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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**

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Thursday, July 27, 2023

1 State Board of Certified
2 Real Estate Appraisers
3 July 27, 2023
4
5

6 BOARD MEMBERS:
7

8 Joseph D. Pasquarella, Chairman, Professional
9 Member
10 Mark V. Smeltzer Sr., Vice Chairman, Professional
11 Member
12 John D. Ausherman, Secretary, Professional Member
13 William T. Stoerrle Jr., Professional Member
14 Michael McFarlane, Professional Member
15 Martha H. Brown, Esquire, Secretary of the
16 Commonwealth Designee
17 Ginger Etter, on behalf of Paul D. Edger, Esquire,
18 Senior Deputy Attorney General, Office of Attorney
19 General Designee
20 Paul H. Wentzel Jr., Senior Legislative Director,
21 Department of Banking and Securities designee
22
23

24 BUREAU PERSONNEL:
25

26 Ray Michalowski, Esquire, Senior Board Prosecutor and
27 Board Prosecution Liaison
28 Ronald K. Rouse, Esquire, Board Counsel
29 Kristel Hennessy Hemler, Board Administrator
30 Andrew LaFratte, MPA, Deputy Policy Director,
31 Department of State
32 Michael McDonald, Policy Director, Department of
33 State
34 Nate White, Legal Intern, Department of State
35
36

37 ALSO PRESENT:
38

39 Randy Waggoner, CPE, Assessors' Association of
40 Pennsylvania
41 Andrew Beltran, Vice President, Bowery Valuation
42 Connor Scanlon, Associate, Bowery Valuation
43 Emme Reiser, Political Programs Manager, Pennsylvania
44 Association of Realtors
45 Sarah Whyler, Certified Residential Appraiser &
46 Realtor/Appraisal Coordinator, Charles E. Brown Real
47 Estate, LLC & Brown Appraisers, LLC
48 Tracy Matroni, Education & Member Services at
49 Lancaster County Association of Realtors/Keystone
50 Chapter of the Appraisal Institute

State Board of Certified
Real Estate Appraisers
July 27, 2023

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ALSO PRESENT: (cont.)

- Chandra Mast, General Commercial Appraiser, Red Rose Appraisals
- Neal Fenochietti, Policy Manager, Appraisal Subcommittee
- Tom Lewis, Policy Manager, Appraisal Subcommittee
- Raymond Glassley
- John Musnuff, Managing Director, Bowery Valuation
- Ian Weeber

1 ***

2 State Board of Certified

3 Real Estate Appraisers

4 July 27, 2023

5 ***

6 [Pursuant to Section 708(a)(5) of the Sunshine Act,
7 at 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 [Ronald K. Rouse, Esquire, Board Counsel, informed
14 everyone that the meeting of the State Board of
15 Certified Real Estate Appraisers was being held in a
16 hybrid format, in person and by livestreaming
17 teleconference, pursuant to Act 100 of 2021, which
18 requires boards to use a virtual platform to conduct
19 business when a public meeting is held.

20 Mr. Rouse also noted that the Board entered into
21 Executive Session with Board Counsel to have
22 attorney-client consultations and for the purpose of
23 conducting quasi-judicial deliberations.]

24 ***

25 The regularly scheduled meeting of the State

1 Board of Certified Real Estate Appraisers was held on
2 Thursday, July 27, 2023. Joseph D. Pasquarella,
3 Chairman, Professional Member, officially called the
4 meeting to order at 10:30 a.m.

5 ***

6 Roll Call

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

9 ***

10 Introduction of Attendees

11 [Joseph D. Pasquarella, Chairman, Professional
12 Member, also requested an introduction of attendees.

13 Neal Fenochietti and Tom Lewis from the Appraisal
14 Subcommittee were in attendance to observe the Board
15 meeting in connection with Pennsylvania's Appraisal
16 Subcommittee compliance review of the appraiser and
17 appraisal management company programs.

18 Mr. Pasquarella thanked Mr. Fenochietti and Mr.
19 Lewis for attending the meeting and everything the
20 Appraisal Subcommittee does for the Board and the
21 profession. He also noted appreciation to those in
22 attendance who are external to the Board.]

23 ***

24 Approval of minutes of the June 22, 2023 meeting

25 CHAIRMAN PASQUARELLA:

1 Next on the agenda is approval of the
2 minutes.

3 Do I have a motion to approve the
4 minutes for the meeting of June 22,
5 2023?

6 MR. STOERRLE:

7 I make a motion to approve.

8 [The Board discussed corrections to the minutes.]

9 MR. ROUSE:

10 I take it that the motion is to accept
11 the meeting minutes from June 22, 2023,
12 as amended.

13 CHAIRMAN PASQUARELLA:

14 Yes, as amended.

15 MR. AUSERMAN:

16 I second.

17 CHAIRMAN PASQUARELLA:

18 Roll call vote.

19
20 Joe Pasquarella, aye; Mark Smeltzer,
21 aye; John Auserman, aye; William
22 Stoerrle, aye; Michael McFarlane, aye;
23 Martha Brown, aye; Ginger Etter,
24 abstain; Paul Wentzel, aye.

25 [The motion carried. Ginger Etter abstained from

1 voting on the motion.]

2 ***

3 Introduction of Attendees

4 [Joseph D. Pasquarella, Chairman, Professional
5 Member, requested an introduction of attendees.]

6 ***

7 Report of Prosecutorial Division - No Report

8 ***

9 Regulations/Statute - Regulatory Report

10 [Ronald K. Rouse, Esquire, Board Counsel, provided a
11 Regulatory Report for July for the Board's review.

12 Mr. Rouse noted the proposed regulatory package
13 for 16A-7024 regarding licensure by endorsement for
14 assessors is under internal review.

15 Mr. Rouse addressed 16A-7025 regarding the
16 schedule of fees, noting the Board wanted to wait
17 until after the close of the biennial renewal period
18 on June 30, 2023, to see the number of licensees. He
19 noted he would be reaching out to the Bureau of
20 Finance and Operations (BFO) to rerun the numbers to
21 determine whether or not the regulatory package needs
22 to go through because of the slight increase in
23 licensee population.

24 Mr. Rouse was working on the Regulatory Analysis
25 Form for 16A-7026 regarding certified Pennsylvania

1 evaluators. He noted the regulation was to comply
2 with the Act 88 of 2020 amendments to the Assessors
3 Certification Act.

4 Mr. Rouse addressed Regulation 16A-7027
5 regarding broker price opinion (BPO) surety bonds.
6 He noted the BPO portion went out to stakeholders as
7 an exposure draft, and the surety bond piece still
8 needs some information to be researched to come
9 before the Board to be added to the regulation.

10 Mr. Rouse informed Board members that regulatory
11 counsel submitted additional comments for Regulation
12 16A-7029 regarding distance education and the
13 Practical Applications of Real Estate Appraisal
14 (PAREA) but that it is getting very close.

15 Mr. Rouse noted he has to do a Regulatory
16 Analysis Form for Regulation 16A-7031 regarding
17 appraisal management company (AMC) revisions and AMC
18 ownership limitations.]

19

20 Regulations/Statute - Regulation 16A-7032
21 [Ronald K. Rouse, Esquire, Board Counsel, referred to
22 Regulation 16A-7032 regarding qualifying and
23 continuing education in valuation bias and fair
24 housing laws and regulations. He referred to the
25 Appraisal Qualifications Board adopts changes to Real

1 Property Appraiser Qualification Criteria at item 5
2 on the agenda. He noted Board regulations at §
3 36.2(f) requires an announcement be posted to the
4 Board's website, an email blast sent to licensees,
5 and an announcement at the next Board meeting
6 whenever the Appraiser Qualifications Board (AQB)
7 makes changes to the criteria.

8 Mr. Rouse informed Board members that an email
9 blast was sent to licensees on June 27, 2023, and
10 changes have been posted to the Board's website. He
11 noted AQB adopted the second exposure draft of
12 proposed changes to the Real Property Appraiser
13 Qualification Criteria and that the changes make
14 valuation bias and fair housing a required component
15 of an appraiser's qualifying and continuing
16 education.

17 Mr. Rouse informed everyone that the changes
18 become effective January 1, 2026, so that each state
19 regulatory agency can go through its respective
20 rulemaking processes to ensure the requirements are
21 adopted, but state regulatory agencies are encouraged
22 to implement changes as soon as they complete their
23 rulemaking process.

24 Mr. Rouse addressed the changes regarding
25 qualifying education, where all appraiser candidates

1 must have the 8-hour valuation bias and fair housing
2 law and regulations course as part of their required
3 qualifying education, which would increase the core
4 curriculum requirement to 83 credit hours instead of
5 75 credit hours.

6 Mr. Rouse stated it would not increase the 200
7 hours for certified residential appraisers or 300
8 hours for certified general appraisers because the
9 number of elective hours will be reduced by 8.

10 Mr. Rouse noted all credentialed appraisers must
11 successfully complete a course which meets the
12 content requirements of the valuation bias and fair
13 housing laws and regulations outline every 2 calendar
14 years for continuing education. He explained that it
15 must be a 7-hour course the first time an appraiser
16 completes the continuing education course and then
17 every 2 years thereafter the appraiser must take a
18 valuation bias and fair housing laws and regulations
19 course at least 4 hours in length.

20 Mr. Rouse stated the 7-Hour National Uniform
21 Standards of Professional Appraiser Practice (USPAP)
22 Update Course would be renamed the 7-Hour National
23 USPAP Continuing Education Course. He also noted the
24 7-Hour Instructor Recertification Course would be
25 renamed the Instructor Certification Course. He also

1 reported a name change for "valuation bias, fair
2 housing, and equal opportunity" as an allowable
3 continuing education topic and that the change would
4 be the "valuation bias and fair housing laws and
5 regulations" for consistency.

6 Mr. Rouse addressed how the changes relate to
7 16A-7032 and referred to qualifying education
8 regulations at § 36.11 and § 36.12(a), where the
9 regulations seem to be broad enough and just adopting
10 AQB criteria would satisfy the requirements. He
11 noted clarifying language may need to be added to §
12 36.41 regarding the continuing education requirement
13 and the 7-hour valuation bias and fair housing
14 course.

15 Mr. Rouse suggested all licensees be required to
16 take the 7-hour valuation bias and fair housing laws
17 and regulation course for that 2025-2027 biennial
18 renewal period and each time thereafter would need
19 the 4-hour course.

20 Mr. Smeltzer commented that they should not be
21 coming out in January 2026 and only have an 18-month
22 lead time for people to take the course. He
23 mentioned not being sure if it could be done in the
24 middle of a renewal cycle. He noted the importance
25 of taking the course during that two-year period for

1 the renewal cycle for 2027 and expressed a concern
2 with people putting it off until 2029.

3 Chair Pasquarella requested Mr. Rouse develop
4 the language for clarification and present it at the
5 next Board meeting.

6 Mr. Rouse informed Board members that he would
7 also be looking through the regulations to see if
8 there are other edits needed regarding the renaming
9 of the 7-Hour USPAP Update Course to the Continuing
10 Education Course.

11 Ms. Hennessy Hemler asked whether the required
12 continuing education hours increase from 28 to 32
13 once it goes on to the 4-hour valuation bias and fair
14 housing course requirement or whether all continuing
15 education must be within that 28 period.

16 Mr. Rouse explained that it is all within the 28
17 hours because the criteria states that they have 14
18 CEs per year and is 28 biennially. The statute says
19 that Board requires the minimum continuing education
20 that AQB criteria requires. He further explained
21 that they must have 2 hours on the law and
22 regulations, 7 hours for the National USPAP
23 Continuing Education Course, 7 hours for the first
24 occasion for valuation bias and fair housing laws and
25 regulations course, and then every 2 years thereafter

1 is the 4-hour valuation bias course.]

2 ***

3 Matters for Discussion

4 [Ronald K. Rouse, Esquire, Board Counsel, informed
5 Board members that the Appraisal Subcommittee (ASC)
6 published a request in the Federal Register on June
7 27, 2023, for renewal of an approved information
8 collection request for the collection and
9 transmission of annual AMC registry fees. He noted
10 that a copy of the renewal request can be accessed
11 through the Federal Register website.

12 Mr. Rouse stated ASC is requesting public
13 comment be submitted to webmaster@asc.gov by August
14 28, 2023, and to include the docket number AS23-09 in
15 the subject line of the email. He stated ASC is
16 seeking approval from the Office of Management and
17 Budget to renew an information collection request
18 entitled "Collection and Transmission of Annual AMC
19 Registry Fees". He noted any states that register
20 and supervise appraisal management companies are
21 required to collect and transmit annual AMC registry
22 fees to the Appraisal Subcommittee.

23 Mr. Rouse stated § 1102.43 of the Code of Federal
24 Regulations requires AMC registry fees be collected
25 and transmitted to the ASC on an annual basis by

1 states that register and supervise AMCs. He noted
2 that only those AMCs whose registry fees have been
3 transmitted to the ASC are eligible to be on the AMC
4 registry for the 12-month period following the
5 payment of the fee.

6 Mr. Rouse referred to § 1102.43 which clarifies
7 that states may align a 1-year period with any 12-
8 month period, which may or may not be based on the
9 calendar year. He noted the registration cycle is
10 left to the individual states to determine.

11 Mr. Rouse referred to the Appraisal Standards
12 Board Summary of Changes to USPAP effective January
13 1, 2024, noting the summary has been posted on the
14 Board's website for licensees to review.

15 Mr. Rouse stated the Appraisal Standards Board
16 voted to adopt the fifth exposure draft of changes to
17 USPAP on May 5, 2023. He noted the USPAP amendments
18 include a nondiscrimination section in the Ethics
19 Rule; Advisory Opinion 39 was added to show how the
20 Fair Housing Act, Equal Credit Opportunity Act, and
21 the Civil Rights Act of 1886 are relevant to
22 appraisal practice; and Advisory Opinion 40 was added
23 to provide guidance related to the prohibition on
24 using particular protective characteristics in
25 developing an opinion of value for residential real

1 property assignments and in the research, analysis,
2 and reporting of location related data.

3 Mr. Rouse noted the current USPAP definitions of
4 assignment elements, misleading, and relevant
5 characteristics would be retired, and the current
6 USPAP definitions of appraiser, personal inspection,
7 and work files would also be modified.]

8 ***

9 Appointment - Introduction

10 [Michael McDonald, Policy Director, Department of
11 State, introduced himself and provided a brief
12 history of his professional background. He informed
13 everyone that the policy office works with all of the
14 program areas and licensing boards and commissions,
15 along with the Governor's Office to identify, assess,
16 analyze, and review policy ideas and initiatives.

17 Mr. McDonald noted they work closely with Board
18 Counsel and the General Assembly to review and draft
19 regulations. He also noted they keep track of what
20 is going on in other states and jurisdictions that
21 could have an impact on the licensing population or
22 citizens of Pennsylvania.

23 Mr. McDonald encouraged Board members to reach
24 out to him or Deputy Policy Director Andrew LaFratte
25 with any policy or legislative questions or concerns.

1 Mr. McDonald thanked Board members for their
2 service to the licensees and citizens of the
3 Commonwealth of Pennsylvania.

4 Mr. Pasquarella thanked Mr. McDonald for offering
5 his services and for the presentation to the Board.]

6 ***

7 Matters for Discussion

8 [Ronald K. Rouse, Esquire, Board Counsel, referred to
9 practicum courses for nontraditional and client
10 experience. He noted AQB Criteria says that
11 practicum courses approved by the AQB Course Approval
12 Program or state regulatory agencies can satisfy the
13 nontraditional client experience requirement.

14 Mr. Rouse stated that practicum course content
15 must include requiring the students to produce
16 credible appraisals that utilize an actual subject
17 property, performing market research containing sales
18 analysis, and applying and reporting the applicable
19 appraisal approaches in conformity with USPAP. He
20 noted assignments must require problem-solving skills
21 for a variety of property types for the credential
22 category.

23 Mr. Rouse reminded Board members of prior
24 discussion at the September 2022 Board meeting
25 regarding the Mississippi Practical Appraiser

1 Training Program, which provided training for 17
2 participants who successfully completed that program
3 on August 24, 2022. He referred to § 36.11(e)(4)(x)
4 and § 36.12(e)(4)(x) under the Board's regulations
5 stating that practicum courses approved by the AQB
6 course approval program are acceptable in
7 Pennsylvania to meet the appraiser experience
8 requirement for certified residential and certified
9 general real estate appraisers.

10 Mr. Smeltzer commented that they submit the
11 certificate when they complete a Practical
12 Applications of Real Estate Appraisal (PAREA) program
13 and asked whether this is a submission of the
14 certificate or a submission of the reports they did,
15 where they would put on the log that they did not
16 have a client.

17 Mr. Rouse explained that they would have
18 appraisal reports and a log and have to identify that
19 there is not a traditional client on that because
20 they are actually going out into the field in the
21 practicum course.

22 Mr. Smeltzer commented that they would
23 submit the actual reports to Pennsylvania, which
24 would be reviewed for approval but would not have a
25 client and be checking "no" on the log form if they

1 were using it for experience hours in Pennsylvania.

2 Mr. Rouse noted that to be correct if they were
3 submitting it directly, but reciprocity is different
4 when they do their reciprocal application.

5 Mr. Smeltzer noted the PAREA program could be
6 used 100 percent for residential and 50 percent for
7 general. He asked whether they would use that for
8 all their hours if they go through that program at
9 the university or submit it to see how many hours get
10 approved.

11 Mr. Rouse believed they would have to submit it
12 because 75 percent of the experience has to be
13 interior and exterior inspections for residential and
14 50 percent for general.

15 Mr. Rouse referred to PAREA and the way they
16 have written to amend their regulations and the
17 certificate would be required from the AQB approved-
18 PAREA program, where they would not submit copies of
19 appraisal reports and just the certificate of
20 completion.

21 Chair Pasquarella commented that with PAREA,
22 they would get credit for 50 percent of the hours for
23 general certified and 100 percent for residential,
24 whereas the practicum, if it was AQB-approved from
25 another state, it would then be 50 percent for

1 general and 75 percent for residential.

2 Mr. Rouse noted the need to make sure at least
3 75 percent of what they did for residential was
4 interior and exterior appraisal.

5 Chair Pasquarella stated they would be able to
6 get 100 percent of the requirements for residential
7 and 50 percent for general as long as 75 percent is
8 interior and exterior.

9 Mr. Smeltzer pointed out that they have the 300-
10 hour requirement for being joined and noted the
11 practicum program has an excellent developer train
12 people, noting that he assumed whoever is going to be
13 in this case constitutes their experience of being
14 joined by the supervisor during the first 300 hours.

15 Mr. Rouse noted they have not seen one of the
16 practicum cases but that it is a certificate with the
17 Mississippi program and the Board would get their
18 certificate.

19 Mr. Smeltzer asked whether that would be for 100
20 percent of the experience, where it would mean they
21 have 3000 hours for general and 1500 hours for
22 residential.

23 Mr. Rouse stated the Mississippi program has
24 1000 hours and not the Board's 1500 hours and is
25 something the Board would need to discuss.

1 Mr. Smeltzer commented that their certificate
2 would have on it that the individual has demonstrated
3 a certain amount of hours of experience and the Board
4 has accepted for that many hours. He mentioned that
5 it would be nice to see a school in the state of
6 Pennsylvania take on a similar type of program to
7 open things up for new people coming into the
8 industry.

9 Mr. Fenochietti added that PAREA is a virtual
10 practicum course developed by AQB, where they have
11 analyzed the course and determined what experience
12 would be appropriate from that course. He noted that
13 looking at the requirements of the career course on
14 their certificate would tell what that certificate
15 represented.

16 Mr. Fenochietti stated other practicum courses
17 are real world practicum courses with their mentor or
18 instructor doing the physical work. He explained
19 that those practicum courses would also be connected
20 to a number of hours of experience that they satisfy
21 and then the state of Pennsylvania would determine
22 whether or not that was appropriate.]

23

24 Matters for Deliberation

25 MR. ROUSE:

1 Item 8 is the Petition for
2 Reinstatement of the Certified
3 Residential Real Estate Appraiser
4 License of John B. Taylor, Case No. 22-
5 70-004500.

6 After discussion in Executive
7 Session, I believe the Chair would
8 entertain a motion to grant the
9 Petition for Reinstatement of the
10 Certified Residential Real Estate
11 Appraiser License of John B. Taylor,
12 Case No. 22-70-004500.

13 CHAIRMAN PASQUARELLA:

14 Would somebody make that motion?

15 MR. AUSERMAN:

16 I so move.

17 MR. STOERRLE:

18 I second that.

19 MS. HENNESSY HEMLER:

20 I'll do roll call voting.

21

22 Joe Pasquarella, aye; Mark Smeltzer,
23 aye; John Auserman, aye; William
24 Stoerrle, aye; Michael McFarlane, aye;
25 Martha Brown, aye; Ginger Etter, aye;

1 Paul Wentzel, aye.

2 [The motion carried unanimously.]

3 ***

4 Report of Board Chairman - No Report

5 ***

6 Report of Board Administrator

7 [Kristel Hennessy Hemler, Board Administrator,
8 provided an update on 2023 renewals, noting 91
9 percent of appraisal management companies renewed, 86
10 percent of certified broker appraisers, 89 percent of
11 certified general appraisers, 84 percent of certified
12 Pennsylvania Evaluators, 91 percent of certified
13 residential appraisers, and 66 percent of licensed
14 appraiser trainees.

15 Ms. Hennessy Hemler explained that a lot of
16 licensed appraiser trainees basically pass their
17 exams and are off becoming certified residential or
18 general appraisers and is why that seems low but is
19 an improvement from 30 percent the last time she
20 reported. She reported an issue with their licensing
21 system not null and voiding their appraiser trainee
22 license when they were certified as a residential or
23 general but she manually made that correction and
24 alerted technical staff.

25 Ms. Hennessy Hemler also provided an update

1 regarding 2023 audits of continuing education. She
2 mentioned that she would like to give it two weeks
3 for any reactivations that come since renewals are
4 completed. She noted starting the audits for
5 continuing education on Monday and reported 5
6 percent, which is the lowest percentage required by
7 the Appraisal Subcommittee, but the past year was 5
8 percent and only had four people who did not comply.

9 Ms. Hennessy Hemler informed Board members that
10 they are going with 5 percent again this time,
11 including remedial education licensees, noting 80
12 have been audited but she would provide a better
13 update at the next Board meeting.]

14

15 Exploratory Committee

16 [Michael McFarlane, Professional Member, informed
17 Board members that the ASC's availability of funding
18 is not yet available for this quarter. He noted the
19 preapplication is prepared and ready for submission
20 once the quarter opens and the grant application is
21 able to be considered again.

22 Mr. McFarlane mentioned that the Appraisal
23 Subcommittee has a document on their website
24 regarding a summary of state support grant
25 application awards that have occurred and reported

1 consistency between what the Board is seeking and
2 awards given to other states.]

3 ***

4 Applications for Review

5 [Connor Scanlon, Associate, Bowery Valuation, and
6 Applicant, presented to the Board to provide
7 information regarding the distance between himself
8 and his supervisor regarding inspections. He
9 mentioned living in Myrtle Beach, South Carolina but
10 working on reports in New Jersey through Zoom.

11 John Musnuff, Managing Director, Bowery
12 Valuation, informed Board members that he and Andrew
13 Beltran supervise Mr. Scanlon in New Jersey and New
14 York via Zoom calls and requested proper
15 consideration.

16 Mr. Smeltzer noted Pennsylvania requires the
17 supervising appraiser accompany the trainee on an
18 inspection for the first 300 hours of experience and
19 asked how they meet that requirement. He also noted
20 the requirement for general certification, where at
21 least 1500 hours of experience has to include a
22 physical inspection of the subject property and asked
23 how they meet that requirement.

24 Mr. Scanlon had not been on any physical
25 inspections but would be able to physically inspect

1 properties.

2 Mr. Smeltzer explained that a personal physical
3 inspection and the first 300 hours must be completed
4 with the trainer because it is a provision in their
5 regulations in Pennsylvania.

6 Mr. Musnuff commented that this is for getting
7 his license to be a trainee and does not need that at
8 this point. He noted they would work on the other
9 part and make sure he performs inspections for those
10 300 hours.

11 Mr. Smeltzer noted there are requirements for a
12 trainee in Pennsylvania and assumed Mr. Scanlon has
13 done that if he is a licensed trainee in New Jersey,
14 where both supervisors would need to sign off and
15 take the responsibility of supervisor. He explained
16 that Mr. Scanlon would have to meet Pennsylvania's
17 experience requirements when he submits experience.

18 Mr. Musnuff commented that they would comply with
19 the rules but just want Mr. Scanlon to be a trainee
20 so that he can apply.

21 Andrew Beltran, Vice President, Bowery Valuation,
22 commented that Mr. Scanlon has been doing work in New
23 Jersey and New York and want him to be able to do
24 those inspections. He noted Mr. Scanlon is in New
25 Jersey frequently and is part of an anticipated

1 multiyear process toward general certification but
2 need to get him under the training program.

3 Mr. Scanlon noted having a secondary residence in
4 New Jersey, where performing inspections physically
5 would not be an issue.

6 Mr. Rouse confirmed that the request is regarding
7 approval of the licensed appraiser trainee
8 application.

9 Ms. Hennessy Hemler explained that it was brought
10 before everybody because one of the questions on the
11 licensed appraiser trainee application is whether
12 they are over 50 miles from their supervisor and how
13 they are going to do inspections once licensed.

14 Mr. Rouse noted that Mr. Scanlon would be doing
15 inspections in Pennsylvania with his supervisor and
16 training would be done virtually.

17 Mr. Beltran stated there would be Zoom calls and
18 email communications, along with computer testing,
19 which is the non-inspection aspect.

20 Mr. Smeltzer asked whether there is anything in
21 their regulations that the trainee has to be within
22 50 miles of the supervisor. He commented that it may
23 be a question so they could check into other things
24 but did not believe it is a requirement in their
25 regulations to become a licensed trainee.

1 Mr. Rouse suggested going back into Executive
2 Session for further discussion.]

3 ***

4 Review of Requests

5 MR. ROUSE:

6 Item 13 is a matter where the Board
7 received correspondence from Cherie
8 Jones asking a question of whether a
9 certified broker appraiser would have
10 to comply with valuation bias and fair
11 housing laws and regulations continuing
12 education requirement as a condition of
13 biennial renewal.

14 It is part of Section 109(b.2) of
15 the Real Estate Appraiser Certification
16 Act. It states that a certified
17 broker-appraiser shall be subject to
18 the same continuing education
19 requirements for certification as a
20 certified residential and certified
21 general appraiser; therefore, certified
22 broker-appraisers would have to comply
23 with the continuing education for
24 valuation bias and fair housing laws
25 and regulations.

1 I believe the Chair would entertain
2 a motion to direct Board Counsel to
3 draft a response letter to Cherie Jones
4 consistent with that.

5 MR. AUSERMAN:

6 I so move.

7 MS. BROWN:

8 Second.

9 MS. HENNESSY HEMLER:

10 Joe Pasquarella, aye; Mark Smeltzer,
11 aye; John Auserman, aye; William
12 Stoerrle, aye; Michael McFarlane, aye;
13 Martha Brown, aye; Ginger Etter, aye;
14 Paul Wentzel, aye.

15 [The motion carried unanimously.]

16 ***

17 Review of Requests - Ratifications

18 MR. ROUSE:

19 We could group items 14, 15, and 19
20 together for Emily Whary, Ann Marie
21 Chopick, and Seth Litman.

22 After discussion in Executive
23 Session, I believe the Chair would
24 entertain a motion to Ratify the
25 Licensed Appraiser Trainee Renewal

1 Extension for Emily Whary at item 14 on
2 the agenda, Ann Marie Chopick at item
3 15 on the agenda, and Seth Litman at
4 item 19 on the agenda.

5 MR. MCFARLANE:

6 I so move.

7 MR. AUSERMAN:

8 Second.

9 MS. HENNESSY HEMLER:

10 Joe Pasquarella, aye; Mark Smeltzer,
11 aye; John Ausherman, aye; William
12 Stoerrle, aye; Michael McFarlane, aye;
13 Martha Brown, aye; Ginger Etter, aye;
14 Paul Wentzel, aye.

15 [The motion carried unanimously.]

16 ***

17 MR. ROUSE:

18 We could group items 16, 17, and 18 on
19 the agenda for Amanda Mellinger,
20 Michele A. Dennison, and Michael J.
21 Robinson.

22 After discussion in Executive
23 Session, I believe the Chair would
24 entertain a motion to Ratify the
25 Continuing Education Extension of Time

1 for Amanda Mellinger, Michele A.
2 Dennison, and Michael J. Robinson.

3 MR. AUSERMAN:

4 I so move.

5 MS. BROWN:

6 Second.

7 MS. HENNESSY HEMLER:

8 Joe Pasquarella, aye; Mark Smeltzer,
9 aye; John Auserman, aye; William
10 Stoerrle, aye; Michael McFarlane, aye;
11 Martha Brown, aye; Ginger Etter, aye;
12 Paul Wentzel, aye.

13 [The motion carried unanimously.]

14 ***

15 [Pursuant to Section 708(a)(5) of the Sunshine Act,
16 at 11:45 a.m. the Board entered into Executive
17 Session with Ronald K. Rouse, Esquire, Board Counsel,
18 to have attorney-client consultations and for the
19 purpose of conducting quasi-judicial deliberations
20 regarding item 12 on the agenda. The Board returned
21 to open session at 11:58 a.m.]

22 ***

23 MR. ROUSE:

24 Pursuant to Section 708(a)(5) of the
25 Sunshine Act, the Board is returning

1 from Executive Session with Board
2 Counsel after having attorney-client
3 consultations and for the purpose of
4 conducting quasi-judicial
5 deliberations.

6 Regarding item 12, I believe the
7 Chair would entertain a motion to grant
8 the Licensed Appraiser Trainee
9 Application of Connor Scanlon.

10 CHAIRMAN PASQUARELLA:

11 Do I have such a motion?

12 MR. STOERRLE:

13 I make the motion.

14 CHAIRMAN PASQUARELLA:

15 Do I have a second?

16 MR. AUSERMAN:

17 I second.

18 CHAIRMAN PASQUARELLA:

19 Kristel, call the roll.

20
21 Joe Pasquarella, aye; Mark Smeltzer,
22 aye; John Auserman, aye; William
23 Stoerrle, aye; Michael McFarlane, aye;
24 Martha Brown, aye; Ginger Etter, aye;
25 Paul Wentzel, aye.

1 [The motion carried unanimously.]

2 ***

3 Public Comment/Discussion

4 [Randy Waggoner, CPE, Assessors' Association of
5 Pennsylvania, informed Board members that he has been
6 appointed as the liaison to the Board by the
7 Assessors' Association of Pennsylvania (AAP). He
8 asked whether there was a tentative start date for
9 the 15-Hour USPAP class that would be required as
10 part of the qualification course requirements for
11 CPEs.

12 Mr. Rouse explained that it is in one of the
13 regulatory packages and referred to Regulation 16A-
14 7026, which was general revisions for certified
15 Pennsylvania evaluators to comply with the Act 88 of
16 2020 amendment. He explained that when the Board put
17 its annex out as an exposure draft, a stakeholder
18 recommended that assessors also take the 15-hour
19 USPAP course as part of their qualifying education
20 and that was not something in the statute. He noted
21 the Board decided to add that as a part of the
22 regulatory amendment and may be finalized some time
23 in 2024.

24 Mr. Waggoner mentioned the Board's discussion
25 concerning bias and fair housing qualification

1 education, as well as the continuing education. He
2 referred the Assessor's Certification Act, Act 28,
3 and Title 49 rules and regulations, where certified
4 Pennsylvania evaluators (CPEs) are required to get 28
5 hours of continuing education every cycle, including
6 7 hours for the USPAP update and 2 hours for Act 28.

7 Mr. Waggoner asked whether the qualifications are
8 going to be required of CPEs, as well as the
9 appraisers, and whether the continuing education the
10 first time around of 7 hours and then 4 hours is
11 going to be part of the 19 hours of elective
12 education or be added on for CPEs.

13 Mr. Rouse informed Mr. Waggoner that the Board
14 has not made a determination of whether the valuation
15 bias and fair housing rules and laws and regulations
16 also applies to certified Pennsylvania evaluators and
17 referred to 16A-7032 but asked whether the Board is
18 contemplating having certified Pennsylvania
19 evaluators be required to take the 7-hour course.

20 Mr. Ausherman commented the CPEs do not typically
21 go into an individual's house.

22 Mr. Waggoner stated the International Association
23 of Appraising Officers (IAAO) has come out with data
24 collection standards that many counties have adopted.

25 He noted that the policy or work instructions for

1 their data collectors is to not go in the dwelling
2 even if the homeowner encourages it.

3 Mr. McFarland asked whether it would be an AQB
4 violation of USPAP if certified Pennsylvania
5 evaluators under the Board's regulations are not
6 subject to bias training.

7 Mr. Smeltzer explained that AQB does not have
8 anything to do with the regulation of evaluators and
9 is something that is done separately in the state.

10 Chairman Pasquarella commented that bias training
11 goes well beyond issues pertaining to inspections.
12 He believed bias training is going to be focused on
13 many aspects relevant to appraisal to include
14 evaluation and assessment and would be appropriate
15 for evaluators, so they do not inadvertently fall
16 into a bias trap themselves.

17 Mr. Smeltzer agreed with Chair Pasquarella and
18 would not want to move forward excluding a group from
19 education on bias and believed it should be included
20 in the 28. He mentioned that the Board is not adding
21 any hours to residential or general and should not be
22 adding any hours to the CPE.

23 Mr. Waggoner stated the education would be
24 invaluable to whoever is going to do what they call
25 neighborhood delineations, which is one of the first

1 steps in order to work toward the creation of the
2 valuation models that go behind Computer-Assisted
3 Mass Appraisal (CAMA) or digital assessment systems.

4 Mr. Waggoner agreed that no one would want to be
5 accused of creating neighborhood boundaries or
6 neighborhood delineations based on any kind of bias.

7 He noted that bias and fair housing is definitely
8 important and not personally opposed to CPEs being
9 required to take it. He mentioned that 15 hours of
10 USPAP is already being added and that they would have
11 to plan accordingly if more hours were added, along
12 with finding the time frame for continuing education
13 and what is going to be expected.

14 Mr. Rouse noted that any type of annex would go
15 to stakeholders for them to make written comments, so
16 the stakeholders would still have a say in the
17 process of why or why it would not be appropriate for
18 certified Pennsylvania evaluators.

19 Chair Pasquarella thanked Mr. Waggoner for coming
20 before the Board.]

21 MR. ROUSE:

22 Would the Chair entertain a motion to
23 direct Board Counsel to draft an annex
24 regarding valuation bias and fair
25 housing laws and regulations for

1 certified Pennsylvania evaluators and
2 appraisers.

3 CHAIRMAN PASQUARELLA:

4 Anybody want to make that motion?

5 MR. WENTZEL:

6 So moved.

7 CHAIRMAN PASQUARELLA:

8 Do I have a second?

9 MR. STOERRLE:

10 Second.

11 CHAIRMAN PASQUARELLA:

12 Kristel.

13

14 Joe Pasquarella, aye; Mark Smeltzer,
15 aye; John Ausherman, aye; William
16 Stoerrle, aye; Michael McFarlane, aye;
17 Martha Brown, aye; Ginger Etter, aye;
18 Paul Wentzel, aye.

19 [The motion carried unanimously.]

20

21 Public Comments/Discussion

22 [Mark Smeltzer, Vice Chairman, Professional Member
23 commented that the Board requires five years of
24 experience as a certified appraiser prior to becoming
25 a supervisor and requested having a Board discussion

1 regarding changing that to AQB's requirement of three
2 years on the next agenda.

3 Mr. Rouse informed Board members that he
4 submitted the request up the chain and would provide
5 an update.]

6 ***

7 Adjournment

8 CHAIRMAN PASQUARELLA:

9 Do I have a motion to adjourn today's
10 meeting?

11 MR. WENTZEL:

12 So moved.

13 MR. AUSERMAN:

14 Second.

15 CHAIRMAN PASQUARELLA:

16 All in favor, aye.

17 ***

18 [There being no further business, the State Board of
19 Certified Real Estate Appraisers Meeting adjourned at
20 12:19 p.m.]

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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.



Ian Weber,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS
REFERENCE INDEX

July 27, 2023

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:30	Official Call to Order
14		
15	10:31	Roll Call
16		
17	10:31	Introduction of Attendees
18		
19	10:36	Approval of Minutes
20		
21	10:38	Regulations/Statute
22		
23	10:54	Matters for Discussion
24		
25	10:59	Appointment - Michael McDonald
26		
27	11:03	Matters for Discussion (cont.)
28		
29	11:14	Matters for Deliberation
30		
31	11:17	Report of Board Administrator
32		
33	11:21	Exploratory Committee
34		
35	11:22	Applications for Review
36		
37	11:38	Review of Requests
38		
39	11:45	Executive Session
40	11:58	Return to Open Session
41		
42	11:59	Public Comments/Discussion
43		
44	12:19	Adjournment
45		
46		
47		
48		
49		
50		