

# NORTH CAROLINA APPRAISAL BOARD

## Minutes Raleigh

December 12, 2023

### Board Members Present

Mike Warren, Chair  
Claire M. Aufrance  
Sarah J. Burnham  
Lynn Carmichael  
Jack C. (Cal) Morgan, III  
Viviree Scotton  
H. Clay Taylor, III

### Staff Present

Donald T. Rodgers, Executive Director  
Brandy M. March, Deputy Director  
Sondra C. Panico, Legal Counsel  
Jeffrey H. Davison, Investigator  
Randall L. Echols, Investigator  
Frank Fleming, Investigator  
H. Eugene Jordan, Investigator  
Mindy Sealy, Office Manager

### CALL TO ORDER

Chair Warren called the meeting to order at 9:04 a.m.

Ms. Burnham read the Board's Mission Statement.

Chair Warren read the Conflict-of-Interest reminder. No Board Member indicated any conflict of interest.

Chair Warren advised that the Board is still waiting on an Advisory Opinion from the Attorney General's Office regarding the new appointments. Until the Advisory Opinion has been received, seating of the new appointee will be postponed. Mr. Tallent and Mr. Morgan will remain seated as carryover appointments until this is resolved.

**MINUTES**  
**December 12, 2023**  
**Page 2**

**APPROVAL OF AGENDA**

Mr. Taylor moved, second by Ms. Aufrance, that the Board approve the agenda, with the Chair being able to take the items in any order. Motion carried.

**APPROVAL OF MINUTES**

Ms. Carmichael moved, second by Ms. Scotton, to approve the October Minutes (**Exhibit 1**), as presented. Motion carried.

**FINANCE**

The Board reviewed the financial reports (**Exhibit 2**) through November 2023.

**LEGAL**

**Probable Cause (Exhibit 3)**

Ms. Aufrance moved, second by Mr. Taylor, that the Board accept staff recommendations on all probable cause summaries, as amended. Motion carried.

- 2022-0109** Dismiss this case conditioned upon completion of a market adjustments class and the 15-Hour USPAP.
- 2022-0116** Dismiss this case.
- 2022-0118** Dismiss this case.
- 2023-0001** Dismiss this case.
- 2023-0003** Dismiss this case.
- 2023-0005** Dismiss this case conditioned upon completion of the 15-Hour USPAP and a class in sales comparison and adjustments.
- 2023-0007** Dismiss this case with a warning to stay current with Fannie Mae Guidelines and explain the level of analysis and support for adjustments, conditioned upon completion of an appraising complex properties course and the 15-Hour USPAP.
- 2023-0009** Dismiss this case with a warning to verify and report the characteristics and sales history of comparable sales accurately, to apply adjustments consistently, and to

**MINUTES**  
**December 12, 2023**  
**Page 3**

adhere to assignment conditions, conditioned upon completion of the 15-Hour USPAP and the 7-Hour sales comparison course.

- 2023-0011** Dismiss this case conditioned upon completion of a course in sales approach, site valuation and appraiser liability.
- 2023-0015** Move this case to a hearing.
- 2023-0016** Dismiss this case conditioned upon completion of a course in sales comparison and supporting adjustments.
- 2023-0034** Dismiss this case with a warning to explain any changes in revised appraisal reports.
- 2023-0076** Dismiss this case.
- 2023-0089** Dismiss this case conditioned upon completion of a course in sales comparison and supporting adjustments.

The Board reviewed the Pending Hearing Report (**Exhibit 4**) and the Disciplinary Actions Year-to-Date (**Exhibit 5**).

**LICENSING AND EDUCATION**

The Board reviewed the list of candidates who have been recently registered or certified (**Exhibit 6**).

The Board reviewed the list of AMCs that have recently been registered (**Exhibit 7**).

The Board reviewed the Examination Report (**Exhibit 8**) through November 2023.

**PUBLIC FORUM (Exhibit 9)**

Steven Craddock, NCPAC President, introduced himself and provided the statistics when they live streamed the board meetings in the past. NCPAC will continue to live stream all board meetings through their Facebook and YouTube pages.

**OTHER**

Ms. Aufrance moved, second by Ms. Burnham, that the Board accept the revisions to the Operations Manual (**Exhibit 10**), as presented. Motion carried.

**MINUTES**  
**December 12, 2023**  
**Page 4**

Ms. Carmichael moved, second by Mr. Morgan, that the Board accept the 2024 Calendar (**Exhibit 11**), as amended. Motion carried.

The Board reviewed the Appraisal Foundation's reports. (**Exhibit 12**)

**Committee Reports**

The Predetermination Committee has met three times since the Board meeting on October 31, 2023.

On October 31, 2023, after the Board Meeting, the predetermination committee, consisting of Ms. Carmichael, Mr. Chase and Mr. Morgan met and reviewed one application for upgrade to certified residential status. The committee determined the applicant did not meet the requirements for the upgrade and advised the applicant would need to take the necessary steps to obtain any missing requirements or apply for licensed residential status.

On November 17, 2023, the predetermination committee met and reviewed three items. Those in attendance were Ms. Carmichael and Mr. Chase. The committee first reviewed an upgrade application for certified residential status and determined the applicant met the requirements for the upgrade and advised staff to process the application. The committee then reviewed a request for predetermination regarding fitness for registration. The committee requested additional information not available, and the matter was tabled. The last review was regarding a reciprocity application where the applicant's fitness for registration was reviewed. The committee requested additional information not available, and the matter was tabled.

On November 27, 2023, the predetermination committee met and reviewed two items. Those in attendance were Ms. Carmichael, Mr. Morgan, and Mr. Chase. The first item under review was the upgrade application from November 17. It was pointed out that the matter could not be heard as it was missing a document to be an eligible request for pretermination, and the matter was therefore tabled until such time as there could be a complete application for review. The second item being reviewed was the reciprocity application regarding fitness for registration from November 17. The predetermination committee granted the application contingent on two events and stipulated that if both do not take place in the manner stated, the matter will be taken back to the committee for review.

The predetermination committee will meet again after this meeting to review the tabled matter.

**Staff Report**

The Appraisal Subcommittee was at the Board office performing their compliance review in October. The Board received their preliminary findings and there were no issues with the appraiser program and one issue with the appraisal management program in which a name change for an AMC was reported late to the National Registry. Board staff is preparing a written

**MINUTES**  
**December 12, 2023**  
**Page 5**

response for the ASC and once they receive it, they will issue their findings.

Mr. Rodgers attended The Appraisal Foundation Advisory Council (TAFAC) meeting in Arlington, VA, November 30<sup>th</sup> and December 1<sup>st</sup>. Most of the discussion centered around the new edition of USPAP and the new education requirements adopted by the AQB.

The next trainee town hall will be January 30, 2024. Trainees will receive an email after the holidays with the registration link.

The Board plans to have a newsletter out between the Thanksgiving and Christmas holiday. Be looking for a draft to review during that time period.

Based on the approved calendar our next Board meeting will be held virtually on Tuesday, February 6<sup>th</sup>.

The Board office will be closed on December 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> and on January 1<sup>st</sup> for the Christmas and New Year's Day holidays.

On behalf of the staff, we would like to wish all of you a Merry Christmas and Happy Holiday season.

Ms. Burnham moved, second by Ms. Scotton, that the Board go into closed session. Motion carried.

Mr. Taylor moved, second by Ms. Aufrance, that the Board go back into open session. Motion carried.

**Report from closed session announced in open session:**

**CONSENT ORDERS**

**2022-0003 and 2022-0014 Edwin Bell**

Mr. Morgan moved, seconded by Ms. Carmichael that effective December 20, 2023, Edwin Bell's license as a residential appraiser is Inactively Suspended for a period of twelve months. No later than April 1, 2024, Respondent shall complete the following coursework: 15-hour USPAP course including the exam, a continuing education course on Inconsistencies, and The Appraisal Foundation corrective education courses entitled, "Ethics, Competency, and Negligence," and "Scope of Work: Appraisals and Inspections." The hours for the above course work shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the above courses by April 1, 2024, Respondent's license shall be actively suspended until Respondent provides proof of completion of the above courses to the Board office. In addition, during the twelve-month inactive suspension, Respondent shall be under the supervision of a Board approved certified residential

**MINUTES**  
**December 12, 2023**  
**Page 6**

appraiser who meets all of the qualifications to be a supervisor. The supervising appraiser shall supervise all of Respondent's appraisals for the entire twelve-month inactive suspension and shall co-sign all of Respondent's appraisal reports for the twelve-month inactive suspension period. If, at any time during the twelve-month inactive suspension period, Respondent has completed appraisals without the supervising appraiser co-signing them, the inactive suspension shall become an active suspension for the remainder of the inactive suspension period. Respondent shall submit a log of all of his appraisals to the Board office every three months over the twelve-month period, and together with the log the supervisor shall submit a statement that he has co-signed all of the appraisal reports on the log. These appraisal logs shall be reviewed by Board staff and no less than two appraisals with supporting workfiles listed in each log submission shall be requested and reviewed by Board staff. Respondent shall cooperate with any requests made by Board staff to review his appraisal reports and workfiles. Any failure to cooperate with Board staff will result in the inactive suspension becoming an active suspension for the remainder of the inactive suspension period. If Respondent fails to turn in any of the appraisal logs by the deadline set forth in the consent order the inactive suspension shall become an active suspension until he turns in the outstanding log. Motion carried.

**2022-0019, 2022-0071 and 2023-0014 Amanda Rivera**

Ms. Carmichael moved, seconded by Mr. Morgan that effective December 13, 2023, Amanda Rivera's certification as a residential appraiser is Inactively Suspended for a period of six months. No later than April 1, 2024, Respondent shall complete the following coursework: 30 hours of qualifying education, which consists of a course(s) focusing on the sales comparison and income approach that includes an exam, and The Appraisal Foundation corrective education course entitled, "Residential Report Writing vs. Form Filling." The hours for the above course work shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the courses by April 1, 2024, Respondent's license shall be actively suspended until Respondent provides proof of completion of the above courses to the Board office. Pursuant to Board Rule 21 NCAC 57B.0306(e), Respondent shall not teach any appraisal continuing education or qualifying education courses for a two-year period beginning on December 13, 2023. Pursuant to Board Rule 21 NCAC 57B.0614(b), for a period of three years beginning on December 13, 2023, Respondent shall not teach the trainee/supervisor course. Respondent agrees and the Board orders that for a period of three years, beginning on December 13, 2023, she will not supervise, or apply to supervise a trainee appraiser. Respondent shall be allowed to wind down her supervision of her current trainees and shall have until April 1, 2024, to terminate her supervision of them. Motion carried.

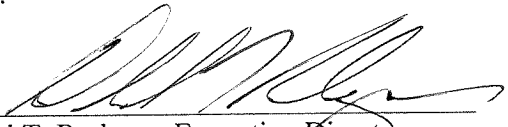
**2022-0100 Michael Staton**

Ms. Aufrance moved, seconded by Ms. Scotton that effective December 13, 2023, Michael Staton's certification as a residential appraiser is Reprimanded. No later than May 1, 2024, Respondent shall complete the following coursework: one continuing education course in improving appraisal quality and minimizing risk, and the Appraisal Foundation corrective education course entitled, "Residential Report Writing vs. Form Filling." The hours for the above course work shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the


**MINUTES**  
**December 12, 2023**  
**Page 7**

courses by May 1, 2024, Respondent's license shall be actively suspended until Respondent provides proof of completion of the above courses to the Board office. Motion carried.

There being no further business to come before the Board, Ms. Burnham moved, second by Ms. Carmichael, that the meeting be adjourned. Motion carried.

  
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Donald T. Rodgers, Executive Director

This, the 6<sup>th</sup> day of February, 2024.

  
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Mike Warren, Chair