

NORTH CAROLINA APPRAISAL BOARD

Minutes Via Video Conference

March 5, 2024

Board Members Present

Mike Warren, Chair
Claire M. Aufrance, Vice-Chair
Sarah J. Burnham
Lynn Carmichael
Darius R. Chase
Marcella D. Coley
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 D. Fleming, Investigator
H. Eugene Jordan, Investigator
Mindy Sealy, Office Manager

CALL TO ORDER

Chair Warren called the meeting to order at 9:08 a.m.

Ms. Coley read the Board's Mission Statement.

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Ms. Aufrance moved, second by Ms. Scotton, to approve the February 6, 2024, Minutes (**Exhibit 1**) and February 21, 2024, Minutes (**Exhibit 1A**) as presented. Motion carried.

LEGAL

Probable Cause (Exhibit 2)

Ms. Carmichael moved, second by Ms. Coley, that the Board accept staff recommendations on all probable cause summaries with the exception of case numbers 2023-0024, 2023-0037, 2023-0045, 2023-0047, 2023-0048, and 2023-0061. Motion carried.

2023-0021 Move this case to a hearing.

2023-0024 Ms. Carmichael moved, second by Ms. Scotton, that the Board dismiss this case with a warning to communicate with the client about any changes in assignment conditions during the assignment, and to take more care in accurately reporting and analyzing the attributes of the property, conditioned upon completion of the 15-Hour cost approach and the 15-Hour USPAP course. Motion carried.

2023-0028 Dismiss this case conditioned upon completion of a 30-Hour sales comparison approach course.

2023-0029 Dismiss this case with a warning to review the UAD ratings and ensure they are applied correctly to the subject along with the comparable sales and apply adjustments when required.

2023-0032 Dismiss this case conditioned upon completion of the 15-Hour USPAP course.

2023-0037 Ms. Scotton moved, second by Ms. Aufrance, that the Board dismiss this case with a warning to proofread reports to ensure adequate explanation to show compliance with Fannie Mae's guidelines, conditioned upon completion of a course in complex properties. Motion carried.

2023-0038 Dismiss this case.

2023-0043 Dismiss this case conditioned upon completion of the 15-Hour USPAP course and a sales comparison course.

2023-0044 Dismiss this case.

2023-0045 Ms. Coley moved, second by Mr. Taylor, that the Board dismiss this case with a warning to carefully proofread appraisal reports, conditioned upon completion of a course in appraiser liability. Motion carried.

- 2023-0047** Ms. Coley moved, second by Mr. Chase, that the Board move this case to a hearing. Motion carried.
- 2023-0048** Ms. Coley moved, second by Mr. Chase, that the Board move this case to a hearing. Motion carried.
- 2023-0051** Dismiss this case with a warning to apply time adjustments, when appropriate, conditioned upon completion of a course in appraising in changing markets.
- 2023-0061** Ms. Carmichael moved, second by Ms. Coley, that the Board dismiss this case conditioned upon completion of a course in appraising condominiums and report writing. Motion carried.
- 2023-0063** Dismiss this case conditioned upon completion of a course in report writing and GSE or Fannie Mae guidelines.
- 2023-0087** Dismiss this case with a warning to include the cost approach, when applicable.
- 2023-0100** Move this case to a hearing.

The Board reviewed the Pending Hearing Report (**Exhibit 3**) and the Disciplinary Actions Year-to-Date (**Exhibit 4**).

The Board reviewed The Appraisal Foundation report (**Exhibit 5**).

Staff Report

The ASC finalized the report for the Board's review last fall. The Board received an Excellent rating for the Appraiser program and a Good Rating for the AMC program. There was one issue with the AMC program and staff have corrected the issue. These reports will be included in the April meeting packet.

Mr. Rodgers will be addressing the Spring Meeting of the NC Society of Farm Managers and Rural Appraisers on March 7, 2024. He will address current topics concerning the appraisal profession in NC and on a national level.

Mr. Rodgers will also be addressing the NC Chapter of the Appraisal Institute via a Zoom call on March 26, 2024.

The Spring AARO Conference will be May 3-5th in Nashville, TN. The approved travel dates are May 2 – 6, 2024. Please let Ms. Sealy know whether or not you plan to attend. If we have not heard from you, staff will reach out prior to the April 5, 2024, deadline for submitting registrations. There will be additional training for regulators on the morning of May 3, 2024. Let staff know if you would like to register for that as well.

All Board Members are reminded that their Statement of Economic Information forms are due by April 15, 2024.

The next Board meeting will be April 9, 2024, at the Hilton Garden Inn, Charlotte Airport, which is located between I-85 and I-77 off of Billy Graham Parkway. The Board meeting will begin at 9:00am and the public hearing on the proposed rules will begin at 10:00am. If the general meeting has not concluded at that time it will resume after the public hearing.

A link to the proposed rules is on the first page of the website. As a reminder the Board will be accepting written comments until 5:00pm on May 14, 2024.

Ms. Aufrance moved, second by Ms. Carmichael, that the Board go into closed session. Motion carried.

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


Report from closed session announced in open session:

Consent Orders

2023-0017 Bobby D. Hensley

Ms. Coley moved, seconded by Ms. Carmichael, effective March 6, 2024, Bobby Hensley's certification as a residential appraiser is reprimanded. No later than September 6, 2024, Respondent shall complete the following coursework: the 15-hour Uniform Standards of Professional Appraisal Practice (USPAP) course; a continuing education course on Appraiser Liability; and The Appraisal Foundation's corrective education course entitled, "Sales Comparison Approach Reconciliation." 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 September 6, 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, Mr. Morgan moved, second by Ms. Aufrance, that the meeting be adjourned. Motion carried.



Donald T. Rodgers, Executive Director

This, the 9th day of April 2024.



Mike Warren, Chair