

# **NORTH CAROLINA APPRAISAL BOARD**

## **Minutes Via Video Conference**

**October 31, 2023**

### **Board Members Present**

Mike Warren, Chair  
Claire M. Aufrance  
Lynn Carmichael  
Darius R. Chase  
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  
H. Eugene Jordan, Investigator  
Mindy Sealy, Office Manager

### **CALL TO ORDER**

Chair Warren called the meeting to order at 9:06 a.m.

### **WELCOME NEW STAFF MEMBER**

### **RECOGNITION OF ASC STAFF**

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

Chair Warren read the Board's Mission Statement.

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

**LEGAL**

**Probable Cause (Exhibit 2)**

Ms. Carmichael moved, second by Ms. Aufrance, that the Board accept staff recommendations on all probable cause summaries with the exception of case number 2022-0119. Motion carried.

**2022-0108** Dismiss this case conditioned upon completion of a sales comparison course.

**2022-0110** Dismiss this case.

**2022-0112** Dismiss this case with a warning to better proofread reports.

**2022-0113a**

**2022-0113b** Move these cases to a hearing.

**2022-0114** Dismiss this case.

**2022-0119** Ms. Carmichael moved, second by Mr. Chase, that the Board dismiss this case conditioned upon completion of the income approach, GSE appraisal requirements and guidelines, and property inspection. Motion carried.

**2023-0004** Dismiss this case with a warning to oversee each assignment with the attention to detail expected by clients and lenders, conditioned upon completion of a Freddie Mac guidelines or a Fannie Mae guidelines course.

**2023-0071** Move this case to a hearing.

**2023-0084a**

**2023-0084b** Move these cases to a hearing.

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

**OTHER**

**Guidance on AQB Criteria for Certified Residential Appraisers Section IIB.2.c (Exhibit 5)**

Mr. Chase moved, second by Mr. Taylor, that the Board does not accept a college course where the instruction is primarily related to personal finance matters as meeting the requirements for the finance course. Motion carried.

**Committee Report**

The Predetermination Committee met after the Board meeting on September 19, 2023. Members in attendance were Mr. Darius Chase and Mr. Cal Morgan. The committee re-reviewed an upgrade application and stood by their original decision. The committee also reviewed a complaint that staff did not feel fell within the Board's authority. The committee agreed and the complaint was not opened for investigation.

**Staff Report**

Mr. Rodgers spoke at the NCPAC state conference on September 28, 2023, in Southport, NC.

The Fall AARO conference was October 7-9, 2023, in Salt Lake City, Utah. Mr. Chase and Ms. Scotton attended as Board Members along with Ms. Panico, Ms. March, Mr. Davison, Mr. Jordan and Mr. Echols.

The Appraisal Subcommittee was in our office performing their compliance review last week October 24-25, 2023.

The language in HB 48 was rolled into HB 600 and was passed by the legislature. The governor vetoed the larger bill, but the veto was overridden by the legislature on October 10, 2023. Currently the proposed rules, including PAREA, have a delayed implementation date of December 31, 2025.

The next trainee town hall will be November 14, 2023. Trainees will receive an email later in the week telling them how to register.

Staff plan to have a newsletter out between the Thanksgiving and Christmas holiday. Staff will send a draft to the Board for review during that time period.

Our next Board meeting will be in Raleigh on December 12, 2023. We will review changes to

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the Operations Manual as well as adopt the 2024 meeting calendar. If you have any dates we need to try to avoid, please contact Ms. Sealy or Mr. Rodgers.

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

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

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

**Consent Orders**

**2022-0077 William Scarbrough**

Mr. Morgan moved, second by Ms. Carmichael, that effective November 1, 2023, William Scarbrough's certification as a general appraiser is inactively suspended for a period of twelve months. No later than August 1, 2024, Respondent shall complete the following coursework: the 30-hour residential sales comparison and income approach course and the exam, which is a qualifying education course, and The Appraisal Foundation's corrective education course entitled, "Ethics, Competency, and Negligence." The hours for the above coursework shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the courses by August 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.

**2022-0084 and 2022-0087 Albert Donald**

Mr. Chase moved, second by Ms. Carmichael, that effective November 1, 2023, Albert Donald's certification as a residential appraiser is inactively suspended for a period of nine months. No later than May 1, 2024, Respondent shall complete the following coursework: the 30-hour residential sales comparison and income approach course and the exam, and the 15-hour Uniform Standards of Professional Appraisal Practice (USPAP) course and the exam, which are both qualifying education courses, and the corrective education course entitled, "Residential Report Writing vs. Form Filling." The hours for the above coursework shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the 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.

**2022-0095 Deanna Leviner**

Ms. Carmichael moved, second by Ms. Aufrance, that effective November 1, 2023, Deanna Leviner'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 the sales

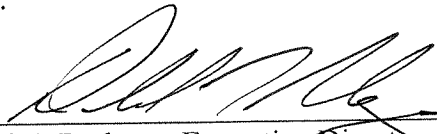
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comparison approach, and one corrective education course on ethics, competency, and negligence. The hours for the above coursework shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the 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.


**2023-0035 Emanuel Nimako**

Ms. Aufrance moved, second by Ms. Scotton, that effective September 30, 2023, Emmanuel Nimako's certification as a residential appraiser is suspended for a period of three months; of which the first two months shall be an active suspension and the remaining one month shall be an inactive suspension. No later December 20, 2023, Respondent shall complete the following two Appraisal Foundation corrective education courses: 1) ethics, competency, and negligence; and 2) report certifications: what am I signing and why? The hours for the above coursework shall not be used for Respondent's required continuing education hours. If Respondent fails to successfully complete the courses by December 20, 2023, Respondent's license shall continue to be actively suspended until Respondent provides proof of completion of the above courses to the Board office. Pursuant to the requirements of the Appraisal Qualifications Board (AQB), Respondent shall not supervise a registered trainee until three years after the active suspension is lifted by the Board. Motion carried.

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

  
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Donald T. Rodgers, Executive Director

This, the 12<sup>th</sup> day of December 2023.

  
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Mike Warren, Chair