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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: 10:36 A.M.

Thursday, May 20, 2021

1 ***

2 State Board of Certified

3 Real Estate Appraisers

4 May 20, 2021

5 ***

6 [Theodore Stauffer, Executive Secretary, Bureau of
7 Professional and Occupational Affairs, noted the
8 meeting was being recorded, and those who remained on
9 the line were giving their consent to be recorded.]

10 ***

11 The regularly scheduled meeting of the State
12 Board of Certified Real Estate Appraisers was held on
13 Thursday, May 20, 2021. Joseph D. Pasquarella,
14 Chairman, Professional Member, officially called the
15 meeting to order at 10:36 a.m.

16 ***

17 [Ronald K. Rouse, Esquire, Board Counsel, informed
18 everyone that the meeting of the State Board of
19 Certified Real Estate Appraisers was being held by
20 teleconference pursuant to Governor Wolf's March 16,
21 2020 waiver of the physical presence requirement in
22 Section 4(i) of the Real Estate Appraisers
23 Certification Act.]

24 ***

25 [Pursuant to Section 708(a)(5) of the Sunshine Act, at

1 9:00 a.m. the Board entered into Executive Session
2 with Ronald K. Rouse, Esquire, Board Counsel, to have
3 attorney-client consultation and for the purpose of
4 conducting quasi-judicial deliberations. The Board
5 returned to open session at 10:30 a.m.]

6 ***

7 Roll Call

8 [Joseph D. Pasquarella, Chairman, Professional Member,
9 requested a roll call of Board members.]

10 ***

11 Report of Prosecutorial Division

12 [Joseph D. Pasquarella, Chairman, Professional Member,
13 noted no report today from the prosecutorial
14 division.]

15 ***

16 Approval of minutes of the April 8, 2021 meeting

17 CHAIRMAN PASQUARELLA:

18 Do I have a motion to approve the
19 minutes from the last Board meeting?

20 MR. AUSERMAN:

21 I make a motion to approve the minutes.

22 CHAIRMAN PASQUARELLA:

23 Do I have a second?

24 MR. STOERRLE:

25 Second.

1 CHAIRMAN PASQUARELLA:

2 Any discussion? All in favor of the
3 motion? Anyone opposed?

4 [The motion carried unanimously.]

5 ***

6 Report of Board Counsel

7 [Ronald K. Rouse, Esquire, Board Counsel, introduced
8 Michael McFarlane as a new Board member.

9 Mr. McFarlane stated he was extremely fortunate
10 to be a member of the Board and looked forward to
11 positively contributing to the Board.

12 Mr. Rouse addressed delegation of hearings,
13 noting a discussion during Executive Session. He
14 commented that the Board does not have an order which
15 delegates matters blanketly to the hearing examiners,
16 and cases are determined on a case-by-case basis of
17 whether they are going to be referred to a hearing
18 examiner or whether the Board will hear the case.

19 Mr. Rouse stated the Board will continue to
20 operate by looking at cases on a case-by-case basis of
21 whether they are referred to a hearing examiner or
22 heard before the Board.

23 Mr. Rouse referred to 16A-7026 regarding Act 88
24 of 2020 amendments to the Assessors Certification Act.
25 He noted the Board was to conform their regulations to

1 the amendments that are currently in the Assessors
2 Certification Act. He stated the annex was released
3 as an exposure draft to assessor and appraiser
4 stakeholders on March 12, 2021. He noted two written
5 comments were received as of April 30, 2021.

6 Mr. Rouse stated Colleen Klein of Bradford County
7 wrote that she had no comments.

8 Mr. Rouse addressed written comments from Robert
9 Luciani, who is a certified real estate appraiser and
10 a certified Pennsylvania evaluator, regarding changes
11 in Section § 36.201 concerning definitions,
12 questioning why the term "assessor" was deleted.

13 Mr. Rouse commented that under Act 88 of 2020,
14 the definition of "assessor" was deleted from Section
15 2 of the Assessors Certification Act and is the reason
16 why that definition was deleted from the regulation.
17 He stated Act 88 has a new definition for "certified
18 Pennsylvania evaluator," which is "an individual
19 holding a valid certificate in accordance with Section
20 6 of the act."

21 Mr. Rouse addressed another matter Mr. Luciani
22 identified, where the term "assessors" appears under
23 scope of practice at § 36.204, and noted Mr. Luciani
24 to be correct, where the word "assessors" should be
25 replaced with the word "individuals" in § 36.204.

1 Mr. Rouse addressed § 36.221 regarding
2 qualifications for certification as a Pennsylvania
3 evaluator, where Mr. Luciani suggested that §
4 36.221(a)(1) "have a high school diploma or its
5 equivalent" should specifically indicate a GED as the
6 minimum qualification.

7 Mr. Rouse noted Act 88 of 2020 amended Section 6
8 of the Assessors Certification Act to include the
9 language high school diploma or its equivalent but
10 does not specify GED because GED is the equivalent to
11 a high school diploma. He also noted that Mr. Luciani
12 states that the statement "or two years of assessing
13 experience" should be deleted, but Act 88 of 2020
14 amended Section 6 of the Assessors Certification Act
15 to include the "or two years of assessing experience
16 language," so the language has to remain.

17 Mr. Rouse mentioned that Mr. Luciani also stated
18 § 36.221(a)(4) should be updated to include a minimum
19 of 105 course hours, to require the 15-hour Uniform
20 Standards of Professional Appraiser Practice (USPAP)
21 course which he says is required by The Appraisal
22 Foundation.

23 Mr. Rouse stated Act 88 of 2020 amended Section 6
24 of the Assessors Certification Act to include a
25 minimum of 90 hours of basic courses of study and the

1 courses of study are under § 36.222 of the
2 regulations. He noted that there are nine different
3 areas of study that should be completed and USPAP is
4 one of them, and questioned whether the Board wanted
5 to have 15 hours of USPAP on top of the 90 hours of
6 basic courses of study or whether 90 hour minimum was
7 an issue for the Board. He stated Mr. Luciani also
8 recommended 15 hours of USPAP be added to § 36.222.

9 Mr. Smeltzer commented that it is sufficient the
10 way it is now because it is listed as one of the
11 required programs. He stated The Appraisal Foundation
12 does not write requirements for certified property
13 evaluators, so The Appraisal Foundation's position was
14 not what the Board has to require as long as long as
15 the Board requires 15 hours of USPAP and is listed in
16 the 90 hours of basic courses.

17 Mr. Smeltzer commented that the certified
18 residential appraisal is 200 and general is 300, and
19 the Board does go with the Appraiser Qualifications
20 Board (AQB) minimum requirements and both include 15
21 hours of USPAP.

22 Mr. Smeltzer stated it goes a little beyond what
23 is required for a trainee program at 75 hours that
24 includes 15 hours of USPAP, which are Pennsylvania
25 requirements and not something created under the

1 Practical Applications of Real Estate Appraisal
2 (PAREA) or other places in the country. He noted that
3 certified residential and general appraisers have to
4 meet the requirements of AQB, but certified property
5 evaluators do not have that requirement.

6 Mr. Rouse referred to § 36.222 regarding required
7 courses of study.

8 Randy L. Waggoner, CPE, Assessors' Association of
9 Pennsylvania, questioned whether the discussion was
10 concerning incorporating the 15-hour AQB USPAP class
11 into the 90 hours.

12 Mr. Rouse stated Mr. Luciani's recommendation is
13 an additional 15 hours of USPAP on top of the 90 hours
14 of basic coursework.

15 Mr. Waggoner stated the Assessors' Association of
16 Pennsylvania Education Committee has broken their
17 hours into four classes totaling around 113 to 118
18 hours and are in excess of the basic 90 hours, so an
19 additional 15-hour USPAP class could become burdensome
20 when scheduling those classes.

21 Chairman Pasquarella questioned whether their
22 courses that lead up to certification as an evaluator
23 includes USPAP at all, either 7 or 15 hours.

24 Mr. Waggoner explained that the first day of the
25 cost class and half of Tuesday is USPAP, and it

1 migrates into Act 28/Assessors Certification Act and
2 Title 49 rules and regulations. He mentioned looking
3 at the end of this year after July to possibly move
4 the USPAP, Act 28, and Title 49 portion to the first
5 day of the income class because the information is
6 covered under cost.

7 Mr. Waggoner stated approximately 7 hours of
8 USPAP is covered, which is currently not a requirement
9 of the 90 hours to make sure students are adequately
10 prepared. He stated the only USPAP requirement for
11 evaluators is under the continuing education
12 requirement that must have 7 hours of USPAP, which
13 after July 1 has to be taught by an AQB-certified
14 instructor.

15 Chairman Pasquarella requested Mr. Smeltzer
16 provide an opinion on whether or not a 15-hour USPAP
17 class would be beneficial or whether the 7 hours is
18 sufficient.

19 Mr. Smeltzer noted it is in the regulations that
20 certified Pennsylvania evaluators (CPEs) are required
21 to follow USPAP. He noted realizing that they are
22 looking at standards 5 and 6 as opposed to standards 1
23 and 2 as the primary focus for the course and is
24 having difficulty understanding how to hold them to
25 USPAP if they were not taught USPAP.

1 Mr. Rouse referred to § 36.222 that lists all of
2 the required courses of study and 19 subject matters
3 with USPAP as one of them, so it is required for the
4 basic education of an applicant for a certified
5 Pennsylvania evaluator.

6 Mr. Rouse reiterated the fact that as part of the
7 basic course requirements, it does have USPAP as part
8 of the courses that are part of that 90 hours to begin
9 with but it does not say that 15 hours of USPAP is
10 required.

11 Mr. Smeltzer questioned whether Mr. Waggoner's
12 class is taught by an AQB instructor.

13 Mr. Waggoner commented that he is talking about
14 the cycle which sunsets on June 30, where that was not
15 a requirement of the person who taught 7 hours of
16 continuing education USPAP. He noted that between 5
17 and 7 hours of USPAP is covered in their basic course
18 of study currently. He noted that at the current time
19 the regulation does not require the USPAP instructor
20 be an AQB-certified instructor but is changing as of
21 July 1 and the beginning of the new cycle.

22 Mr. Waggoner stated they have between two to
23 three dozen evaluators who also hold an appraisal
24 license as well, and when they have USPAP offered at
25 one of their local chapter meetings, they get an AQB-

1 certified instructor so the 7 hours of USPAP they are
2 getting qualifies for both evaluators' continuing
3 education and appraisers' continuing education.

4 Mr. Rouse commented that the Board voted to
5 require USPAP instructors for continuing education be
6 an AQB-certified instructor at a past meeting.

7 R. Scott Hartman, SRA, Appraisal Institute,
8 commented that one of the things the Appraisal
9 Institute sees is work still being completed by
10 broker-appraisers with errors or violations frequently
11 in those reports because the broker-appraisers were
12 never required to take the 15-hour USPAP course.

13 Mr. Hartman noted the Appraisal Institute's
14 perspective would be that if they are going to be
15 certified, then they are going to be subject to USPAP
16 and regulated by the Board and should start at the
17 same place as everyone else, which is the 15-hour
18 coursework.

19 Mr. Rouse noted a comment from Michelle Czekalski
20 Bradley, CGA, AQB-certified USPAP Instructor, Vice
21 Chair, Appraisal Standards Board, in the chat section
22 similar to Mr. Hartman's statement.

23 Teresa Cochran, Executive Director, Assessors'
24 Association of Pennsylvania, stated there was a
25 distinction made years ago when CPEs were okay to do

1 the 7-hour course and not the 15-hour course because
2 at that time the Board recognized CPEs were different
3 than appraisers. She noted the 15 hours could be
4 onerous for some of the counties, especially for the
5 classes, where another day would need to be added or
6 another set of classes to those CPE courses that get
7 them ready for the exam.

8 Mr. Waggoner stated the Assessors' Association of
9 Pennsylvania is hitting the important parts of USPAP
10 in the course of 5 to 7 hours currently but will add
11 the additional 15 hours in order to meet the basic
12 requirements for licensure if changed.

13 Mr. Rouse questioned the difference between the
14 7-hour USPAP course and the 15-hour USPAP course.

15 Mr. Smeltzer explained that the 15-hour course is
16 an introduction to USPAP and includes history,
17 purpose, definitions, standards, and rules that apply
18 to USPAP. He stated the 7-hour USPAP Update course
19 reviews the changes that occurred and discusses common
20 errors and misunderstandings.

21 Ms. Bradley emphasized that the 15-hour USPAP
22 course and 7-hour USPAP Update course are 100 percent
23 different courses, and it is dangerous for the Board
24 to have different requirements for all of the entities
25 under the same Board.

1 Mr. Smeltzer also noted there is a huge
2 difference between the 15-hour USPAP course and 7-hour
3 USPAP Update, where the state and the Appraisal
4 Qualifications Board does not allow the 15-hour USPAP
5 to be used for the update course because they do not
6 cover the same things, and the update course informs
7 people on the changes and misconceptions that happen
8 in the industry.

9 Mr. Smeltzer commented that certified
10 residential, certified general, certified Pennsylvania
11 evaluator, or a licensed trainee are all held to the
12 15-hour USPAP. He noted it to be difficult to hold
13 someone to a standard that the Board does not require
14 them to take. He stated AQB came up with the 15-hour
15 USPAP course so that the applicant can fully
16 understand it and get the fundamentals of USPAP.

17 Mr. Waggoner questioned when it would go into
18 effect if it is amended to require evaluators take the
19 15-hour AQB-certified USPAP as part of basic
20 education. Mr. Rouse explained that it is at the
21 exposure draft stage at this point and would need to
22 go through the regulatory process.]

23 MR. SMELTZER:

24 I am going to make a motion that the
25 requirement for a 15-hour USPAP class in

1 conformity with the AQB USPAP class be
2 added to the requirements for the CPE,
3 which would increase the hours to 105,
4 but that the 15 hours would also meet
5 the requirements for a Uniform Standards
6 of Professional Appraiser Practice
7 requirement in their course of study.

8 CHAIRMAN PASQUARELLA:

9 Do I have a second?

10 MR. STOERRLE:

11 I second that motion.

12 CHAIRMAN PASQUARELLA:

13 All in favor of the motion, say aye.

14 Any opposing views, say nay. Any

15 further discussion?

16 [The motion carried unanimously.]

17 ***

18 MR. ROUSE:

19 The 15 hours of USPAP is also something
20 that Mr. Luciani recommended to be added

21 . BROWN:

22 I move that Board counsel revise the
23 regulation in accordance with the prior
24 vote held for the 15-hour USPAP.

25 CHAIRMAN PASQUARELLA:

1 Do we have a second?

2 MR. WENTZEL:

3 I'll second that.

4 CHAIRMAN PASQUARELLA:

5 All in favor of the motion? Any
6 opposed, say nay.

7 [The motion carried unanimously.]

8 ***

9 [Ronald K. Rouse, Esquire, Board Counsel, will revise
10 the annex and bring it back to the next Board
11 meeting.]

12 ***

13 Veterans' Licensure Report

14 [Andrew LaFratte, MPA, Executive Policy Specialist,
15 Department of State, presented results of the
16 Veterans' Licensure Survey conducted over 2019 and
17 2020. He stated the Veterans' Licensure Survey is
18 part of a \$422,000 three-year grant the Department of
19 State received from the United States Department of
20 Labor in 2018 with the goal to reduce occupational
21 licensure requirements and explore alternative
22 approaches, such as certification and maintaining
23 public health and safety.

24 Mr. LaFratte announced that other projects came
25 out of this, including a 50-state licensure comparison

1 report expected to be released next month on the
2 Department of State website. He also noted a survey
3 and report will be created regarding new
4 Pennsylvanians, which are individuals considered
5 immigrant refugees and have worked in a licensed
6 profession in Pennsylvania within the last 5 or 10
7 years.

8 Mr. LaFratte stated Pennsylvania has one of the
9 largest veteran populations in the United States with
10 nearly 1 million veterans and active-duty service
11 members, military spouses, and dependents. He noted
12 the United States Department of Labor estimates that
13 the military trains people in nearly 1,000 civilian
14 occupations; however, veterans continue to report
15 finding employment as the most difficult challenge in
16 transitioning to civilian life and work.

17 Mr. LaFratte addressed military spouses, where
18 35-50% work in fields that require licensure or
19 certification. He commented that the United Service
20 Organization (USO) estimates that military families
21 move once every three years, resulting in over 70
22 percent of military spouses having to renew their
23 license or get it reissued upon moving. He noted many
24 military spouses are forced with holding multiple
25 state licenses at a time due to the uncertainty of

1 further and future moves, which becomes expensive.

2 Mr. LaFratte noted licensure regulations may
3 deter veterans or military spouses from entering
4 licensed professions. He stated the goal is to remove
5 barriers from veterans and military spouses and help
6 them in transitioning from military to civilian
7 employment and to obtain their occupational license.

8 Mr. LaFratte stated over 200 veterans and
9 military spouses were surveyed who held a license in
10 Pennsylvania or in another state, and follow-up data
11 was obtained identifying issues with the transition
12 process.

13 Mr. LaFratte addressed marketing and data
14 collection strategies, including social and
15 traditional media and Facebook and Twitter posts in
16 terms of getting the word out.

17 Mr. LaFratte addressed respondent profiles,
18 noting real estate was the second most popular license
19 field. He stated 77 percent of the respondents were
20 active duty and reserves and 25 percent were military
21 spouses, noting most respondents were from the Army
22 and second most was the Army National Guard.

23 Mr. LaFratte addressed the GI Bill and the use of
24 that as it pertains to education at 69 percent, noting
25 the most popular major was healthcare, and business

1 and real estate second.

2 Mr. LaFratte provided a transition overview,
3 where civilian employment took under six months with
4 42 percent at zero to three months. He addressed
5 Pennsylvania's licensure process compared to other
6 states, noting Pennsylvania is in line with the
7 national trend. He mentioned that the majority of
8 those licensed in real estate received their license
9 within three months with an average cost between \$200
10 and \$500.

11 Mr. LaFratte addressed difficulty in transferring
12 military credentials and experience to satisfy state
13 occupational licensure requirements, which seemed to
14 pose the most significant barrier to veterans. He
15 noted that transferring credentials was the veterans'
16 most popular answer, whereas the licensure fees was
17 the most popular answer for military spouses.

18 Mr. LaFratte stated respondents reported
19 acceptance of military training, education and
20 experience, and licensure fee waivers would be the
21 most beneficial to veterans and military spouses.

22 Mr. LaFratte addressed an open comment section,
23 where respondents provided feedback related to the
24 survey or occupational licensing in general. He
25 stated experience and training received from the

1 military needs to be identified in the civilian
2 sector, creating a portal to match service members'
3 talents to civilian employment requirements,
4 assistance with licensure fees would ease the
5 transition, and the constant moves between states lead
6 to expensive licensure costs.

7 Mr. LaFratte addressed policy recommendations and
8 hurdles, such as duplicate coursework and unnecessary
9 training. He noted veterans without college degrees
10 are often pushed to low-skilled jobs even though their
11 background translates well into the abilities required
12 to perform the positions. He mentioned the need for
13 uniform recognition of veterans' skills to aid those
14 in transitioning into the civilian workforce and to
15 reduce unfairness.

16 Mr. LaFratte addressed the legislative approach
17 that would have to be done by the General Assembly by
18 passing a bill or act. He noted the Maryland
19 Veterans' Full Employment Act of 2013, where Maryland
20 licensing boards are required to consider relevant
21 military experience when calculating their years of
22 practice and requires licensing boards to credit any
23 substantially equivalent military training and
24 education, similar to Act 41.

25 Mr. LaFratte stated the act requires certain

1 health occupation boards to assign advisors to
2 military applicants who would guide veterans through
3 the licensing process and direct them to opportunities
4 where they can build credentials if they do not
5 possess the requisite military experience.

6 Mr. LaFratte stated the Office of Policy at the
7 Pennsylvania Department of State is developing a
8 military occupational crosswalk to identify civilian
9 career opportunities for veterans using their military
10 experience. He is hoping to be able to distribute and
11 promote the crosswalk this summer.

12 Mr. LaFratte is projecting the crosswalk will
13 contain over 350 military occupations across all five
14 branches of the armed forces with over two-thirds of
15 occupations residing in the healthcare field. He
16 noted the goal of the crosswalk is to educate the
17 state legislature, licensing boards and commissions,
18 veteran community, and employers on how military
19 training and experience aligns directly with civilian
20 education and work experience.

21 Mr. LaFratte addressed a policy recommendation to
22 be done legislatively is to expedite an application
23 review for veterans and military spouses by creating
24 an efficient review process minimizing the amount of
25 administrative documents and requirements and even

1 waiving certain licensure prerequisites, including
2 fees and redundant training requirements.

3 Mr. LaFratte provided a map of states that allow
4 temporary permits for military spouses and states that
5 offer expedited application review for military
6 spouses. He noted Pennsylvania offers temporary
7 permits for military spouses.

8 Mr. LaFratte addressed initial licensure fee
9 waivers for military spouses because of the burden in
10 terms of expenses and renewal of multiple state
11 licenses due to the uncertainty of moving from state
12 to state.

13 Mr. LaFratte addressed increasing the presence of
14 veterans and military spouses on licensing boards to
15 reflect the licensee population by bringing in
16 different perspectives to allow for more inclusive
17 decision-making processes to help govern the
18 professions and remove the barriers for veterans.

19 Mr. LaFratte addressed licensure by examination
20 for veterans who have already performed the occupation
21 in the military but may not have the opportunity to
22 apply for a civilian license in the same field due to
23 overbearing licensure statutes requiring completion of
24 a civilian training program before they sit for an
25 examination. He noted competency-based skills and

1 knowledge assessments will give veterans an
2 opportunity to get back to work quickly and prove
3 their extensive training background and competency.

4 Mr. LaFratte addressed a policy recommendation to
5 work with education providers and the United States
6 Department of Defense to develop bridge programs to
7 fill gaps in training for returning veterans, so when
8 the overlaps exists between skill set in the military
9 occupations and those with comparable civilian
10 occupations, states should provide direction for
11 bridge training programs for veterans focusing on
12 gaps.

13 Mr. LaFratte addressed Arizona House Bill 2076
14 allowing a veteran with healthcare designation to
15 complete bridge coursework based on a gap analysis
16 published from the National Council of State Boards of
17 Nursing. He noted that in order to identify the
18 bridge coursework that a crosswalk was developed from
19 Gateway Community College's LPN curriculum, NCSBN's
20 gap analysis, and Arizona State Board of Nursing
21 rules. He commented that it resulted in a 12-credit
22 4-month course that prepares students to sit for the
23 National Council Licensure Examination (NCLEX) for
24 practical nurses.

25 Mr. LaFratte stated the Illinois Department of

1 Veterans Affairs developed a corpsman to practical
2 nurse program, where service members with previous
3 healthcare training were eligible for the program to
4 become certified as an LPN.

5 Mr. LaFratte mentioned the United States
6 Department of Defense (DoD) launched a SkillBridge
7 program in 2014 that started to gain traction in
8 Pennsylvania and gives service members the opportunity
9 to gain work experience through specific industry
10 training, apprenticeships, or internships during the
11 last 180 days of service. He noted service members
12 who participate in the SkillBridge program will
13 receive military compensation and benefits, where all
14 the industry partner or employer has to provide is the
15 training and work experience.

16 Mr. LaFratte provided resources, including the
17 Pennsylvania Veterans Registry in partnership with the
18 Department of Military and Veterans Affairs. He noted
19 valuable information on state benefit programs and
20 other services offered to veterans and military
21 spouses. He also noted the Department of State
22 Professional Licensing pages for the latest updates
23 and anything dealing with occupational licensing in
24 Pennsylvania. He provided a summary of the survey
25 questions and a list of the Department of Defense

1 SkillBridge participants.

2 Mr. LaFratte noted the link to the full report is
3 on the Department of State website under the
4 professional licensing pages.

5 Chairman Pasquarella thanked Mr. LaFratte for his
6 presentation, noting he is 100 percent in support of
7 the program.

8 Ms. Brown noted Ms. Bradley provided a link to
9 The Appraisal Foundation's Veterans Resource page.

10 Chairman Pasquarella encouraged everyone to
11 review the link Ms. Bradley forwarded to the Board and
12 suggested Ms. Hemler forward it to Board members to
13 have it permanently in their emails.]

14 ***

15 Report of Board Chairman

16 [Joseph D. Pasquarella, Chairman, Professional Member,
17 addressed continuing education credits for attending
18 Board meetings for all appraisers anywhere from a
19 minimum of 2 credit hours to as much as 7. He
20 expressed concern with being able to provide accurate
21 information during virtual meetings and suggested
22 tabling the issue until in-person meetings resume.

23 Mr. Rouse referred to Real Property Appraiser
24 Qualification Criteria, where state appraiser
25 regulatory agencies may award continuing education

1 credits to credentialed appraisers who attend a state
2 appraiser regulatory agency meeting, where continuing
3 education credits may be awarded for a single state
4 appraiser regulatory agency meeting for a continuing
5 education cycle, the meeting must be open to the
6 public, and the meeting must be a minimum of 2 hours
7 in length.

8 Mr. Rouse noted the total credits cannot exceed 7
9 hours, and the state appraiser regulatory agency must
10 ensure that the credentialed appraiser attends the
11 meeting for the required period of time.

12 Mr. Rouse mentioned the AQB requirements, where
13 it would be only one meeting per continuing education
14 cycle, the Board would need to make sure who is
15 actually attending the meeting, and it has to be
16 public and available for all appraisers.

17 Chair Pasquarella commented that the Board would
18 have to know in advance who would be attending to be
19 able to make the appropriate accommodations and
20 recommended further Board discussion at another
21 meeting.

22 Chairman Pasquarella encouraged everybody to
23 attend the Association of Appraiser Regulatory
24 Officials (AARO) Conferences. He addressed his
25 attendance at the last conference, noting an Appraisal

1 Subcommittee (ASC) update, including a diversity
2 program. He also noted Board only meetings, appraisal
3 regulation meetings, and discussions concerning
4 PAREA.]

5

6 Report of Acting Board Administrator
7 [Kristel Hennessy Hemler, Acting Board Administrator,
8 announced the Board's compliance review scheduled for
9 June 21-24, 2021, was postponed due to a scheduling
10 conflict, but available dates would be provided in the
11 coming months.

12 Chairman Pasquarella offered support from Board
13 members to assist with compliance meetings.]

14

15 Applications for Review

16 MR. ROUSE:

17 Item 7 on the agenda is the Application
18 for Certified General Real Estate
19 Appraiser of Jane Grace Utzman at Case
20 No. 19-70-018583.

21 This is a matter that was discussed
22 in Executive Session, and I believe the
23 Board would entertain a motion to grant
24 the Application for Certified General
25 Real Estate Appraiser of Jane Grace

1 Utzman at Case No. 19-70-018583.

2 Is there such a motion?

3 MS. BROWN:

4 So moved.

5 MR. ROUSE:

6 Is there a second?

7 CHAIR PASQUARELLA:

8 Second.

9 MR. ROUSE:

10 Any discussion? All those in favor, say
11 aye. All those opposed, say nay.

12 [The motion carried unanimously.]

13 ***

14 MR. ROUSE:

15 Again, the Application for Licensed
16 Appraiser Trainee for John Troup at Case
17 No. 20-70-012124.

18 I believe there is a motion
19 directing Board counsel to draft a
20 letter to Mr. John Troup.

21 Is there such a motion?

22 MR. AUSHERMAN:

23 I so move.

24 MR. SMELTZER:

25 I'll 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 Correspondence

7 MR. ROUSE:

8 There was correspondence from John C.
9 Kime that was asking a question
10 regarding experience required to Sit for
11 the Certified General Real Estate
12 Appraiser Examination.

13 I believe there is a motion to
14 direct Board counsel to draft a letter
15 consistent with discussions in Executive
16 Session.

17 MR. SMELTZER:

18 I'll make a motion.

19 MR. ROUSE:

20 Is there a second?

21 MR. MATTHEWS:

22 Second.

23 MR. ROUSE:

24 Any discussion? All those in favor, say
25 aye. All those opposed, say nay.

1 [The motion carried unanimously.]

2 ***

3 Review of Requests

4 MR. ROUSE:

5 Regarding these renewal requests, I
6 believe the Board would entertain a
7 motion to grant the License Appraiser
8 Trainee Renewal Extensions at items 10
9 through 13 on the agenda.

10 Is there such a motion?

11 MR. AUSHERMAN:

12 I so move.

13 MR. ROUSE:

14 Is there a second?

15 MS. BROWN:

16 Second.

17 MR. ROUSE:

18 Any discussion? All those in favor, say
19 aye. All those opposed, say nay.

20 [The motion carried unanimously.]

21 ***

22 Public Comment/Discussion

23 [R. Scott Hartman, SRA, Appraisal Institute, informed
24 the Board of the Appraisal Institute and the Coalition
25 of Pennsylvania Real Estate Appraisers (CPREA) actions

1 with respect to House Bill 1225 and House Bill 1239,
2 which aligns the ability of a client or intended user
3 to sue an appraiser with the USPAP five-year record
4 retention requirement. He stated it also includes the
5 suit after one year of discovery of the defect in the
6 appraisal.

7 Mr. Hartman noted the bill was currently in the
8 House Judiciary Committee and hopeful it would be
9 voted out of committee within the next two weeks.

10 Mr. Hartman mentioned receiving questions
11 regarding the correct requirements for in-person
12 appraisals and requested the Board communicate the
13 correct expectations to licensees. He noted the
14 Centers for Disease Control and Prevention (CDC)
15 guidance is inconsistent with some of the
16 commonwealth's guidance.

17 Mr. Hartman mentioned possible confusion with the
18 recent vote to amend the constitution and suggested
19 the Board tell the licensees what it is the Board
20 expects so everybody is on the same page.

21 Mr. Hartman addressed appraisal bias, noting the
22 issue of bias based on race or other protected class
23 is getting a lot of media attention all over the
24 country. He noted articles reporting homes owned by
25 minority owners are being appraised at lower values

1 than homes owned by white homeowners. He discussed
2 systemic and structural bias and solutions.

3 Mr. Hartman also discussed explicit bias that was
4 prohibited by the Fair Housing Act of 1968. He
5 mentioned that CPREA and the three chapters of the
6 Appraisal Institute are urging the Board to take a
7 zero tolerance policy toward these cases and enforce
8 significant or maximum penalties. He noted the
9 violations are a direct conflict of USPAP and that the
10 overarching goal of USPAP from the very beginning was
11 to promote public trust.

12 Mr. Hartman addressed implicit/unconscious bias,
13 which is typically very subtle and not intentional but
14 is a human reaction and exists in all forms and all
15 professions.

16 Mr. Hartman commented that the Appraisal
17 Institute has made changes by updating bylaws and
18 operating policies regarding racial bias. He
19 mentioned the Appraisal Institute is also in the
20 process of developing a course on implicit bias and
21 should be ready for distribution in the late summer or
22 early fall.

23 Mr. Hartman and the Appraisal Institute formally
24 asked the Board to help take a leadership role and
25 recommended the Board require each appraiser to

1 complete a 5-hour course on preventing and eliminating
2 bias in the development of reporting the prices in the
3 next two renewal cycles.

4 Mr. Smeltzer questioned whether the Board would
5 be able to require a portion of their continuing
6 education in a specific topic similar to the Real
7 Estate Commission or whether that is something that
8 would have to go through legislation.

9 Mr. Rouse stated he was planning to speak with
10 Board counsel for the Real Estate Commission to see if
11 it just requires a policy statement.

12 Mr. Michalowski stated the Commission has it in
13 their authority under either the regulation or the act
14 to designate a certain number of hours. He noted the
15 Commission is required to have 14 hours and can
16 designate a portion during that time. He mentioned
17 the upcoming renewal period, where they have a Fair
18 Housing-related course but does not if it is in the
19 act or regulations for most of the boards to make
20 those temporary designations.

21 Mr. Smelter mentioned it to be 28 hours of
22 continuing education, including 7 hours of the USPAP
23 Update course and 2 hours in state laws for the Board
24 and would have to be a regulatory change.

25 Mr. Rouse stated it would take a while, whether

1 through regulation or legislatively.

2 Ms. Brown commented that the Board needs to
3 definitely know if it is possible without regulatory
4 change, and at a minimum, it might be attractive to
5 people to have the 2 plus 5, where the Board could
6 recommend not a particular course but a type of
7 course.

8 Mr. Rouse believed that to be part of AQB's
9 exposure draft of adding the bias courses as the
10 possible courses that could be taken for continuing
11 education, but the Board has to make a regulatory
12 change at this point.

13 Ms. Brown commented that it would be interesting
14 to see the language the Real Estate Commission has
15 because it would appear to allow them to not have to
16 make a regulation. She mentioned having similar
17 language in the Board's act to let the Board be more
18 flexible as to pertinent issues.

19 Mr. Michalowski referred to § 35.384(b), where
20 the commission, for a given biennial license period
21 and with adequate notice to standard license holders,
22 require that all or part of the 14 hours be completed
23 in required topics. He noted the commission has used
24 that over the years when there is a new law that has
25 kicked in and for compliance and societal issues.

1 Mr. Michalowski stated it is required under the
2 Real Estate Commission to refer bias complaints to the
3 Pennsylvania Human Relations Commission (PHRC) and are
4 precluded from acting on them for the first 120 days
5 afterwards. He noted that the Board does not have
6 that requirement in its act but is in their policy to
7 automatically refer complaints and coinvestigate at
8 the same time.

9 Chairman Pasquarella thanked Mr. Hartman for the
10 presentation and applauded the Appraisal Institute for
11 taking such a mammoth step in this direction.

12 Ms. Bradley mentioned that the Appraisal
13 Standards Board is releasing a discussion draft next
14 week on the 2023 version of USPAP and implored Board
15 members to read the discussion draft and provide
16 feedback.]

17 ***

18 Miscellaneous

19 [Joseph D. Pasquarella, Chairman, Professional Member,
20 noted 2022 Board meeting dates.

21 Ms. Brown brought to the Board's attention that
22 there is a Wednesday and Friday in some of those
23 meeting dates.

24 Ms. Hemler apologized for the different days
25 during the week of Board meetings for 2022 and assured

1 everyone it would be the day of their choice the
2 following year.]

3 CHAIRMAN PASQUARELLA:

4 Would someone make a motion to approve
5 the 2022 Board meeting dates as
6 scheduled?

7 MR. WENTZEL:

8 So moved.

9 MR. ROUSE:

10 We have a motion.

11 MR. AUSHERMAN:

12 I second that motion.

13 MR. ROUSE:

14 We have a second.

15 CHAIRMAN PASQUARELLA:

16 Any further discussion on the dates?

17 All in favor, say aye. Any opposing
18 these dates, say nay.

19 [The motion carried unanimously.]

20 ***

21 Adjournment

22 CHAIRMAN PASQUARELLA:

23 I will entertain a motion to adjourn
24 this meeting.

25 MR. WENTZEL:

1 So moved.

2 MR. SMELTZER:

3 Second.

4 CHAIRMAN PASQUARELLA:

5 Any discussion? All in favor of
6 adjourning this meeting, say aye. Any
7 opposed?

8 [The motion carried unanimously.]

9 ***

10 [There being no further business, the State Board of
11 Certified Real Estate Appraisers Meeting adjourned at
12 12:55 p.m.]

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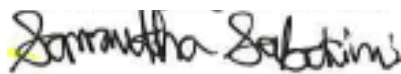
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CERTIFICATE

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.



Samantha Sabatini,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS
REFERENCE INDEX

May 20, 2021

	TIME	AGENDA
1		
2		
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4		
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6		
7		
8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:36	Official Call to Order
14		
15	10:37	Roll Call
16		
17	10:38	Approval of Minutes
18		
19	10:38	Report of Prosecutorial Division
20		
21	10:38	Report of Board Counsel
22		
23	11:28	Appointment - Andrew LaFratte, MPA, Executive Policy Specialist
24		
25		
26	12:15	Report of Board Chairman
27		
28	12:23	Report of Acting Board Administrator
29		
30	12:24	Applications for Review
31		
32	12:26	Correspondence
33		
34	12:27	Review of Requests
35		
36	12:28	Public Comment/Discussion
37		
38	12:51	Miscellaneous
39		
40	12:55	Adjournment
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