estate Appraisers - | 581 |
| Real Estate Appraiser Trainees - | 76 |
| Real Estate Appraiser Businesses - | 474 |
| Real Estate Appraisal Pre-license Courses - | 107 |
| Real Estate Appraisal Certified Instructors - | 65 |
| Total | 4163 |



AMC Licensure and Regulation Set to Begin

At its May 6, 2014, meeting, the Virginia Real Estate Appraiser Board (Board) approved final regulations to commence the licensure and regulation of appraisal management companies (AMCs) in the Commonwealth. The Board-approved AMC final regulations now must be reviewed and approved by the Governor. There is no deadline for the Governor's review and approval. After the Governor approves the final regulations they will be published in the *Virginia Register of Regulations*, which starts a thirty-day final adoption period. The new regulations will become effective on the first day of the month after the thirty-day final adoption period ends, and the Board will begin to license and regulate AMCs in Virginia.

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) was signed into law on July 21, 2010, and requires that appraisal management companies "register with and be subject to supervision by a state appraiser certifying and licensing agency in each state in which such company operates." To comply with this requirement, the Virginia General Assembly enacted Chapter 405 of the Acts of the 2012 General Assembly, which authorized AMC licensure in Virginia in Chapter 20.2 of Title 54.1 of the Code of Virginia. You can review Virginia's AMC law by [clicking here](#).

This law required that the Board draft initial AMC regulations. The Board established an AMC Committee to accomplish this, and this committee met twice in 2012 before submitting proposed AMC regulations for Board approval and public comment in 2013. After receiving the public comment on the proposed AMC regulations, the Board made a few changes and approved the final AMC regulations which now await approval by the governor. You can review the final AMC regulations by [clicking here](#).

The Board anticipates approximately 150 AMCs will seek Board licensure in Virginia once the regulations go into effect. The initial application fee will be \$490, and each AMC applicant must post a letter of credit or bond of \$100,000 as a condition of licensure. Each controlling person and individual who owns ten percent or more of an AMC shall be required to submit a criminal background history with their application. Applicants with a felony conviction or a misdemeanor within five years of application will need to be reviewed by the Board prior to approval or denial of licensure. The regulations define "timely payment" as "payment to an appraiser for the completion of an appraisal or a valuation assignment within 30 days after the appraiser delivers the completed appraisal or valuation assignment to the appraisal management company...."

Other provisions will require the licensed AMC to provide the following information for each appraisal or valuation assignment: 1) The amount paid to the appraiser; 2) the amount paid to the appraisal management company; and 3) the AMC's license number.

Dodd-Frank requires that the Appraisal Subcommittee (ASC) administer an AMC National Registry after the five federal financial institution regulators, the Federal Housing Finance agency, and the Bureau of Consumer Financial Protection jointly promulgate rules setting forth the minimum requirements to be applied by the States in registering AMCs. After the rules are in final form, the states have 36 months to implement the minimum requirements, including collecting a National Registry fee from each licensed AMC, established by the rules. The rules are not yet in final form, so the Board will not begin collecting a National Registry fee from AMCs for quite some time.

New AQB Requirements into Effect on January 1, 2015

On January 1, 2015, the Virginia Real Estate Appraiser Board (Board) must implement Appraiser Qualifications Board (AQB) changes to the *Real Property Appraiser Qualification Criteria*. The AQB establishes the minimum education, experience and examination requirements for real property appraisers to obtain and retain a state license or certification. You can review the *Real Property Appraiser Qualification Criteria* by clicking [here](#).

You can review the specific changes that must go into effect on January 1, 2015, by clicking [here](#). The Board's current regulations already include many of the January 1, 2015 requirements, but the following regulations must be amended to comply with the new requirements:

18 VAC 130-20-30 - Qualifications for Licensure.

This regulation is being amended to require that licensed residential real estate appraiser license applicants have an associate's degree or complete 30 semester credit hours of accredited college-level education. Currently, there is no college-level education requirement for the licensed residential real estate appraiser license. The new changes require that both certified residential real estate appraiser and certified general real estate appraiser license applicants have a bachelor's degree or higher. Currently, the certified residential real estate appraiser license applicant must have an associate's degree or complete 21 semester credit hours of accredited college-level education, and the certified general real estate appraiser license applicant must have a bachelor's degree or complete 30 semester credit hours of accredited college-level education.

18 VAC 130-20-60 - Qualifications for Licensure as an Appraiser Trainee.

This regulation is being amended to eliminate the requirement that appraiser trainee license applicants pass the licensed residential real estate appraiser license examination. Also, new trainee license applicants and their supervising appraisers must complete an AQB-approved course specifically oriented to the requirements and responsibilities of supervising appraisers and appraiser trainees. In addition, new supervising appraisers must be state certified for at least three years and have not been subject to any disciplinary action within the past three years (the current requirement is two years) that affects the supervising appraiser's legal eligibility to engage in appraisal practice. Finally, this regulation is being amended to express clearly the details that must be included in the trainee's "Experience Log."

18 VAC 130-20-110 - Qualifications for Renewal.

This regulation is being amended to express clearly that, aside from completing the seven-hour National USPAP Update course, licensees cannot receive credit for completing the same continuing education course twice within one two-year licensure term.

18 VAC 130-20-220 - Standards for Continuing Education Course Approval.

This regulation is being amended to add the following topics: 1) Developing opinions of real property value in appraisals that also include personal property and/or business value; 2) Seller concessions and impact on value; and 3) Energy efficient items and "green building" appraisals.

IMPORTANT REMINDER

Anyone seeking licensure under the current requirements must submit a complete and correct application to the Board no later than December 31, 2014. Applicants are strongly advised to submit license applications by December 1, 2014, to allow these applicants time to correct any application deficiencies before the December 31, 2014, deadline.

Appraisal Subcommittee and Board Relationship

The Appraisal Subcommittee (ASC) is the national agency that monitors all state appraiser boards, including the Virginia Real Estate Appraiser Board (Board), to ensure their appraiser licensing programs comply with federal mandates. The ASC was established in 1989 as part of Title Eleven (*Real Estate Appraisal Reform*) of the *Financial Institutions Reform, Recovery and Enforcement Act* (FIRREA). FIRREA was enacted in response to the Savings and Loan debacle of the 1980s, and its *Real Estate Appraisal Reform* provisions were intended to protect Federal financial and public policy interests in real estate related transactions by regulating real estate appraisals performed in connection with federally related transactions.



The ASC uses seven main criteria, based on ASC Policy Statements, to evaluate each state's appraiser program every two years through what is called a "Compliance Review" and arrives at one of the following findings: 1) Excellent; 2) Good; 3) Needs Improvement; 4) Not Satisfactory; and 5) Poor. A "Poor" evaluation grants the ASC authority to impose interim sanctions on individual appraisers pending State agency action and on State agencies that fail to have an effective program as an alternative to or in advance of a non-recognition proceeding.

The seven ASC Policy Statements or criteria for evaluations are: 1) Statutes, Regulations, Policies and Procedures Governing State Programs; 2) Temporary Appraisal Practice; 3) National Registry; 4) Application Processing; 5) Reciprocity Policy; 6) Education; and 7) Complaint Enforcement. The eighth and final ASC Policy Statement outlines the ASC's authority to impose interim sanctions on a state appraiser board, and the individual appraisers within that state, with a "poor" program.

In 2013, the ASC completed 30 Compliance Reviews of State appraiser regulatory programs. Effective June 1, 2013, the ASC renamed its Compliance Review categories to better identify various stages of compliance. Of those Reviews completed before June 1, 2013, seven programs were found to be "In Substantial Compliance", five programs were found "Not in Substantial Compliance" and no programs were found "Not in Compliance." The Board's program was last reviewed by the ASC in May 2013 and received the highest rating of "In Substantial Compliance." Of those Reviews completed after June 1, 2013, four programs were found to be "Excellent," eight programs were found to be "Good," six programs were found to be "Needs Improvement," and no programs were found to be "Not Satisfactory" or "Poor."

In addition to monitoring state appraiser boards, the ASC performs several other functions. First, it oversees the activities of The Appraisal Foundation, including monitoring the Appraiser Qualifications Board (AQB) and the Appraisal Standards Board (ASB). Second, the ASC maintains the National Registry of state certified and licensed appraisers who are eligible to perform appraisals in federally related transactions. Eighty dollars of the \$150 license renewal fee collected by the Board from its licensed and certified appraisers every two years must be transferred to the ASC to help maintain the National Registry. Third, the ASC administers the Appraisal Complaint National Hotline to receive complaints of noncompliance with appraisal independence standards and with USPAP.

Access to the National Registry, the Appraisal Complaint National Hotline and additional information concerning the ASC can be found on its website [here](#).



BOARD DISCIPLINARY ACTIONS



The Real Estate Appraiser Board (Board) licenses, certifies or registers real estate appraisers, appraiser trainees, pre-license instructors and appraisal businesses. If a complaint is filed against a regulant who is subject to the laws and regulations of the Board, the complaint is reviewed by the Compliance and Investigations Division (CID) of DPOR to determine if a violation of these laws or regulations may have occurred. If there is probable cause of a violation, an investigation is initiated. If the investigation reveals that one or more violations may have occurred, the licensee receives notice to appear at an informal fact-finding conference (IFF) to address these alleged violations.

In some cases the licensee may be offered a pre-IFF Consent Order. A Consent Order is an agreement between the licensee and the Board consisting of specific violations and sanctions. Pre-IFF Consent Orders eliminate the time and expense associated with conducting an IFF.

If an IFF is held, a recommendation from the IFF hearing officer consisting of proposed violations and sanctions is submitted to the Board for consideration at its next meeting. The Board can take the following disciplinary actions against a licensee: assess a monetary penalty; suspend or revoke a license, place an individual on probation, require additional education or deny renewal. A licensee can continue to practice throughout the disciplinary process until the Board either revokes or suspends his license.

THE FOLLOWING DISCIPLINARY ACTIONS RENDERED BY THE BOARD FROM ITS 2011 THROUGH May 2014 MEETINGS CAN BE VIEWED AT: www.dpor.virginia.gov. Click on "License Lookup." Then type the licensee's name in the "Search License Records and Complaint History" box. Then check the box next to "Real Estate Appraisers Individuals." Then click the "Search Licenses" button. Then click on the highlighted "File Number" in the "Closed Complaints" section. The Order and Report of Findings for that case will appear.

| <u>Case Number</u> | <u>Licensee</u> | <u>Violations & Sanctions</u> |
|--------------------|--|---|
| 2010-05545 | Joseph W. Winborne Collinsville, VA | 18 VAC 130-20-180.D - Development of Appraisal (4 counts) \$2950 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course, 30-hour Qualifying Education Residential Course |
| 2011-05179 | Debra Flounders Mathews, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$600 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course |
| 2010-04351 | Hudson B. Lipscomb, IV Virginia Beach, VA | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$250 Monetary Penalty, License Probation until Complete 15-hour USPAP Course |
| 2010-05694 | Hudson B. Lipscomb, IV Virginia Beach, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$300 Monetary Penalty, License Probation until Complete 30-hour Qualifying Education Residential Course |
| 2010-04624 | Harry M. Pough, Jr. Virginia Beach, VA | 18 VAC 130-20-180.B.1.a - Fail to Inform Board of Current Address \$250 Monetary Penalty, License Revocation |
| 2011-01858 | Penny S. Bailey Kingsport, TN | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$1000 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |
| 2010-05500 | Catherine L. Coates Millers Tavern, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements (2 counts) \$150 Board Costs, License Revocation |
| 2013-02309 | David W. Day Blue Ridge, VA | 18 VAC 130-20-180.D - Development of Appraisal \$250 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |



DISCIPLINARY ACTIONS (Cont.)



| Case Number | Licensee | Violations & Sanctions |
|--------------------|--|--|
| 2011-02157 | Anne A. Powell Newport News, VA | 18 VAC 130-20-180.E - Appraisal Report Requirements \$1000 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |
| 2011-00170 | Angela M. Leaton Harpers Ferry, WV | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$300 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course, 30-hour Qualifying Education Sales Comparison Approach and Income Approach Residential Course |
| 2011-03583 | Barry S. Sacks North Potomac, MD | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$400 Monetary Penalty, \$150 Board Costs, Two-year License Probation with Quarterly Reporting to the Board |
| 2011-03042 | Charles W. Philbrick King George, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$400 Monetary Penalty, \$150 Board Costs, 15-hour Qualifying Education Residential Course |
| 2011-03540 | Diarra K. Hall Bowie, MD | 18 VAC 130-20-180.K.5 - Unworthiness \$150 Board Costs |
| 2011-03256 | Steven B. Hagy Grundy, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.E - Appraisal Report Requirements (2 counts) \$2500 Monetary Penalty, \$150 Board Costs |
| 2011-02885 | David T. Bland Emporia, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.J - Fail to Abide by USPAP Competency Rule \$3000 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course, One-year License Probation with Quarterly Reporting to the Board |
| 2011-01190 | Ronald H. Bozeman Washington, D.C. | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$1000 Monetary Penalty, License Suspension until Provides Evidence that Maryland Appraiser License has been Reinstated |
| 2011-02660 | Ikego G. Bullock, Jr. Mount Jackson, VA | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$250 Monetary Penalty, \$150 Board Costs |
| 2011-02973 | David N. Powell Knoxville, TN | 18 VAC 130-20-180.K.4 - Unworthiness \$150 Board Costs |
| 2011-01030 | Joel B. Dietz Big Stone Gap, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) \$600 Monetary Penalty, License Probation until 30-hour Qualifying Education Residential Course completed |
| 2011-04387 | James M. Chadwell Bedford, VA | 18 VAC 130-20-180.F- Review Appraisal Requirements \$1000 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |
| 2012-00278 | Daniel S. Walsman Damascus, MD | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$1500 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course |
| 2011-04802 | Trinity L. Ward Washington, D.C. | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$900 Monetary Penalty, \$150 Board Costs |



DISCIPLINARY ACTIONS (Cont.)



| <u>Case Number</u> | <u>Licensee</u> | <u>Violations & Sanctions</u> |
|--------------------|--|--|
| 2012-02568 | Francis O. Omorodion Dumfries, VA | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$400 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course |
| 2012-00665 | April J. Lefkowitz Blacksburg, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$500 Monetary Penalty, License Probation until 30-hour Qualifying Education Residential Course completed |
| 2012-02099 | Jamie M. Melella Chantilly, VA | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) \$500 Monetary Penalty, License Probation until 30-hour Qualifying Education Residential Course completed |
| 2012-01437 | Karen V. Layden Smithfield, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) \$1500 Monetary Penalty, License Probation until 30-hour Qualifying Education Residential Course completed |
| 2012-01686 | Joseph W. Winborne Collinsville, VA | 18 VAC 130-20-180.D - Development of Appraisal (5 counts) 18 VAC 130-20-180.E - Appraisal Report Requirements (4 counts) \$1750 Monetary Penalty, \$150 Board Costs, Three-month License Suspension, Complete all Qualifying Education to Obtain a Certified Residential Real Estate Appraiser License |
| 2012-01855 | Ikego G. Bullock, Jr. Mount Jackson, VA | 18 VAC 130-20-180.D - Development of Appraisal (6 counts) 18 VAC 130-20-180.K.1 - Unworthiness \$1500 Monetary Penalty, \$150 Board Costs, License Suspension until Completes all Qualifying Education to Obtain a Certified Residential Real Estate Appraiser License |
| 2012-01902 | Milton L. Rose Blacksburg, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.K.1 - Unworthiness \$1000 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course, 15-hour USPAP Course |
| 2012-02120 | Harry M. Dooms, Jr. Richmond, VA | 18 VAC 130-20-180.E - Appraisal Report Requirements \$150 Monetary Penalty, \$150 Board Costs |
| 2012-03018 | William C. Bryant, III Forest, VA | 18 VAC 130-20-180.E - Appraisal Report Requirements \$750 Monetary Penalty, \$150 Board Costs |
| 2012-03503 | Kim K. Crowe Broad Run, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) \$1500 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course |
| 2013-00180 | Robert J. Vollmer Stafford, VA | 18 VAC 130-20-180.D - Development of Appraisal \$500 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |
| 2012-02240 | Clarence A. Selph, I Gainesville, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$500 Monetary Penalty, \$150 Board Costs |
| 2013-03049 | Paul E. Taylor Fort Washington, MD | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$500 Monetary Penalty |
| 2013-02210 | Melody A. Rhinehart Winchester, VA | 18 VAC 130-20-180.D - Development of Appraisal License Probation until 30-hour Qualifying Education Residential Course Completed |



DISCIPLINARY ACTIONS (Cont.)



| <u>Case Number</u> | <u>Licensee</u> | <u>Violations & Sanctions</u> |
|--------------------|---|--|
| 2013-00547 | Fred A. Smith South Hill, VA | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$2000 Monetary Penalty, Three-month License Suspension, 30-hour Qualifying Education Commercial Course, One-year License Probation |
| 2013-01829 | Heyne M. Ampuero Fairfax Station, VA | 18 VAC 130-20-180.D - Development of Appraisal \$350 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course |
| 2013-01055 | Ryan J. Lusk Roanoke, VA | 18 VAC 130-20-180.D - Development of Appraisal 18 VAC 130-20-180.E - Appraisal Report Requirements \$1000 Monetary Penalty, \$150 Board Costs, License Probation until Completes 15-hour USPAP Course |
| 2013-00092 | Ronald L. Shumate Bluefield, WV | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.E - Appraisal Report Requirements \$2250 Monetary Penalty, \$150 Board Costs, 90-Day License Suspension, 30-hour Qualifying Education Residential Course |
| 2013-00093 | Michelle L. Shumate Bluefield, WV | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.E - Appraisal Report Requirements \$2250 Monetary Penalty, \$150 Board Costs, 90-Day License Suspension, 30-hour Qualifying Education Residential Course |
| 2013-01634 | Jennifer D. Compton Rocky Mount, VA | 18 VAC 130-20-180.K.4 - Unworthiness 18 VAC 130-20-180.K.5 - Unworthiness \$800 Monetary Penalty, \$150 Board Costs, One-year License Probation, \$800 Monetary Penalty Waived if Completes 15-hour USPAP Course |
| 2013-01499 | Kim K. Crowe Broad Run, VA | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.E - Appraisal Report Requirements 18 VAC 130-20-180.K.1 - Unworthiness \$2800 Monetary Penalty, \$150 Board Costs, Two-month License Suspension, 15-hour USPAP Course, Meet with Certified General Appraiser D. Graham Eight Times in Four-Month Period and Report Results to the Board |
| 2013-01285 | Marcus A. Dockery Washington, D.C | 18 VAC 130-20-180.D - Development of Appraisal \$300 Monetary Penalty, \$150 Board Costs, 15-hour USPAP Course |
| 2013-02850 | Larry J. Kao Gaithersburg, MD | 18 VAC 130-20-180.D - Development of Appraisal (3 counts) 18 VAC 130-20-180.J - Fail to Abide by USPAP Competency Rule \$1000 Monetary Penalty, License Probation until Completes 30-hour Qualifying Education Residential Course |
| 2013-02365 | Kenneth S. Gusler Roanoke, VA | 18 VAC 130-20-170.3 - Misrepresentation \$2500 Monetary Penalty, License Revocation |
| 2014-00172 | Gerald F. Watson Forest, VA | 18 VAC 130-20-180.D - Development of Appraisal (2 counts) 18 VAC 130-20-180.J - Fail to Abide by USPAP Competency Rule \$900 Monetary Penalty, \$150 Board Costs, 30-hour Qualifying Education Residential Course, Six-month Quarterly Reporting to the Board |

DPOR Staff

Jay DeBoer, Director

Nick Christner, Deputy Director

Mark Courtney, Senior Director



Real Estate Appraiser Board Staff

Christine Martine
Executive Director

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(Continued from page 5 - Meet the Board Members)

Mr. Mayausky of Stafford, a certified residential appraiser, was first elected Commissioner of the Revenue for Stafford County in 1999, becoming just the third Commissioner elected since the position assumed its modern form in 1926. The Commissioner is responsible for the discovery and assessment of over \$13 billion of taxable real estate and over \$10 billion of taxable personal and business property. He earned a Bachelor's Degree in History from West Virginia University and a Master's Degree in Government from Johns Hopkins University.



Mr. James of Norfolk, a certified general appraiser, is the owner of Commercial First Appraisers, LLC. He holds the MAI professional designation from the Appraisal Institute (AI), and has been a past president of the Hampton Roads Chapter of the AI, and a past chair of the Virginia Association of REALTORS® Appraisal Alliance. Glenn has developed a specialty in the valuation of transportation corridors, and he does litigation support work. Although his practice is centered in southeastern Virginia, he has valued properties throughout the southeastern United States and has performed overseas appraisal assignments in England, Scotland, Spain, and Puerto Rico. Mr. James is the Board chair.



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