



COLORADO

Department of
Regulatory Agencies

Division of Real Estate

1560 Broadway, Suite 925
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BOARD OF REAL ESTATE APPRAISERS MEETING

Meeting Minutes
September 1, 2022

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MINUTES
BOARD OF REAL ESTATE APPRAISERS
September 1, 2022
Colorado Division of Real Estate
Meeting Conducted Via Webinar

A Colorado Board of Real Estate Appraisers public meeting was conducted via Webinar and was held on Thursday, September 1, 2022.

Notice of the meeting was published timely and the meeting was held pursuant to the Colorado Sunshine Laws, Title 24, Article 6, C.R.S., as amended.

ORDER OF BUSINESS BY THE CHAIR:

Call to Order, Roll Call, Determination of a Quorum-

The meeting was called to order at 9:00 a.m. by Chair Patrice Campbell. Director Marcia Waters made a quorum determination.

Board Members in Attendance: Patrice Campbell, Chair; Tony Pistilli, Vice-Chair; Chris Brownlee; Christopher Chippindale; Kristy McFarland; Mickey Sanders and Larry Stark.

Also attending via webinar: Marcia Waters, Director; Eric Turner, Deputy Director; Natalie Lutz, Senior Advisor; Penny Elder, ESP Manager; David Donnelly, Education, Communication & Policy Manager; and Doreen Archuleta, Board Manager. Christian Aggeler was present via webinar from the Office of the Attorney General. The meeting webinar was open to the public.

RULEMAKING HEARING - Rules Governing the Practice of Real Estate Appraisers:

Public Comment on Rulemaking:

- Dennis Blea
- Scott DiBiasio

Chapter 1 - Definitions -

It was moved by Mr. Pistilli and seconded by Mr. Stark to approve Section 1.10 of Chapter 1 - Definitions, as presented.

Motion unanimously carried.

Chapter 1 - Definitions -

It was moved by Mr. Pistilli and seconded by Mr. Stark to approve Section 1.62 of Chapter 1 - Definitions, as presented.

Motion unanimously carried.

Chapter 11 - Standards of Professional Appraisal Practice -

It was moved by Mr. Pistilli and seconded by Mr. Stark to approve Section 11.1 of Chapter 11 - Standards of Professional Appraisal Practice, as presented.

Motion unanimously carried.

Chapter 11 - Standards of Professional Appraisal Practice -

It was moved by Mr. Pistilli and seconded by Mr. Stark to approve Section 11.4 of Chapter 11 - Standards of Professional Appraisal Practice, as presented.

Motion unanimously carried.



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Delegation to Make Clerical Changes -

It was moved by Mr. Pistilli and seconded by Ms. McFarland to delegate authority to staff to make non-substantive, clerical changes to the recently adopted rules as necessary.

The Board of Real Estate Appraisers adjourned out of the Rulemaking Hearing meeting at 9:15 a.m. on September 1, 2022.

MINUTES APPROVAL - July 7, 2022

After review, it was moved by Mr. Stark and seconded by Mr. Chippindale to approve the Minutes of the regular Board meeting on July 7, 2022 as written.



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7, 2022.pdf

Ms. Campbell abstains from voting. **Motion carried.**

POLICY MATTERS:

None

Agenda Items for Next BOREA Meeting -

None

PUBLIC COMMENT:

None

COMPLAINT INVESTIGATIONS:

A. Complaint No. 2022-15 (Scott Wentz, Investigator)

Director Marcia Waters presented this matter to the Board.

The report alleged violations of: §12-10-613(1)(b) C.R.S.; §12-10-613(1)(g) C.R.S.; USPAP violations include Recordkeeping Rule; and Standard Rule 1 and Standard Rule 2.

Ms. McFarland moved and Ms. Sanders seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaint No. 2022-15. The Board voted to refer back to Staff for a settlement offer for a Dismissal with Subsequent Education to include successful completion of the BOREA Workfile Course; and 7 or more hours in Comparative Analysis and/or Supporting Adjustments.

Motion unanimously carried.

B. and C. Complaints No. 2022-529 & 2022-530 (Robert Walker, Investigator)

Director Marcia Waters presented these matters to the Board.

The reports alleged violations of: §12-10-613(1)(b) C.R.S.; §12-10-613(1)(g) C.R.S.; Board Rule 12.12; USPAP violations include Recordkeeping Rule; Scope of Work Rule; and Standard Rule 1 and Standard Rule 2.

Mr. Stark moved and Mr. Brownlee seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaints No. 2022-529 and No. 2022-530. The Board voted to refer back to Staff for a settlement offer for a Stipulation for Diversion to include: 3 or more hours in Selecting and Supporting Market Adjustments; 7 hours or more in Sales Comparison Approach; 15-hour National USPAP Course; and the BOREA Workfile Course. In addition, the respondent will be required to submit to supervision of 6 appraisals in two months.

Motion unanimously carried.

D. Complaint No. 2022-810 (Scott Wentz, Investigator)

Director Marcia Waters presented these matters to the Board.

Complaint No. 2022-810 - the report alleged violations of: Board Rule 13.7; and §12-10-614(1)(n) C.R.S.; and §12-10-614(1)(s) C.R.S.

Ms. Sanders moved and Ms. McFarland seconded to dismiss Complaint No. 2022-810 with a Letter of Concern.

Motion unanimously carried.

ESP MATTERS:

ESP Matter A, Complaint #2020-782 - Stipulation Violation -

The Board was presented with a Stipulation Violation report by Penny Elder regarding ESP Matter A, Complaint #2020-782.

NOTE: Mr. Stark left the meeting at 10:02 and rejoined at 10:06 a.m.

After discussion, it was moved by Ms. McFarland and seconded by Ms. Sanders to proceed with a violation of §12-10-613(1)(b), and seek a Final Agency Order, public censure, revocation of the real estate appraiser's license and a fine in the amount of not less than \$1,000 and no more than \$2,000. In addition, the Board provides direction to staff that should the respondent submit the fourth supervision appraisal, it must be a client report and not a sample appraisal.

Motion unanimously carried.

ESP Matter B, Complaint #2022-695 - Counteroffer -

The Board was presented with a Counteroffer request report by Penny Elder regarding ESP Matter A, Complaint #2022-695.

After discussion, it was moved by Ms. McFarland and seconded by Ms. Campbell to accept the counteroffer for a Stipulation for Diversion, and successful completion of real estate appraisal education to include: 5 hours in Data Verification; 4 hours in Market Analysis, 7 hours in Comparative Analysis and/or Supporting Adjustments, and the BOREA Workfile course.

ADJOURN:

The regular meeting of the Colorado Board of Real Estate Appraisers adjourned at 10:11 a.m. on September 1, 2022.

Patrice Campbell, Chair

Tony Pistilli - Vice-Chair

Chris Brownlee

Christopher Chippindale

Kristy McFarland

Mickey Sanders

Larry Stark

Marcia Waters, Director
Colorado Division of Real Estate