

**REAL ESTATE APPRAISERS BOARD
MINUTES
MAY 11, 2011**

PRESENT: Marla Britton , Sharon Fiedler , Lawrence Nicholson, Edward Potter, Henry Simon (arrived at 9:14 a.m.)

ABSENT: Jose Perez

STAFF: Dan Williams, Bureau Director; Michele Miller Hayes, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff

GUESTS: none

CALL TO ORDER

Marla Britton, Chair, called the meeting to order at 9:02 a.m. A quorum of four (4) members was confirmed.

APPROVAL OF AGENDA

Amendments:

- Under PRESENTATION OF PROPOSED STIPULATIONS (open) - one additional stipulation:
 - Thomas C. Webster 10 APP 012
- Under DELIBERATION OF PROPOSED STIPULATIONS (closed) - one additional stipulation:
 - Thomas C. Webster 10 APP 012
- Delete – Presentation of Proposed Administrative Warnings (open)
- Under Item E (open) – Clearinghouse Report to Agency – insert after page 72
- Under Monitoring (closed) - Binh Hua – Request for modification of order
- Case Status Report – insert at the end of closed session items

MOTION: Sharon Fiedler moved, seconded by Lawrence Nicholson, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 23, 2011

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to approve the minutes of February 23, 2011 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Dan Williams introduced himself to the Board. Receipts are no longer required for in-state travel vouchers; however non-covered items should not be included on the travel vouchers. The format of the minutes has changed to motions and Board actions only.

PRESENTATION OF PROPOSED STIPULATION(S)

- Thomas C. Webster – 10 APP 012

BOARD REVIEW AND DISCUSSION OF DISCIPLINARY MATRIX

DOE attorneys Peter McCombs and Heather Curnutt reviewed and discussed the disciplinary matrix with the Board.

BOARD REVIEW AND DISCUSSION REGARDING LICENSED APPRAISERS CONDUCTING FEDERALLY-RELATED TRANSACTIONS

DOE attorney Peter McCombs and Linda Verbecken discussed with the board the issue of licensed appraisers conducting federally-related transactions. Mr. McCombs and Ms. Verbecken will draft a letter to licensed appraisers regarding this issue and will bring the draft to the next meeting for the Board's review.

REVIEW OF PROPOSED LANGUAGE CHANGES TO RL 80-87

Legal Counsel Michele Miller Hayes reviewed the Clearinghouse Report and proposed language changes to RL 80-87 with the Board. Paralegal Sharon Henes will track the changes the Board would like in the next rules revision.

MOTION: Edward Potter moved, seconded by Lawrence Nicholson, to accept the language changes as presented by legal counsel and to the move forward with the rule changes. Motion carried unanimously.

**BOARD REVIEW AND DISCUSSION OF THE THIRD EXPOSURE DRAFT OF
PROPOSED REVISIONS TO THE FUTURE REAL PROPERTY APPRAISER
QUALIFICATION CRITERIA**

The Board discussed the third exposure draft of the proposed revisions to the future real property appraiser qualification criteria.

**BOARD REVIEW AND DISCUSSION OF THE FIFTH EXPOSURE DRAFT OF
PROPOSED CHANGES FOR THE 2012-2013 EDITION OF THE UNIFORM
STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE AND REQUEST FOR
PUBLIC COMMENT**

The Board discussed the fifth exposure draft of the proposed changes for the 2012-2013 edition of the USPAP .

PRACTICE ISSUES

There were no practice issues.

LEGISLATION AND ADMINISTRATIVE RULES

There were no additional issues to discuss.

BOARD MEMBER ACTIVITY

There were no activities to report.

NEW BUSINESS

The board briefly discussed new mandates for UAD and the licensing of AMC's. Both matters will be further discussed at the next meeting.

INFORMATIONAL ITEMS

The Board noted the media release from the ASC regarding the appraisal complaint hotline.

PUBLIC COMMENTS

There were no public comments.

CONVENE TO CLOSED SESSION

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Motion carried by roll call vote: Marla Britton-yes, Sharon Fiedler-yes; Lawrence Nicholson-yes; Edward Potter-yes, Henry Simon - yes.

Open Session recessed at 12:06 p.m.

RECONVENE TO OPEN SESSION

MOTION: Henry Simon moved, seconded by Edward Potter, to reconvene into Open Session. Motion carried unanimously.

Open session reconvened at 2:03 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON
IN CLOSED SESSION**

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**MICHAEL S RYNEARSON
09 APP 008**

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Michael S. Rynearson. Motion carried unanimously.

**LAWRENCE G TAPPA
09 APP 079**

MOTION: Edward Potter moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Lawrence G. Tappa. Motion carried unanimously.

ROBERT E SHEETZ
09 APP 089

MOTION: Sharon Fiedler moved, seconded by Lawrence Nicholson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Robert E. Sheetz. Motion carried unanimously.

DAVID E STEIRO
09 APP 096

MOTION: Edward Potter moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against David E. Steiro. Motion carried. Marla Britton was excused during deliberation and abstained from voting.

JOHN F ROCK
09 APP 098

MOTION: Sharon Fiedler moved, seconded by Lawrence Nicholson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against John F. Rock. Motion carried unanimously.

FRANCIS J HOLZER
10 APP 016

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Francis J. Holzer. Motion carried unanimously.

JUDITH K HAYES
10 APP 026

MOTION: Edward Potter moved, seconded by Lawrence Nicholson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Judith K. Hayes. Motion carried unanimously.

**THOMAS C WEBSTER
10 APP 012**

MOTION: Lawrence Nicholson moved, seconded by Edward Potter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Thomas C. Webster. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

09 APP 091

MOTION: Sharon Fiedler moved, seconded by Henry Simon, to issue the Administrative Warning to P.J.A. in case **09 APP 091**. Motion carried unanimously.

10 APP 021

MOTION: Edward Potter moved, seconded by Henry Simon, to issue the Administrative Warning to J.T.W. in case **10 APP 021**. Motion carried unanimously.

10 APP 061

MOTION: Sharon Fiedler moved, seconded by Lawrence Nicholson, to issue the Administrative Warning to L.M.N. in case **09 APP 061**. Motion carried unanimously.

PROPOSED DECISION AND ORDER

**MARCIAL GALANG
DHA CASE # DRL-11-0007**

MOTION: Sharon Fiedler moved, seconded by Henry Simon, to adopt the Proposed Decision and Order in the disciplinary matter regarding Marcial Galang. Motion carried unanimously.

MONITORING

BINH HUA

No Board action was taken on this matter.

CASE CLOSINGS

10 APP 022

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to close case **10 APP 022** for prosecutorial discretion (P3). Motion carried unanimously.

10 APP 031

MOTION: Lawrence Nicholson moved, seconded by Sharon Fiedler, to close case **10 APP 031** for prosecutorial discretion (P3). Motion carried unanimously.

PROCEDURE FOR CASE HANDLING

MOTION: Henry Simon moved, seconded by Lawrence Nicholson, that for cases where there is an open investigation of an active board member, ALJ decisions will be adopted as written by the ALJ. Any other disciplinary reviews, such as a case closing, a stipulation or other discipline shall be delegated to the Secretary of the Department or his designee. Motion carried. Edward Potter was excused during deliberation and abstained from voting.

ADJOURNMENT

MOTION: Henry Simon moved, seconded by Lawrence Nicholson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:10 p.m.

THE NEXT SCHEDULED MEETING IS AUGUST 24, 2011