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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: 9:03 A.M.

PENNSYLVANIA DEPARTMENT OF STATE  
Board Room C  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

January 23, 2019

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State Board of Certified  
Real Estate Appraisers  
January 23, 2019

BOARD MEMBERS:

- D. Thomas Smith, Chairman, Professional Member
- Jeffrey L. Walters, Vice Chairman, Professional Member
- Martha H. Brown, Esquire, Secretary of the Commonwealth Designee, Office of Chief Counsel
- Zachery Everidge, Office of Attorney General Designee
- Eric Lehmayr, Professional Member
- William Rothman, Professional Member
- Paul Wentzel, Secretary of Banking and Securities Designee

BUREAU PERSONNEL:

- Jacqueline A. Wolfgang, Esquire, Board Counsel
- Ray Michalowski, Esquire, Board Prosecutor Liaison
- Heidy M. Weirich, Board Administrator
- Robert Armour, Esquire, Board Prosecutor
- Caroline Bailey, Esquire, Board Prosecutor
- Cameron Avetti, Legal Intern

ALSO PRESENT:

- Steve Howe, Assessors' Association of Pennsylvania
- Justin Reis, Appraisal Board

1 \*\*\*

2 State Board of Certified  
3 Real Estate Appraisers  
4 January 23, 2019

5 \*\*\*

6 The regularly scheduled meeting of the State Board  
7 of Certified Real Estate Appraisers was held on  
8 Wednesday, January 23, 2019. D. Thomas Smith,  
9 Chairman, Professional Member, officially called the  
10 meeting to order at 9:03 a.m. A roll call was taken.

11  
12 \*\*\*

13 [Heidy M. Weirich, Board Administrator, reviewed the  
14 emergency evacuation procedures for One Penn Center.]

15 \*\*\*

16 Approval of Minutes of December 13, 2018 meeting

17 CHAIRMAN SMITH:

18 Approval of minutes for December 13, 2018  
19 meeting.

20 MR. ROTHMAN:

21 So moved.

22 MR. WALTERS:

23 Second.

24 CHAIRMAN SMITH:

25 Any corrections of discussions?

1 All in favor? Opposed?

2 [The motion carried unanimously.]

3 \*\*\*

4 Report of Prosecutorial Division

5 [Ray Michalowski, Esquire, Board Prosecutor Liaison,  
6 presented the Consent Agreements for File No. 18-70-  
7 13389, and File No. 16-70-14416.]

8 Mr. Michalowski requested Ms. Brown and Mr. Smith  
9 review a recently received remedial agreement.]

10 \*\*\*

11 [Robert Armour, Esquire, Board Prosecutor, presented  
12 the Consent Agreement for File No. 18-70-01907.]

13 \*\*\*

14 [Caroline Bailey, Esquire, Esquire, Board Prosecutor,  
15 presented the Consent Agreement for File No. 18-70-  
16 007736.]

17 \*\*\*

18 Report of Board Counsel

19 [Jacqueline A. Wolfgang, Esquire, Board Counsel, noted  
20 the Regulatory Status Report for the Board's review.  
21 She continues to work on changes to the General  
22 Revisions package based on Board comments. She will  
23 present the revised language at the next Board  
24 meeting.]

25 Ms. Wolfgang discussed the Certified Pennsylvania

1 Evaluator regulation (16A-7018). She noted that the  
2 proposed regulation referenced an older version of the  
3 Uniform Standards of Professional Appraiser Practice  
4 (USPAP) Ms. Wolfgang will attempt to make to changes  
5 to present at the next meeting. She requested that  
6 the Board review the USPAP standards for the next  
7 board meeting so that professional board member may  
8 provide input on those provisions. Board Counsel  
9 stated that while she was temporarily assigned to  
10 another agency, the Board discussed a proposal to  
11 reduce the continuing education (CE) requirements for  
12 certified evaluators.

13 The Board discussed its rationale for not wanting  
14 to reduce the number of CE hours for evaluators. The  
15 Board agreed that sending an exposure draft with the  
16 suggested decreased hours was appropriate so that the  
17 Board can receive input from interested parties.

18

19 Steve Howe, Assessors' Association of Pennsylvania  
20 (AAP), discussed the 16A-7018 Annex. He noted a  
21 misunderstanding between the terms real estate  
22 appraisal versus real property appraisal. Mr. Howe  
23 suggested updating the references to USPAP. He also  
24 expressed a concern related to reducing CE hours from  
25 28 to 20.

1 Ms. Wolfgang requested a motion instructing Board  
2 Counsel to make appropriate revisions to the proposed  
3 annex as discussed in order to prepare exposure drafts  
4 on both the substantive evaluator requirements and  
5 decreasing CE Requirements from 28 to 20 hours.]

6 MR. LEHMAYER:

7 So moved.

8 MR. WALTERS:

9 Second.

10 CHAIRMAN SMITH:

11 All in favor? Opposed.

12 [The motion carried unanimously.]

13 \*\*\*

14 [Ms. Wolfgang asked the Board to review the proposed  
15 annex and to be prepared to discuss the required USPAP  
16 changes.]

17 Ms. Wolfgang noted matters for discussion during  
18 Executive Session.]

19 \*\*\*

20 Report of Board Chairman

21 [No report]

22 \*\*\*

23 Report of Board Administrator

24 [Heidy M. Weirich, Board Administrator, addressed the  
25 reduction of experience samples. She noted, after

1 meeting with the Appraisal Subcommittee (ASC) in May,  
2 the plan was made to reduce the requirement from six  
3 samples to three samples for general, two samples for  
4 residential, and two for an upgrade. She commented  
5 that the reduction would also assist staff in  
6 processing the information.

7 Ms. Wolfgang explained that the Board had  
8 originally voted in May to require two samples, but  
9 after more discussion with ASC changed the requirement  
10 to three samples for general, residential and  
11 upgrading. She recommended requiring three samples  
12 across the board.

13 There was discussion regarding who chooses the  
14 samples.]

15 CHAIRMAN SMITH:

16 Can I get a motion to have experience  
17 samples of three for general, residential  
18 and upgrading, of which two will be  
19 provided from the applicant and one will  
20 be selected from the Board  
21 administration?

22 MR. WENTZEL:

23 So moved.

24 MR. LEHMAYER:

25 Second.

1 CHAIRMAN SMITH:

2 All in favor? Opposed?

3 [The motion carried unanimously.]

4 \*\*\*

5 [Ms. Weirich noted the AARO Spring Conference on May 3  
6 to 5, 2019, in Denver Colorado. May 2 would be an  
7 additional training day for board administrators and  
8 investigative staff.]

9 MS. WEIRICH:

10 I'm looking for a motion to send  
11 Jacqueline, Tom or another Board member,  
12 and I to the conference and send  
13 Jacqueline and I to the extra day of  
14 training.

15 MR. LEHMAYER:

16 So moved.

17 CHAIRMAN SMITH:

18 Second?

19 MR. WALTERS:

20 Second.

21 CHAIRMAN SMITH:

22 All in favor? Opposed?

23 [The motion carried unanimously.]

24 \*\*\*

25 [Ms. Wolfgang requested the Board consider sending



1 someone other than Mr. Smith. Mr. Walters  
2 volunteered. There was discussion by the Board  
3 regarding sending Mr. Walters and other staff to the  
4 investigator training.]

5 MS. BROWN:

6 I make a motion to approve two  
7 individuals to attend the investigator  
8 training.

9 MR. WENTZEL:

10 Second.

11 CHAIRMAN SMITH:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 \*\*\*

15 [Ms. Weirich noted the Hondros course previously  
16 withdrawn by the Appraiser Qualifications Board (AQB)  
17 has now been approved.]

18 \*\*\*

19 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
20 9:50 a.m. the Board entered into Executive Session  
21 with Jacqueline A. Wolfgang, Esquire, Board Counsel,  
22 for the purpose of conducting quasi-judicial  
23 deliberations. The Board returned to open session at  
24 10:42 a.m.]

25 \*\*\*

1 MOTIONS:

2 MS. WOLFGANG:

3 Pursuant to Section 708(a)(5) of the  
4 Sunshine Act, the Board entered into  
5 Executive Session with Board Counsel for  
6 the purpose of having attorney-client  
7 consultations and conducting quasi-  
8 judicial deliberations in the following  
9 matters:

10 The Consents Agreements at items  
11 number two through five of your agenda,  
12 Consent Agreement File No. 14-70-13389;  
13 File No. 16-70-14416; File No. 18-70-  
14 01907; File No. 18-70-007736; BPOA vs.  
15 John Deluzio, File No. 16-70-00499; BPOA  
16 vs. James Edward Lignelli File No. 17-70-  
17 04534; and Application of John Puccio.

18 MR. LEHMAYER:

19 I move to adopt the Consent Agreement and  
20 Order negotiated by the Commonwealth's  
21 prosecuting attorney in settlement of the  
22 following matter: The Commonwealth of  
23 Pennsylvania Bureau of Professional and  
24 Occupational Affairs, File No. 14-17-  
25 13389.

1 CHAIRMAN SMITH:

2 I have a motion. Do I have a second?

3 MR. WALTERS:

4 Second.

5 CHAIRMAN SMITH:

6 Any discussion? All in favor? Opposed?

7 [The motion carried unanimously. The Respondent's  
8 name is Ettore J. Petrone.]

9 \*\*\*

10 MR. WALTERS:

11 Mr. Chairman, I move to adopt the Consent  
12 Agreement and Order negotiated by the  
13 Commonwealth's prosecuting attorney in  
14 settlement of the following matter: The  
15 Commonwealth of Pennsylvania Bureau of  
16 Professional and Occupational Affairs,  
17 File No. 16-70-14416.

18 CHAIRMAN SMITH:

19 I have a motion. Do I have a second?

20 MR. LEHMAYER:

21 Second.

22 CHAIRMAN SMITH:

23 Any discussion? All in favor? Opposed?

24 [The motion carried unanimously. William Rothman  
25 recused from deliberations and voting on the motion.]

1 The Respondent's name is Jeremy Jonathan Arnold.]

2 \*\*\*

3 MS. BROWN:

4 I move to adopt the Consent Agreement and  
5 Order negotiated by the Commonwealth's  
6 prosecuting attorney in settlement of  
7 File No. 18-70-01907.

8 CHAIRMAN SMITH:

9 I have a motion. Do I have a second?

10 MR. ROTHMAN:

11 Second.

12 CHAIRMAN SMITH:

13 Any discussion? All in favor? Opposed?

14 [The motion carried unanimously. The Respondent's  
15 name is Thomas Whitfield Hudlow.]

16 \*\*\*

17 MR. ROTHMAN:

18 I move to adopt the Consent Agreement and  
19 Order negotiated by the Commonwealth's  
20 prosecuting attorney in settlement of the  
21 following matter: The Commonwealth of  
22 Pennsylvania Bureau of Professional and  
23 Occupational Affairs, File No. 18-70-  
24 007736.

25 CHAIRMAN SMITH:

1 I have a motion. Do I have a second?

2 MR. LEHMAYER:

3 Second.

4 CHAIRMAN SMITH:

5 Any discussion? All in favor? Opposed?

6 [The motion carried unanimously. The Respondent's  
7 name is Appraisal Logistic Solutions, Inc.]

8 \*\*\*

9 MS. BROWN:

10 In the matter of Bureau of Professional  
11 and Occupational Affairs vs. John  
12 Deluzio, File No. 16-70-00499, I move  
13 that the Board instruct Board Counsel to  
14 draft a Final Adjudication and Order as  
15 discussed in executive session.

16 MR. ROTHMAN:

17 Second.

18 MS. WOLFGANG:

19 Let me just clarify that motion. It was  
20 not an amended MDFA.

21 MS. BROWN:

22 The Order that's being issued is an  
23 amended Order granting the Motion to Deem  
24 Facts Admitted.

25 CHAIRMAN SMITH:

1                   We have a motion. Do we have a second?

2 MR. ROTHMAN:

3                   Second.

4 CHAIRMAN SMITH:

5                   Any discussion? All in favor? Opposed?

6 [The motion carried unanimously.]

7   \*\*\*

8 MS. BROWN:

9                   In the matter of Bureau of Professional  
10                   and Occupational Affairs vs. James Edward  
11                   Lignelli, File No. 17-70-04534, I make a  
12                   motion that Board Counsel draft an  
13                   Adjudication and Order pursuant to the  
14                   Board's discussion in Executive Session.

15 CHAIRMAN SMITH:

16                   I have a motion. Do I have a second?

17   \*\*\*

18 MS. BROWN:

19                   The motion related to John Deluzio, File  
20                   No. 16-70-00499, should be amended to be  
21                   a motion to draft an Adjudication and  
22                   Order pursuant to the Board's discussion  
23                   held in Executive Session.

24 CHAIRMAN SMITH:

25                   I have a motion. Do I have a second?

1 MR. ROTHMAN:

2                                 Second.

3 CHAIRMAN SMITH:

4                                 Any discussion? All in favor? Opposed?

5 [The motion carried unanimously.]

6   \*\*\*

7 MS. BROWN:

8                                 In the matter of James Edward Lignelli,  
9                                 File No. 17-70-04534, I make a motion to  
10                                 vacate the Board's Order granting Motion  
11                                 to Deem Facts admitted and issue an  
12                                 amended Order Granting Motion to Deem  
13                                 facts Admitted and adopt a final  
14                                 Adjudication and Order as drafted by  
15                                 Board Counsel.

16 CHAIRMAN SMITH:

17                                 We have a motion. Do we have a second?

18 MR. WALTERS:

19                                 Second.

20 CHAIRMAN SMITH:

21                                 Any discussion? All in favor? Opposed?

22 [The motion carried unanimously.]

23   \*\*\*

24 MS. BROWN:

25                                 Motion to rescind the initial motion on

1 John Deluzio, File No. 16-70-0049.

2 CHAIRMAN SMITH:

3 I have a motion. Do I have a second?

4 MR. LEHMAYER:

5 Second.

6 CHAIRMAN SMITH:

7 All in favor? Opposed?

8 [The motion carried unanimously.]

9 \*\*\*

10 MR. ROTHMAN:

11 I move the Application for Reciprocal  
12 Certified Residential Appraiser John  
13 Puccio be approved.

14 CHAIRMAN SMITH:

15 I have a motion. Do I have a second?

16 MR. WALTERS:

17 Second.

18 CHAIRMAN SMITH:

19 Any discussion? All in favor? Opposed?

20 [The motion carried unanimously.]

21 \*\*\*

22 CHAIRMAN SMITH:

23 Can I get a motion for adjournment?

24 MR. WENTZEL:

25 So moved.



1 CHAIRMAN SMITH:

2 All in favor? Okay. See you in March.

3 \*\*\*

4 [There being no further business, the State Board of  
5 Certified Real Estate Appraisers meeting adjourned at  
6 10:51 a.m.]

7 \*\*\*

8

9 CERTIFICATE

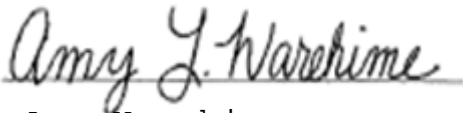
10

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

17

18

19

  
Amy Warehime

21

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

26

STATE BOARD OF CERTIFIED  
REAL ESTATE APPRAISERS  
REFERENCE INDEX  
January 23, 2019

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TIME	AGENDA
9:03	Official Call to Order
9:04	Evacuation Announcement
9:04	Adoption of Minutes
9:04	Report of Prosecutorial Division
9:19	Report Of Board Counsel
9:34	Report of Board Administrator
9:50	Executive Session
10:42	Return to Open Session
10:43	Motions
10:51	Adjournment