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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS
VIA VIDEOCONFERENCE**

TIME: 10:30 A.M.

Thursday, January 14, 2021

1 State Board of Certified
2 Real Estate Appraisers
3 January 14, 2021
4
5

6 BOARD MEMBERS:
7

8 Joseph D. Pasquarella, Chairman, Professional
9 Member
10 Jeffrey L. Walters, Vice Chairman, Professional
11 Member
12 Mark V. Smeltzer Sr., Secretary, Professional
13 Member - Absent
14 John Ausherman, Professional Member
15 Martha H. Brown, Esquire, Secretary of the
16 Commonwealth designee
17 Merna T. Hoffman, Esquire, Deputy Attorney General,
18 Office of Attorney General Designee
19 K. Kalonji Johnson, Commissioner, Bureau of
20 Professional and Occupational Affairs
21 David Matthews, Professional Member
22 William T. Stoerrle Jr., Professional Member
23 Paul H. Wentzel Jr., Senior Legislative Director,
24 Department of Banking and Securities designee
25
26

27 BUREAU PERSONNEL:
28

29 Ronald K. Rouse, Esquire, Board Counsel
30 Ray Michalowski, Esquire, Senior Board Prosecution
31 Liaison
32 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
33 Division
34 Caroline A. Bailey, Esquire, Board Prosecutor
35 Christopher K. McNally, Esquire, Board Prosecutor
36 Tiffany A. Raker, Esquire, Board Prosecutor
37 Todd P. Kriner, Esquire, Assistant Counsel, Counsel
38 Division
39 Heidy M. Weirich, Board Administrator
40 Theodore Stauffer, Executive Secretary, Bureau of
41 Professional and Occupational Affairs
42 Marc Farrell, Deputy Policy Director, Department of
43 State
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State Board of Certified
Real Estate Appraisers
January 14, 2021

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ALSO PRESENT:

- Jen Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Jerry J. Livingston, Democratic Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Shannon Snell, Research Analyst, Democratic House Professional Licensure Committee
- Wayne C. Crawford, Esquire, Public Policy Manager, Pennsylvania Association of Realtors
- Michelle Bradley, Certified General Appraiser, Appraiser Qualifications Board Certified Uniform Standards of Professional Appraiser Practice Instructor
- Dan Bradley, Appraisal Curriculum and Content Director, McKissock

1 ***

2 State Board of Certified

3 Real Estate Appraisers

4 January 14, 2021

5 ***

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
7 9:00 a.m. the Board entered into Executive Session
8 with Ronald K. Rouse, Esquire, Board Counsel, to have
9 attorney-client consultations and for the purpose of
10 conducting quasi-judicial deliberations. The Board
11 returned to open session at 10:30 a.m.]

12 ***

13 [Theodore Stauffer, Executive Secretary, Bureau of
14 Professional and Occupational Affairs, noted the
15 meeting was being recorded, and those who remained on
16 the line were giving their consent to being recorded.]

17 ***

18 The regularly scheduled meeting of the State
19 Board of Certified Real Estate Appraisers was held on
20 Thursday, January 14, 2021. Joseph D. Pasquarella,
21 Chairman, Professional Member, officially called the
22 meeting to order at 10:30 a.m.

23 ***

24 [Ronald K. Rouse, Esquire, Board Counsel, informed
25 everyone that the meeting of the State Board of

1 Certified Real Estate Appraisers was being held via
2 teleconference pursuant to Governor Wolf's March 16,
3 2020 waiver of the physical presence requirement in
4 Section 4(i) of the Real Estate Appraisers
5 Certification Act. He also noted, as stated before,
6 the teleconference was being recorded, and those
7 continuing to participate in the meeting were giving
8 their consent to being record.]

9

10 [Roll Call/Introduction of Public Members]

11 [Joseph D. Pasquarella, Chairman, Professional Member,
12 requested a roll call and introduction of public
13 members.]

14

15 Report of Prosecutorial Division

16 [Caroline A. Bailey, Esquire, Board Prosecutor,
17 presented the Consent Agreement for Case No. 20-70-
18 001586.

19 Ms. Bailey thanked Ms. Weirich for all she has
20 done for prosecution and wished her the best in her
21 retirement.]

22

23 MR. ROUSE:

24 Regarding the Consent Agreement at Item
25 No. 1 on the agenda at Case No. 20-70-

1 001586, I believe the Board would
2 entertain a motion to adopt the Consent
3 Agreement.

4 Is there such a motion?

5 MR. STOERRLE:

6 I make the motion.

7 MR. ROUSE:

8 Is there a second?

9 MR. AUSHERMAN:

10 Second.

11 MR. ROUSE:

12 Any discussion? All those in favor, say
13 aye. All those opposed, say nay.

14 [The motion carried unanimously. Case No. 20-70-
15 001586 is the matter of BPOA v. Thomas William
16 Yanchick Jr.]

17 ***

18 [Tiffany A. Raker, Esquire, Board Prosecutor,
19 presented the Consent Agreement for Case No. 19-70-
20 017110.]

21 ***

22 MR. ROUSE:

23 Regarding the Consent Agreement at Item
24 No. 2 on the agenda at Case No. 19-70-
25 017110, I believe the Board would

1 entertain a motion to adopt the Consent
2 Agreement.

3 Is there such a motion?

4 MR. AUSERMAN:

5 I make the motion that we adopt the
6 Consent Agreement.

7 MR. ROUSE:

8 Is there a second?

9 MS. BROWN:

10 Second.

11 MR. ROUSE:

12 Any discussion? All those in favor, say
13 aye. All those opposed, say nay.

14 [The motion carried unanimously. Case No. 19-70-
15 017110 is the matter of BPOA v. Jason Thomas Grec.]

16 ***

17 Report of Board Counsel

18 [Ronald K. Rouse, Esquire, Board Counsel, addressed
19 the fourth exposure draft of the 2022-2023 edition of
20 Uniform Standards of Professional Appraiser Practice
21 (USPAP). He informed everyone that the Appraisal
22 Foundation and the Appraisal Standards Board will be
23 having a virtual discussion of the proposed changes in
24 the fourth exposure draft of the 2022-2023 Edition of
25 USPAP.]

1 Mr. Rouse stated Wayne Miller, the Chair of the
2 Appraisal Standards Board, and Lisa Desmarais, the
3 Vice President of Appraisal Institute at The Appraisal
4 Foundation, will discuss how the proposed changes
5 would solve current issues and answer questions and
6 comments. He mentioned that anyone interested in
7 participating can register to attend the virtual
8 discussion by going to The Appraisal Foundation
9 website at www.appraisalfoundation.org and click the
10 events tab.

11 Mr. Rouse addressed the grant update from the
12 Appraisal Subcommittee (ASC), noting the Appraisal
13 Subcommittee has \$10 million in grants to support
14 state appraiser regulatory agencies. He noted states
15 were awarded grants that ranged from \$57,100 to
16 \$120,000 for the first round, and applications for the
17 next round must be submitted by February 15, 2021.

18 Chairman Pasquarella suggested the Board request
19 money for training of Board members and attendance at
20 the Association of Appraiser Regulatory Officials
21 (AARO) Conference.]

22

23 MR. ROUSE:

24

Is there a motion to submit an

25

application for funding for training and

1 the AARO Conference submitted to the
2 Appraisal Subcommittee grant program?

3 MR. MATTHEWS:

4 I make that motion.

5 MR. STOERRLE:

6 I second that motion.

7 MR. ROUSE:

8 Any discussion? All those in favor, say
9 aye. All those opposed, say nay.

10 [The motion carried unanimously.]

11 ***

12 Matters for Discussion

13 MR. ROUSE:

14 Regarding the Application of Certified
15 Pennsylvania Evaluator of Calvin Kent at
16 Item No. 6 on the agenda, I believe the
17 Board would entertain a motion to
18 approve the application.

19 Is there such a motion?

20 MR. AUSHERMAN:

21 I make a motion that we approve the
22 application.

23 MR. ROUSE:

24 Is there a second?

25 MR. WENTZEL:

1 Second.

2 MR. ROUSE:

3 Any discussion? All those in favor, say
4 aye. All those opposed, say nay.

5 [The motion carried unanimously.]

6 ***

7 MR. ROUSE:

8 Item No. 7 on the agenda is a Request
9 for Reconsideration of John Troup at
10 Case No. 20-70-012124 regarding the
11 request for reconsideration on the
12 Application for Licensed Appraiser
13 Trainee for John Troup.

14 I believe the Board would entertain
15 a motion to direct Board counsel to send
16 a letter to the applicant consistent
17 with the discussions in executive
18 session.

19 Is there such a motion?

20 MR. WENTZEL:

21 So moved.

22 MR. ROUSE:

23 Is there a second?

24 MR. STOERRLE:

25 Second.

1 MR. ROUSE:

2 Any discussion? All those in favor, say
3 aye. All those opposed, say nay.

4 [The motion carried unanimously.]

5 ***

6 Appointment - Carolyn A. DeLaurentis, Esquire, Deputy
7 Chief Counsel, Prosecution Division Presentation

8 [Carolyn A. DeLaurentis, Esquire, Deputy Chief
9 Counsel, Prosecution Division, provided highlights of
10 the prosecution division's work during the past year.
11 She commended staff for all of their hard work to make
12 telework successful. She noted all decisions were
13 made thoughtfully and with the safety of all in mind.

14 Ms. DeLaurentis stated the Board prosecutors made
15 every effort to monitor the restrictions, waivers,
16 policies, and new procedures specific to the practice
17 in each profession regarding challenges imposed on
18 licensees by the COVID-19 pandemic.

19 Ms. DeLaurentis noted the Pennsylvania Licensing
20 System (PALS) to be a lifeline. She stated the Bureau
21 of Enforcement and Investigation (BEI) worked closely
22 with prosecution to continue investigations and figure
23 out the best methods during statewide shutdowns and
24 stay-at-home orders. She also noted the Professional
25 Compliance Office continued opening cases and

1 processing files. Legal assistants were working a
2 hybrid schedule to ensure mailings and filings are
3 completed.

4 Ms. DeLaurentis commented that the Board, Board
5 staff, and counsel all have adapted to virtual Board
6 meetings. Prosecution will continue to work with
7 everyone to ensure efficient and effective
8 presentation and resolution of cases. She mentioned
9 2020 was a year filled with challenges, but the
10 prosecution division led by the incredible senior
11 staff rose to the challenge and will continue to do
12 so.

13 Ms. DeLaurentis informed the Board that 137 files
14 were opened in 2020 and 143 in 2019 with 143 files
15 closed in 2020 for the Board of Certified Real Estate
16 Appraisers. She noted 110 open files as of January 1,
17 2021. She thanked Timothy Smith for his assistance
18 providing information for 2020.

19 Ms. DeLaurentis addressed enforcement actions
20 with 24 total cases that resulted in discipline in
21 2020. She reported 36 warning letters, 14 fines, 1
22 suspension, 1 reprimand, 2 voluntary surrenders, and 1
23 probation in 2020. She noted 6 remediation agreements
24 since the last update, noting 5 in 2020 and 1 with an
25 effective order of January 6, 2021.

1 Ms. DeLaurentis explained that complainants are
2 notified every time a final action is taken on a case,
3 unless they request to remain anonymous.

4 Ms. DeLaurentis discussed 2020 overall
5 prosecution as a whole. She noted 44 immediate
6 temporary suspensions in 2020. She mentioned 6 of the
7 1,223 opened COVID-19 cases are for the Board of
8 Certified Real Estate Appraisers in 2020. She
9 reported the total number of open cases as of January
10 1 is 12,250 and the total number of files opened
11 overall in 2020 is 13,394, which is down from 2019 at
12 16,295. She noted 13,274 files were closed in 2020.

13 Mr. Wentzel requested more information on the
14 nature of COVID complaints.

15 Mr. Michalowski explained that the vast majority
16 of the appraiser complaints occurred in the early
17 stages in a significantly restricted environment,
18 where people were going into homes without masks. He
19 noted people have been abiding by the requirements and
20 standards now put in place.]

21 ***

22 Report of Board Counsel (Continued)

23 [Ronald K. Rouse, Esquire, Board Counsel, addressed
24 16A-7026 regarding general revisions to comply with
25 Act 88 of 2020 amendments of the Assessors

1 Certification Act. He noted Section 2 of the
2 Assessors Certification Act has been amended to
3 include the definition in § 36.201 of "certified
4 Pennsylvania evaluator" and deletes the definition of
5 assessor. He noted it also includes definitions of
6 "property valuation model," "revaluation company" and
7 "revaluation company personnel."

8 Chairman Pasquarella referred to § 36.201, where
9 all persons responsible for the valuation of real
10 property for ad valorem taxation purposes in the
11 Commonwealth, that all revaluation company personnel
12 shall be certified under the Act. He noted that seems
13 to preclude general certified real estate appraisers
14 and residential real estate appraisers that had been
15 performing assessment appeal work and ad valorem work
16 for many years and are competent in that area.

17 Chairman Pasquarella mentioned there would be
18 resistance and conflict from appraisers and possibly
19 harming the public, because there would not be an
20 avenue by which property owners in the state of
21 Pennsylvania would have a path to appeal the taxes.

22 Chairman Pasquarella explained that if a county
23 in Pennsylvania assesses a property, performs a
24 revaluation developing an opinion of an assessment of
25 the property, which is recorded and is a significant

1 increase over what it was, and the property owner
2 disagrees with the assessment, the property owner has
3 the right of appeal. He explained that if a general
4 or residential appraiser are not permitted to do real
5 estate for ad valorem purposes, they would be
6 subjecting the public to a potential issue.

7 Chairman Pasquarella further explained that the
8 property owner would hire an attorney to appeal the
9 taxes, and the attorney hires an appraiser to
10 establish their opinion of value for assessment
11 purposes. He stated the appraiser must identify the
12 intended use of the appraisal. If it is done for
13 assessment purposes, it typically reads that the
14 intended use of the appraisal is for ad valorem
15 taxation purposes.

16 Chairman Pasquarella noted a potential problem
17 with the language used in the first sentence that
18 would not give property owners the right of appeal,
19 because there would not be anybody to do the appraisal
20 if it is for ad valorem tax purposes.

21 Ms. Brown expressed concern with § 36.202, noting
22 the header reads "certification requirements," and the
23 text reads, "It shall be the duty of the Board to
24 certify any person responsible for the valuation."
25 She stated it sounds like the Board has to certify

1 everyone and suggested cross-referencing the act or
2 deleting the section, noting the requirements are now
3 in Act 88.

4 Chairman Pasquarella referred to § 36.201 and
5 suggested revisiting the sentence requiring all
6 persons responsible for the valuation of real property
7 for ad valorem taxation purposes to allow an appraisal
8 to be completed by a certified general appraiser or
9 certified residential appraiser to also opine as to
10 the value of the property for ad valorem tax purposes.

11 Mr. Rouse will research whether or not there is a
12 specific statement in the Real Estate Certification
13 Act regarding appraisers conducting ad valorem
14 assessments and make that reference. He will add a
15 section regarding an exception if not included
16 already. He mentioned the proposed Annex will be
17 updated and discussed again at the next Board meeting.

18 Mr. Stoerrle questioned whether the property
19 owner would also be excluded, because property owners
20 are also allowed to make an appeal.

21 Mr. Rouse agreed to research the issue, noting
22 there may have to be a whole different section in the
23 regulations, because it seemed like it was not
24 currently in the regulations.

25 Chairman Pasquarella commented that an

1 application to appeal an assessment is done by the
2 property owner or attorney, noting a real estate
3 appraiser cannot make an application without the
4 property owner.

5 Chairman Pasquarella addressed differences
6 between an appeal application versus an appraisal for
7 the appellant. He stated the Act may cover only the
8 initial assessment, like in the case of a reassessment
9 of the property performed by the county or the
10 jurisdiction. It is the initial assessment, but the
11 act may not preclude having an appeal done of the
12 property.]

13 ***

14 Report of Board Chairman

15 [Joseph D. Pasquarella, Chairman, Professional Member,
16 acknowledged the retirement of Heidy Weirich, thanking
17 her for her hard work, diligence, and attention to
18 detail. Board, Board staff, and public members also
19 wished her well.

20 Ms. Weirich wished everybody a happy and healthy
21 life and thanked everybody for their beautiful
22 sentiments.]

23 ***

24 [Ronald K. Rouse, Esquire, Board Counsel, noted the
25 minutes for the December Board meeting will be

1 addressed at the next Board meeting.]

2 ***

3 Report of Board Administrator

4 [Heidy M. Weirich, Board Administrator, reminded
5 everyone to file their code of conduct and financial
6 disclosures by May 1.]

7 ***

8 Public Comment

9 [Michelle Bradley, Certified General Appraiser,
10 Appraiser Qualifications Board Certified Uniform
11 Standards of Professional Appraiser Practice
12 Instructor, reminded everyone that comment letters for
13 the upcoming 2022-2023 edition of USPAP are due
14 February 17, 2021. She informed the Board of an
15 upcoming webinar that will be recorded and also
16 available on The Appraisal Foundation website.]

17 ***

18 Adjournment

19 CHAIRMAN PASQUARELLA:

20 May I have a motion to adjourn?

21 MR. WALTERS:

22 Motion to adjourn.

23 CHAIRMAN PASQUARELLA:

24 Do we have a second?

25 MS. BROWN:

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Second.

CHAIRMAN PASQUARELLA:

All in favor? Any opposed?

[The motion carried unanimously.]

[There being no further business, the State Board of Certified Real Estate Appraisers Meeting adjourned at 11:53 a.m.]

CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Certified Real Estate Appraisers meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Certified Real Estate Appraisers meeting.



Evan Bingaman,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS
REFERENCE INDEX

January 14, 2021

	TIME	AGENDA
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9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:30	Official Call to Order
14		
15	10:36	Report of Prosecutorial Division
16		
17	10:42	Report of Board Counsel
18		
19	10:50	Matters for Discussion
20		
21	10:55	Appointment - Carolyn A. DeLaurentis,
22		Esquire, Deputy Chief Counsel,
23		Prosecution Division Presentation
24		
25	11:07	Report of Board Counsel (Continued)
26		
27	11:31	Report of Board Chairman
28		
29	11:52	Public Comment
30		
31	11:53	Adjournment
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