



**COLORADO**

Department of  
Regulatory Agencies

Division of Real Estate

1560 Broadway, Suite 925  
Denver, CO 80202-5111

## **BOARD OF REAL ESTATE APPRAISERS MEETING**

### **Meeting Minutes**

**September 7, 2023**

### **MINUTES - INDEX**

	<b><u>PAGE #</u></b>
<b>ORDER OF BUSINESS BY THE CHAIR:</b>	
Call to Order, Roll Call, Determine Quorum	<b>3</b>
<b>MINUTES</b>	
July 6, 2023	<b>3</b>
<b>POLICY MATTERS:</b>	
A. FHA Requirements Regarding Smoke Detectors and Carbon Monoxide Detectors	<b>7</b>
B. ASC Compliance Review	<b>3</b>
<b>CITIZEN PARTICIPATION</b>	<b>4</b>
<b>HEARING MATTERS</b>	
BOREA v. Darla Marie Bowen; Case Number: APR 2020-0003	<b>4</b>
<b>EXECUTIVE SESSION:</b>	
Hearing Matters	<b>4</b>
Complaints C & D and Policy Matter A	<b>6</b>
<b>COMPLAINT MATTERS:</b>	
A. Complaint #2023-646	<b>5</b>
B. Complaint #2023-765	<b>5</b>
C. Complaint #2023-790	<b>6</b>
D. Complaint #2022-785 & 2022-890	<b>7</b>
E. Complaint 2023-540	<b>7</b>

**Draft BOREA Rule - Implement Standard Language**

**6**

**ADJOURN**

**7**

**MINUTES**  
**BOARD OF REAL ESTATE APPRAISERS**  
**September 7, 2023**  
**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 7, 2023.

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 9:03 a.m. by Mickey Sanders, Chair. Director Marcia Waters made a quorum determination.

**Board Members in Attendance:** Mickey Sanders, Chair; Patrice Campbell; Daisy Glassburn; Brent Goff; Rob Stilo; and Clint Taylor. Christopher Chippindale, Vice-Chair is excused.

Also attending via webinar: Marcia Waters, Director; Eric Turner, Deputy Director; Melissa Phipps, Senior Advisor; Penny Elder, ESP Manager; David Donnelly, Education, Communication & Policy Manager; and Doreen Archuleta, Board Manager. Gina Simonson; Zach Fitzgerald and Sue Kim were present via webinar from the Office of the Attorney General. The meeting webinar was open to the public.

**MINUTES APPROVAL - July 6, 2023**

After review, it was moved by Ms. Campbell and seconded by Mr. Goff to approve the Minutes of the regular Board meeting on July 6, 2023 as written.



BOREA Minutes\_July  
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**Motion unanimously carried.**

**POLICY MATTERS:**

**ASC Compliance Review -**

Kristi Klamet, Appraisal Subcommittee (ASC) joined the Board Meeting and informed the Board that the ASC will be conducting an onsite review of the Division's Appraisal and AMC programs later in September. Neal Fenochetti, also with the ASC, will be present as well for the onsite review. A preliminary report will be prepared, and the Division has 60 days to

respond to any issues identified in the report. At that time, a rating of the Appraiser and AMC programs will be assigned by the ASC.

**Agenda Items for Next BOREA Meeting - None**

**PUBLIC COMMENT:**

- Kevin Sawyer

**HEARING MATTERS:**

**Colorado Board of Real Estate Appraisers v. Darla Marie Bowen; Case Number: APR 2020-0003 -**

**EXECUTIVE SESSION:**

At 9:25 a.m. it was moved, seconded and approved by more than two-thirds vote by the Board that pursuant to §24-6-402(3)(a)(II), C.R.S., to convene the Colorado Board of Real Estate Appraisers into Executive Session pursuant to C.R.S. §24-6-402(3)(a)(II) for the purpose of conferring with legal counsel and receiving legal advice regarding Hearing Matter - Colorado Board of Real Estate Appraisers v. Darla Marie Bowen; Case Number: APR 2020-0003.

**Motion unanimously carried.**

Executive Session is conducted via Google Hangout Meeting.

The Board adjourned out of Executive Session at 9:49 a.m. and resumes meeting via webinar that is open to the public.

**Hearing Matters - Adoption of Findings of Fact and Conclusions of Law -**

Following discussion in Executive Session with Conflicts Counsel Sue Kim, it was moved by Ms. Sanders and seconded by Ms. Glassburn to adopt the Findings of Fact and Conclusions of Law in the Initial Decision issued by ALJ Robin E. Hoogerhyde in Case Number APR 2020-0003 - Colorado Board of Real Estate Appraisers v. Darla Marie Bowen.

**Motion unanimously carried.**

**Hearing Matters - Disciplinary Action**

It was moved by Ms. Sanders and seconded by Mr. Stilo to approve disciplinary actions to include public censure; a three-month suspension of the Appraiser's license; 2-years of probation; submission of a monthly work log and up to 5 random appraisals for review by Division staff.

**Motion unanimously carried.**

**Hearing Matter - Delegation of Authority -**

It was moved by Ms. Sanders and seconded by Ms. Campbell to direct Sue Kim, Conflicts Counsel, to draft the Order and delegate Deputy Director Eric Turner to execute the Final Agency Order on behalf of the Board in Case Number: APR 2020-0003 - Colorado Board of Real Estate Appraisers v. Darla Marie Bowen.

**Motion unanimously carried.** Sue Kim departed at this time.

**COMPLAINT INVESTIGATIONS:**

**A. Complaint No. 2023-646 (Robert Walker, Investigator)**

Director Marcia Waters presented this matter to the Board.

The report alleged violations of: §12-101-613(1)(g) C.R.S.; USPAP violations include Competency Rule; Scope of Work Rule; Record Keeping Rule; Standard Rule 1 and Standard Rule 2.

Ms. Campbell moved and Ms. Glassburn seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaint No. 2023-646. The Board voted to refer back to Staff for a settlement offer for a Stipulation for Diversion to include Work Product Review of 4 appraisals within 2 months; and coursework to include 7 or more hours in Comparative Analysis and/or Supporting Adjustments; 7 or more hours in Residential Report Writing; 7 or more hours in Sales Comparison and 5 or more hours in Data Verification.

**Motion unanimously carried.**

**B. Complaint No. 2023-765 (Robert Walker, Investigator)**

Director Marcia Waters presented this matter to the Board.

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

Ms. Sanders moved and Ms. Campbell seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaint No. 2023-765. The Board voted to refer back to Staff for a settlement offer for a Stipulation for Diversion to include Supervision of 4 appraisals within two months; and coursework to include 5 or more hours in Data Verification; 7 or more hours in Comparative Analysis and/or Supporting Adjustments; 7 or more hours in Sales Comparison; a course in Reliable Recordkeeping; and 4 or more hours of Market Analysis.

**Motion unanimously carried.**

**C. Complaint No. 2023-790 and D. Complaints No. 2022-785 and 2022-890** - These cases were postponed until after discussions in Executive Session.

**NOTE:** Clint Taylor recuses himself from consideration of Complaints No. 2022-785 and 2022-890 and leaves the meeting at 10:31 a.m.

**EXECUTIVE SESSION:**

At 10:35 a.m. it was moved, seconded and approved by more than two-thirds vote by the Board that pursuant to §24-6-402(3)(a)(II), C.R.S., to convene the Colorado Board of Real Estate Appraisers into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. §24-6-402(3)(a)(II) concerning disputes that are the subject of pending or imminent court action and/or for the purpose of receiving legal advice regarding Complaint No. 2023-790; Complaint No. 2022-785; Complaint No. 2022-890 and Policy Matter A - FHA Requirements Regarding Smoke Detectors and Carbon Monoxide Detectors.

**Motion unanimously carried.**

Executive Session is conducted via Google Hangout Meeting.

**NOTE:** Clint Taylor rejoins the Board in Executive Session following discussion on Complaints C and D at 11:02 a.m. Mr. Taylor participated in discussion regarding Policy Matter A; and he received an update on Complaint No. 2023-790. Mr. Taylor did not participate in any discussions concerning Complaints No. 2022-785 and 2022-890.

The Board adjourned out of Executive Session at 11:11 a.m. and resumes meeting via webinar that is open to the public.

**C. Complaint No. 2023-790** (Robert Walker, Investigator)  
Director Marcia Waters presented this matter to the Board.

The report alleged violations of: §12-10-614(1)(h) C.R.S.

Ms. Campbell Moved and Mr. Taylor seconded to Dismiss Complaint No. 2023-790 as there is no license law violation.

**Motion unanimously carried.**

**Board Rule to Implement Standard Language for Non-Payment of Appraiser Fees -**

It was moved by Ms. Sanders and seconded by Ms. Campbell to direct staff to Draft a Board Rule to implement standard language for non-payment of appraisal fees.

**Motion unanimously carried.**

**NOTE:** Clint Taylor recuses himself from consideration of Complaints No. 2022-785 and 2022-890 and leaves the meeting at 11:15 a.m.

**D. Complaint No. 2022-785 and Complaint No. 2022-890 (Robert Walker, Investigator)**

Director Marcia Waters presented this matter to the Board.

The reports alleged violations of: §12-10-613(1)(b) C.R.S.; §12-10-613(1)(e) C.R.S.; §12-10-613(1)(g) C.R.S.; §12-10-616(1)(a) C.R.S.; USPAP violations include Ethics Rule Violations.

Mr. Goff moved and Ms. Campbell seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaints No. 2022-785 and No. 2022-890. The Board voted to refer back to Staff for a settlement offer for a Stipulation and Final Agency Order to include Public Censure, Revocation of the Appraiser's License and maximum fines.

**Motion unanimously carried.**

**NOTE:** Clint Taylor returns to the meeting following discussion on Complaints No. 2022-785 and No. 2022-890 at 11:18 a.m.

**E. Complaint No. 2023-540 (Scott Wentz, Investigator)**

Director Marcia Waters presented this matter to the Board.

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

Mr. Goff moved and Ms. Glassburn seconded that the Board finds reasonable grounds exist to believe that violations of appraisal law occurred in Complaint No. 2023-540. The Board voted to refer back to Staff for a settlement offer for a Stipulation for Diversion to include 5 or more hours in Data Verification; 6 or more hours in Site Valuation; 7 or more hours in Comparative Analysis and/or Supporting Adjustments; a class in Reliable Record Keeping; and 7 or more hours in Cost Approach.

**Motion unanimously carried.**

**Policy Matter A - FHA Requirements Regarding Smoke Detectors and Carbon Monoxide Detectors -**

It was moved by Ms. Sanders and seconded by Mr. Goff to delegate authority to Director Marcia Waters to provide a response to the email as discussed.

**Motion unanimously carried.**

**ADJOURN:**

The regular meeting of the Colorado Board of Real Estate Appraisers adjourned at 11:26 a.m. on September 7, 2023.

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Mickey Sanders, Chair

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**ABSENT**  
Christopher Chippindale - Vice-Chair

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Patrice Campbell

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Daisy Glassburn

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Brent Goff

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Rob Stilo

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Clinton Taylor

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Marcia Waters, Director  
Colorado Division of Real Estate