

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE APPRAISERS BOARD

February 4, 2016

The Louisiana Real Estate Appraisers Board held its regular business meeting on Thursday, February 4, 2016, at 9:00 a.m., at 9071 Interline Avenue, Baton Rouge, Louisiana, according to regular call, of which all members of the board were duly notified, at which meeting the following members were present:

BOARD

Roland M. Hall, Sr., Chairman
Michael A. Graham, Vice Chairman
Gayle Boudousquie, Secretary
Cheryl B. Bella
Janis M. Bonura
Timothy W. Hammett
Newton J. Landry
Clayton F. Lipscomb
James R. Purgerson, Jr.

STAFF

Bruce Unangst, Executive Director
Judge Darrell White, Administrative Law Judge
Arlene Edwards, Legal Counsel
Summer Mire, Confidential Assistant to Director Unangst
Anne Brassett
Mark Gremillion
Robert Maynor
Chad Mayo
Henk VanDuyvendijk
Jenny Yu

GUESTS

Melissa Bond, Appraisal Education Provider
Neal Fenochietti, Program Policy Manager, Appraisal Subcommittee
Kristi Klamet, Program Policy Manager, Appraisal Subcommittee

Board member Tommie McMorris was unable to attend the meeting.

Investigative Matters

Case No. 2014-1500 (REAB vs. I Mortgage Services, LLC) –
Consideration of Respondents' Request for Re-Hearing

Although timely notification of today's meeting was sent to Mr. Robert L. Rieger, Jr., representative for I Mortgage Services, LLC, neither Mr. Rieger, or any other representative(s) for I Mortgage Services, LLC were present. Noting that I Mortgage Services, LLC had months to prepare their case and apparently failed to do so, Mr. Lipscomb made motion to deny the rehearing request. Ms. Bonura seconded the motion and expressed concern regarding the lack of representation for I Mortgage Services, LLC. Following a roll call vote, from which Ms. Boudousquie abstained, motion passed without opposition. Mr. Graham went on record to state his opinion that "I Mortgage Services, LLC failed to follow the process to produce customary and reasonable fees", and was not transparent during the formal hearing last December. The minutes shall reflect Judge White's statement regarding failure to appear by any representative(s) for I Mortgage Services, LLC.

Budget Report

Ms. Yu provided the budget report for the period ending December 31, 2015 (*See Attachment A*). The budget is in good shape remains in the black.

Director's Report

At this time, Director Unangst deferred to Mr. Fenochietti and Ms. Klamet to provide their audit review exit report to the Board.

ASC Audit Review Exit Report

Mr. Fenochietti introduced himself and Ms. Klamet to the new Board members. He provided a brief overview of the Appraisal Subcommittee and its duties (*See Attachment B*), the Policy Statements for which all state appraiser regulatory programs are audited for Title XI compliance (*See Attachment C*), and the rating criteria for the regulatory programs (*See Attachment D*).

Mr. Fenochietti and Ms. Klamet thanked staff for their time and attention during the audit. He provided the following remarks regarding our program's compliance to Title XI:

1. Statutes, Regulations, Policies and Procedures – there are a few items that need to be revised and/or cleaned up; Mr. Fenochietti has emailed his notes to staff (*See Attachment E*).
2. Temporary Practice – Files are well documented and in order. However, Mr. Fenochietti recommends adding language to the statutes or regulations regarding the extension process, limitation on number of permits issued, etc.
3. National Registry – No issues.
4. Application Process – Applications are well documented. Only one issue found with a reinstatement license application that did not include the required hours of continuing education for the years in which the license was expired.
*Note: Mr. Fenochietti advised that this was a misinterpretation between him and staff over the reinstatement requirements.
5. Reciprocity – No issues.
6. Education – No issues.
7. Enforcement – Good job; complaints have been handled in a timely matter and the files are well documented.

Mr. Fenochietti advised that a preliminary report will be sent to the State, which is given 60 days to respond. ASC staff then considers the State's response and makes formal recommendations for final disposition. The ASC makes a final decision based on the ASC staff report and responses from the State regulatory program administrators. A final compliance review report and letter rendering a determination regarding the State's compliance with Title XI is then issued. States are issued one of the following findings: Excellent, Good, Needs Improvement, Not Satisfactory, or Poor.

On a final note, Mr. Fenochietti reported that the ASC will be promulgating AMC rules and statutes in the next few years.

Director Unangst praised his staff for their diligent efforts in preparing for the ASC audit and for a job well done.

Public Comment – None

Unfinished Business – None

New Business

On motion made by Ms. Boudousquie and seconded by Mr. Lipscomb, the 2016 Business Calendar was unanimously approved as circulated (*See Attachment F*).

Ms. Boudousquie made motion to re-elect Mr. Hall as Board Chairman and Michael Graham as Vice Chairman, and to elect Mr. Lipscomb as Secretary. Ms. Bonura seconded the motion, which passed without opposition.

Ms. Boudousquie made motion, seconded by Mr. Lipscomb, to approve the resolution and proposed contract to retain Judge Darrell White as special counsel for the Board to handle and conduct administrative hearings (*See Attachment G*). Motion carried by a roll call vote of 7–0, with two Board members absent and Chairman Hall not voting.

Director Unangst provided an overview of the proposed changes to the AMC Licensing and Regulation Act (*See Attachment H*). He advised that all bills must be pre-filed by March 7, 2016 and suggested that Chairman Hall consider appointing a work group to assist staff in tweaking the proposed amendments. Ms. Bella, Ms. Bonura, and Mr. Lipscomb will assist Chairman Hall and staff on finalizing the proposed AMC language. On motion made by Mr. Graham and seconded by Mr. Lipscomb, the Board voted unanimously to authorize any needed or recommended changes to the rules, which will be brought before the Board for ratification at its next regular business meeting.

Mr. Graham made motion, seconded by Mr. Landry, to add approval of the December 8, 2015 minutes to the agenda. Motion passed without opposition. On motion made by Mr. Lipscomb and seconded by Ms. Bonura, the minutes were unanimously approved as written and circulated.

There being no additional items to discuss, the meeting was adjourned on motion made by Ms. Bonura and seconded by Mr. Graham.

Roland M. Hall, Sr., Chairman

Clayton F. Lipscomb, Secretary