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

14 \*\*\*

15 Approval of Minutes of December 13, 2018 meeting

16 CHAIRMAN SMITH:

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

19 MR. ROTHMAN:

20 So moved.

21 MR. WALTERS:

22 Second.

23 CHAIRMAN SMITH:

24 Any corrections of discussions?

25 All in favor? Opposed?

1 [The motion carried unanimously.]

2 \*\*\*

3 Report of Prosecutorial Division

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

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

9 \*\*\*

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

12 \*\*\*

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

16 \*\*\*

17 Report of Board Counsel

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

24 Ms. Wolfgang discussed the Certified Pennsylvania  
25 Evaluator regulation (16A-7018). She noted that the

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

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

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

24 Ms. Wolfgang requested a motion instructing Board  
25 Counsel to make appropriate revisions to the proposed

1 annex as discussed in order to prepare exposure drafts  
2 on both the substantive evaluator requirements and  
3 decreasing CE Requirements from 28 to 20 hours.]

4 MR. LEHMAYER:

5                   So moved.

6 MR. WALTERS:

7                   Second.

8 CHAIRMAN SMITH:

9                   All in favor? Opposed.

10 [The motion carried unanimously.]

11   \*\*\*

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

15           Ms. Wolfgang noted matters for discussion during  
16 Executive Session.]

17   \*\*\*

18 Report of Board Chairman

19 [No report]

20   \*\*\*

21 Report of Board Administrator

22 [Heidy M. Weirich, Board Administrator, addressed the  
23 reduction of experience samples. She noted, after  
24 meeting with the Appraisal Subcommittee (ASC) in May,  
25 the plan was made to reduce the requirement from six

1 samples to three samples for general, two samples for  
2 residential, and two for an upgrade. She commented  
3 that the reduction would also assist staff in  
4 processing the information.

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

11 There was discussion regarding who chooses the  
12 samples.]

13 CHAIRMAN SMITH:

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

20 MR. WENTZEL:

21 So moved.

22 MR. LEHMAYER:

23 Second.

24 CHAIRMAN SMITH:

25 All in favor? Opposed?

1 [The motion carried unanimously.]

2

\*\*\*

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

7 MS. WEIRICH:

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

13 MR. LEHMAYER:

14 So moved.

15 CHAIRMAN SMITH:

16 Second?

17 MR. WALTERS:

18 Second.

19 CHAIRMAN SMITH:

20 All in favor? Opposed?

21 [The motion carried unanimously.]

22

\*\*\*

23 [Ms. Wolfgang requested the Board consider sending  
24 someone other than Mr. Smith. Mr. Walters  
25 volunteered. There was discussion by the Board



1 regarding sending Mr. Walters and other staff to the  
2 investigator training.]

3 MS. BROWN:

4 I make a motion to approve two  
5 individuals to attend the investigator  
6 training.

7 MR. WENTZEL:

8 Second.

9 CHAIRMAN SMITH:

10 All in favor? Opposed?

11 [The motion carried unanimously.]

12 \*\*\*

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

16 \*\*\*

17 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
18 9:50 a.m. the Board entered into Executive Session  
19 with Jacqueline A. Wolfgang, Esquire, Board Counsel,  
20 for the purpose of conducting quasi-judicial  
21 deliberations. The Board returned to open session at  
22 10:42 a.m.]

23 \*\*\*

24 MOTIONS:

25 MS. WOLFGANG:

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

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

16 MR. LEHMAYER:

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

24 CHAIRMAN SMITH:

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

1 MR. WALTERS:

2                   Second.

3 CHAIRMAN SMITH:

4                   Any discussion? All in favor? Opposed?

5 [The motion carried unanimously. The Respondent's  
6 name is Ettore J. Petrone.]

7   \*\*\*

8 MR. WALTERS:

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

16 CHAIRMAN SMITH:

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

18 MR. LEHMAYER:

19                   Second.

20 CHAIRMAN SMITH:

21                   Any discussion? All in favor? Opposed?

22 [The motion carried unanimously. William Rothman  
23 recused from deliberations and voting on the motion.  
24 The Respondent's name is Jeremy Jonathan Arnold.]

25   \*\*\*

1 MS. BROWN:

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

6 CHAIRMAN SMITH:

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

8 MR. ROTHMAN:

9 Second.

10 CHAIRMAN SMITH:

11 Any discussion? All in favor? Opposed?

12 [The motion carried unanimously. The Respondent's  
13 name is Thomas Whitfield Hudlow.]

14 \*\*\*

15 MR. ROTHMAN:

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

23 CHAIRMAN SMITH:

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

25 MR. LEHMAYER:

1 Second.

2 CHAIRMAN SMITH:

3 Any discussion? All in favor? Opposed?

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

6 \*\*\*

7 MS. BROWN:

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

15 MR. ROTHMAN:

16 Second.

17 MS. WOLFGANG:

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

20 MS. BROWN:

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

24 CHAIRMAN SMITH:

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

14 CHAIRMAN SMITH:

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

16   \*\*\*

17 MS. BROWN:

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

23 CHAIRMAN SMITH:

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

25 MR. ROTHMAN:

1                   Second.

2 CHAIRMAN SMITH:

3                   Any discussion? All in favor? Opposed?

4 [The motion carried unanimously.]

5   \*\*\*

6 MS. BROWN:

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

15 CHAIRMAN SMITH:

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

17 MR. WALTERS:

18                  Second.

19 CHAIRMAN SMITH:

20                  Any discussion? All in favor? Opposed?

21 [The motion carried unanimously.]

22   \*\*\*

23 MS. BROWN:

24                  Motion to rescind the initial motion on  
25                  John Deluzio, File No. 16-70-0049.

1 CHAIRMAN SMITH:

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

3 MR. LEHMAYER:

4 Second.

5 CHAIRMAN SMITH:

6 All in favor? Opposed?

7 [The motion carried unanimously.]

8 \*\*\*

9 MR. ROTHMAN:

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

13 CHAIRMAN SMITH:

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

15 MR. WALTERS:

16 Second.

17 CHAIRMAN SMITH:

18 Any discussion? All in favor? Opposed?

19 [The motion carried unanimously.]

20 \*\*\*

21 CHAIRMAN SMITH:

22 Can I get a motion for adjournment?

23 MR. WENTZEL:

24 So moved.

25 CHAIRMAN SMITH:



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All in favor? Okay. See you in March.


\*\*\*

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

\*\*\*

CERTIFICATE

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



Amy Warehime

Minute Clerk

Sargent's Court Reporting Service, Inc.

STATE BOARD OF CERTIFIED  
REAL ESTATE APPRAISERS  
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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