

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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: 10:31 A.M.

Wednesday, September 30, 2020

1 State Board of Certified
2 Real Estate Appraisers
3 September 30, 2020
4
5

6 BOARD MEMBERS:
7

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

23 BUREAU PERSONNEL:
24

25 Ronald K. Rouse, Esquire, Board Counsel
26 Ray Michalowski, Esquire, Senior Board Prosecution
27 Liaison
28 Timothy A. Fritsch, Esquire, Board Prosecutor
29 Heidy M. Weirich, Board Administrator
30 Theodore Stauffer, Executive Secretary, Bureau of
31 Professional and Occupational Affairs
32
33

34 ALSO PRESENT:
35

36 Teresa Cochran, Executive Director, Assessors'
37 Association of Pennsylvania
38 Randy L. Waggoner, CPE, Assessors' Association of
39 Pennsylvania
40 Larry Shubert, CPE, Assessors' Association
41 of Pennsylvania - Retired
42 Jen Smeltz, Executive Director, Senate Consumer
43 Protection and Professional Licensure Committee
44
45
46
47
48
49
50

1 ***

2 State Board of Certified
3 Real Estate Appraisers
4 September 30, 2020

5 ***

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

12 ***

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

17 ***

18 The regularly scheduled meeting of the State
19 Board of Certified Real Estate Appraisers was held on
20 Wednesday, September 30, 2020. Joseph D. Pasquarella,
21 Chairman, Professional Member, officially called the
22 meeting to order at 10:31 a.m.

23 ***

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

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

9

10 [Roll Call/Introduction of Public Members]
11 [Joseph D. Pasquarella, Chairman, Professional Member,
12 requested a roll call and introduction of public
13 members.]

14

15 Approval of minutes of the February 13, 2020 meeting
16 CHAIRMAN PASQUARELLA:

17 The next item on the agenda is approval
18 of the minutes of the February 13
19 meeting. Do we have any discussion of
20 those minutes?

21 Do I have a motion to approve the
22 minutes of February 13, 2020?

23 MR. AUSHERMAN:

24 I make a motion that the minutes are
25 approved.

1 CHAIRMAN PASQUARELLA:

2 Do I have a second?

3 MR. WENTZEL:

4 I'll second that motion.

5 CHAIRMAN PASQUARELLA:

6 Thank you Paul. Is there any further
7 discussion? All in favor? Any
8 disapprove?

9 [The motion carried. Chairman Pasquarella and Mr.
10 Matthews abstained from voting on the motion.]

11 ***

12 Approval of minutes of the August 6, 2020 meeting

13 CHAIRMAN PASQUARELLA:

14 Let's turn to the minutes of August 6,
15 2020. Do we have any discussion?
16 Motion to approve?

17 MR. WENTZEL:

18 So moved.

19 CHAIRMAN PASQUARELLA:

20 Second anyone?

21 MR. AUSHERMAN:

22 I'll second.

23 CHAIRMAN PASQUARELLA:

24 All in favor? Any disapprove?

25 [The motion carried unanimously.]

1 ***

2 Report of Prosecutorial Division

3 [Ray Michalowski, Esquire, Senior Board Prosecution
4 Liaison, noted no cases on the agenda this month. He
5 would prepare the third-quarter report for the
6 Appraisal Subcommittee (ASC). He stated individuals
7 with complaints filed against them were returning
8 files slower due to COVID-19 issues.]

9 ***

10 Report of Board Counsel

11 [Ronald K. Rouse, Esquire, Board Counsel, addressed
12 correspondence received from the Assessors'
13 Association of Pennsylvania concerning distance
14 education. He noted prior discussion at the last
15 Board meeting with the Assessors' Association and
16 referred to their proposed plan for distance
17 education.

18 Mr. Rouse explained that the plan provides
19 requirements for students by utilizing an individual
20 device with a camera and microphone. He stated it
21 will require the educational offering under
22 consideration as currently approved for traditional
23 classroom presentation. The platform utilized for
24 distance education is live and interacts for both the
25 students and the instructor with visual identification

1 possible at all times. The instructor would verify
2 student attendance via photo identification and
3 maintain an attendance roster, which includes
4 verifying classroom attendance, and each class will
5 have a monitor to assist the instructor with questions
6 and class monitoring.

7 Mr. Rouse reported the plan also provides
8 distance education for students who may not have their
9 own individual device but can be in a group setting.
10 He provided a summary of the requirements.

11 Mr. Rouse commented that AAP's distance learning
12 plan seems to comply with the distance learning
13 requirements of the Appraiser Qualifications Board
14 (AQB).]

15 ***

16 MR. ROUSE:

17 Is there a motion to accept the
18 Assessors' Association of Pennsylvania's
19 plan for distance education for
20 continuing education courses for this
21 COVID-19 pandemic?

22 MR. SMELTZER:

23 I make a motion that we accept.

24 CHAIRMAN PASQUARELLA:

25 Do we have a second?

1 MR. AUSHERMAN:

2 I'll second the motion.

3 MR. ROUSE:

4 Any other discussion? All in favor, say
5 aye. All opposed, say nay.

6 [The motion carried unanimously.]

7 ***

8 [Ronald K. Rouse, Esquire, Board Counsel, addressed
9 correspondence from AAP regarding whether or not the
10 Board would extend the renewal period for assessors,
11 which is currently June 30, 2021. He stated the date
12 was too far in the future to actually discuss that
13 matter. He believed with the Board voting to accept
14 the proposal for distance education, it would probably
15 address the issue that the assessors had with the
16 recertification.]

17 ***

18 [Ronald K. Rouse, Esquire, Board Counsel, addressed
19 Act 41 licensure by endorsement for assessors. He
20 noted receiving four comments on the exposure draft
21 distributed to stakeholders for written comment in
22 July 2020.

23 Mr. Rouse noted the first comment by Gene
24 Porterfield, GA/CPE, read, it would be my opinion that
25 individuals be considered, as detailed in the

1 legislation, providing they sit for the exam because
2 too many individuals from other states were
3 grandfathered into assessors' jobs with minimal
4 requirement and no examinations.

5 Mr. Rouse explained that one of the requirements
6 for competency is that a person take the Pennsylvania-
7 geared assessors' examination and believed that
8 addresses the issue as presented.

9 Mr. Rouse noted a comment by Robert J. Luciani,
10 ASA, who did not have any objectionable issues with
11 its contents, stating that it appeared to be similar
12 to a reciprocal agreement, which many states have.

13 Mr. Rouse noted Kathe Stanislaw, CPE, Berks
14 County Assessment Office, stated she was not an
15 attorney, so it looked acceptable.

16 Mr. Rouse also noted a comment from Joan
17 Duncheskie, CPE, CGA, Chief Assessor, Union County
18 Assessment Office, who read the proposed annex
19 regulation 16A-7024 and had nothing to add to the
20 language.]

21 ***

22 MR. ROUSE:

23 Is there a motion to move forward with
24 the regulatory process for regulation
25 16A-7024 licensure by endorsement for

1 assessors?

2 CHAIRMAN PASQUARELLA:

3 Would somebody kindly make that motion?

4 MR. SMELTZER:

5 I'll make the motion that we move
6 forward with this.

7 CHAIRMAN PASQUARELLA:

8 Anyone second?

9 MR. WENTZEL:

10 I'll second.

11 MR. ROUSE:

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

14 [The motion carried unanimously.]

15 ***

16 [Ronald K. Rouse, Esquire, Board Counsel, addressed
17 Act 53 of 2020, informing the Board that Commissioner
18 Johnson and stakeholders would be attending the next
19 meeting to discuss the proposed schedule of offenses
20 directly related to the practice of real estate
21 appraisal. He provided a copy of the proposed
22 schedule of offenses for the Board's review.

23 Mr. Rouse stated the Appraiser Qualifications
24 Board (AQB) presented a second exposure draft of the
25 Practical Applications of Real Estate Appraisal

1 (PAREA), which was an alternative path to appraiser
2 training by offering practical experience in a
3 controlled and simulated environment. He provided the
4 Board with the second exposure draft, which included
5 the recommendations of AQB in terms of making PAREA a
6 reality.

7 Mr. Rouse noted AQB requested written comments be
8 sent to aqb@appraisalfoundation.org by October 8,
9 2020. He mentioned there would be a virtual public
10 hearing on Friday, October 16, 2020, at which time the
11 written comments regarding the exposure draft for
12 PAREA would be discussed.

13 Mr. Rouse addressed correspondence received from
14 Executive Director Jim Park at the Appraisal
15 Subcommittee on September 25, 2020, stating ASC
16 received a letter, dated September 21, 2020, from AQB
17 Chairman Mark A. Lewis, who recommended extending the
18 relief for traditional classroom continuing education
19 offerings to be converted and taught via distance
20 education through December 31, 2021.

21 Mr. Rouse mentioned that the Board was aware of
22 the extended distance education through December 31,
23 2020, which was consistent with the last
24 recommendation of AQB. Mr. Rouse noted the Board can
25 apply more restrictive requirements than AQB but not

1 less than AQB since they provide oversight.

2 Mr. Smeltzer commented that extending distance
3 education due to COVID-19 till December 31, 2021,
4 makes sense and believes the Board should go along
5 with AQB and ASC's permission to do this.]

6 ***

7 MR. ROUSE:

8 Is there a motion to extend the relief
9 for traditional classroom continuing
10 education offered through distance
11 education through December 31, 2021?

12 MR. MATTHEWS:

13 So moved.

14 CHAIRMAN PASQUARELLA:

15 Is there a second?

16 MR. SMELTZER:

17 I'll second.

18 MR. ROUSE:

19 Any other discussion? All those in
20 favor, say aye. All those opposed, say
21 nay.

22 [The motion carried unanimously.]

23 ***

24 [Ronald K. Rouse, Esquire, Board Counsel, informed the
25 Board AQB also stated in the letter, dated September

1 21 that it recommended qualifying education offerings
2 be allowed to be converted to a synchronous platform
3 in the same manner as continuing education and
4 recommended that qualifying education offerings must
5 be currently approved for traditional classroom
6 presentation, the platform utilized for distance
7 education is live and interactive, the instructor
8 verifies photo identification of the students, and the
9 instructor maintains an attendance roster to include
10 verifying 100% classroom attendance.

11 Mr. Rouse stated that matters of qualifying
12 education oftentimes require a final exam at the end
13 of the qualifying education and the exam must be a
14 proctor examination.

15 Mr. Smeltzer recommended that a monitoring
16 requirement applied to both the new program, allowing
17 this to be done without the International Distance
18 Education Certification Center (IDECC) approval, and
19 those that are IDECC approved.

20 Mr. Smeltzer stated there should be a closed-book
21 exam and a way of monitoring to ensure that the exam
22 protocol was being followed. He noted the need for
23 more research, looking at how the IDECC suggested this
24 and how the different programs were being run. He
25 believed this should be extend to qualifying education

1 to allow people to receive education in the current
2 situation but noted the importance of deciding how to
3 monitor the exams.

4 Mr. Rouse questioned whether exams were normally
5 taken immediately after the course or could they be
6 taken sometime later.

7 Mr. Smeltzer explained that exams were typically
8 taken immediately at the end of the program; however,
9 sometimes a time gap exists between the end of the
10 course and when the individual can take the exam due
11 to the need to schedule with the testing center or
12 proctor to take the exam.

13 Mr. Smeltzer stated the process should be similar
14 to online education that is approved through the
15 IDECC, which would need to be researched to find out
16 what that is and then decide whether to go with that
17 program or be more restrictive. He mentioned that he
18 was attempting to get approved through IDECC and would
19 be contacting the appropriate parties and forward
20 information to Ms. Weirich.

21 Mr. Rouse cautioned the Board in terms of making
22 a vote on individual matters, suggesting the Board
23 know the answer to both matters first. He explained
24 that once the Board votes on this matter, they would
25 be receiving applications wanting qualifying education

1 to be approved for distance learning but would not
2 know what the examination part looks like at that
3 point.

4 Mr. Smelter addressed programs that are not
5 courses, noting those to be covered in the continuing
6 education that the Board just voted on to extend until
7 December 31, 2021. He noted the issue now was
8 strictly qualifying education to see if the Board
9 would permit that to also be done virtually.

10 Mr. Rouse noted qualifying education would be
11 placed on the next Board agenda.]

12

13 [A Formal Hearing was held from 11:07 a.m. until
14 12:26 p.m. in the Matter of the Petition for
15 Reinstatement for Certified Residential Real Estate
16 Appraiser of Jason Jacob Sheraw, Case No. 20-70-
17 008217.]

18

19 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
20 12:26 p.m. the Board entered into Executive Session
21 with Ronald K. Rouse, Esquire, Board Counsel, to have
22 attorney-client consultations and for the purpose of
23 conducting quasi-judicial deliberations. The Board
24 returned to open session at 12:59 p.m.]

25

1 MOTIONS

2 MR. ROUSE:

3 The Board entered into Executive Session
4 with Board counsel to have attorney-
5 client consultations and for the purpose
6 of conducting quasi-judicial
7 deliberations.

8 MS. BROWN:

9 In the matter of the Petition for
10 Reinstatement for Certified Residential
11 Appraiser of Jason Jacob Sheraw, Case
12 No. 20-70-008217, I move that the Board
13 instruct Board counsel to draft an order
14 consistent with discussion held in
15 Executive Session.

16 CHAIRMAN PASQUARELLA:

17 Is there a second?

18 MR. SMELTZER:

19 I second the motion.

20 MR. ROUSE:

21 Any discussion? All in favor, say aye.

22 Any opposed, say nay.

23 [The motion carried unanimously.]

24 ***

25 Report of Chairman

1 [Joseph D. Pasquarella, Chairman, Professional Member,
2 announced the Association of Appraiser Regulatory
3 Officials (AARO) Conference is October 19-21. He
4 noted attending the meeting last year, commenting that
5 it would have served him well if he had been exposed
6 to that early on and encouraged Board members to
7 attend.

8 Mr. Walters noted it to be educational and
9 encouraged professional members to participate.

10 Ms. Weirich requested anyone interested in
11 attending to let her know, so she can submit their
12 name and email for them to receive a registration.]

13 ***

14 Report of Board Administrator

15 [Heidy M. Weirich, Board Administrator, reported
16 staffing is working diligently at home and processing
17 of applications is up to date.]

18 ***

19 Election of Officers

20 MR. ROUSE:

21 For the position of Chair of the State
22 Board of Certified Real Estate
23 Appraisers, is there a nomination to the
24 Board?

25 MR. AUSHERMAN:

1 I'll nominate Joe Pasquarella.

2 MR. ROUSE:

3 Is there a second?

4 MR. WENTZEL:

5 I'll second that motion.

6 MR. ROUSE:

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

9 [The motion carried unanimously.]

10 ***

11 MR. ROUSE:

12 For the position of Vice Chair, is there
13 a nomination?

14 MR. AUSERMAN:

15 I nominate Jeffrey Walters.

16 MR. WENTZEL:

17 I second it.

18 MR. ROUSE:

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

21 [The motion carried unanimously.]

22 ***

23 MR. ROUSE:

24 For the position of Secretary, is there
25 a nomination?

1 MR. AUSHERMAN:

2 I nominate Mark Smeltzer.

3 MR. ROUSE:

4 Is there a second?

5 CHAIRMAN PASQUARELLA:

6 I'll second it.

7 MR. ROUSE:

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

10 [The motion carried unanimously.]

11 ***

12 Public Comment/Discussion

13 [Randy L. Waggoner, CPE, Assessors' Association of
14 Pennsylvania, thanked the Board and Mr. Rouse for
15 considering AAP's request, correspondence, and
16 ultimately approving their request. He stated the
17 Board granted AAP's Training and Education Committee
18 the opportunity to provide continuing education
19 necessary for their membership to be able to retain
20 their licensure in order to submit for
21 recertification.

22 Chairman Pasquarella thanked AAP for their work
23 and the proposal submitted to the Board.

24 Mr. Walters requested the current status of the
25 home inspector bill.

1 Mr. Rouse only heard that it was with the Senate
2 Appropriations Committee.

3 Chairman Pasquarella addressed the need for more
4 Board member, noting one professional seat and two
5 public seats available. He recommended everyone speak
6 to people in the community and appraisal chapters. He
7 suggested people working for the state pass the word.]

8 ***

9 Adjournment

10 CHAIRMAN PASQUARELLA:

11 Do we have a motion to adjourn the
12 meeting?

13 MR. AUSERMAN:

14 So moved.

15 MR. WENTZEL:

16 Second.

17 CHAIRMAN PASQUARELLA:

18 All in favor of adjourning this meeting?
19 Any opposed?

20 [The motion carried unanimously.]

21 ***

22 [There being no further business, the State Board of
23 Certified Real Estate Appraisers Meeting adjourned at
24 1:09 p.m.]

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE

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



Evan Bingaman,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS
REFERENCE INDEX

September 30, 2020

| | 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 | 10:31 | Official Call to Order |
| 14 | | |
| 15 | 10:32 | Roll Call/Introduction of Public Members |
| 16 | | |
| 17 | 10:35 | Approval of Minutes |
| 18 | | |
| 19 | 10:38 | Report of Prosecutorial Division |
| 20 | | |
| 21 | 10:38 | Report of Board Counsel |
| 22 | | |
| 23 | 11:07 | Formal Hearing - Jason Jacob Sheraw |
| 24 | | |
| 25 | 12:26 | Executive Session |
| 26 | 12:59 | Return to Open Session |
| 27 | | |
| 28 | 12:59 | Motions |
| 29 | | |
| 30 | 1:09 | Adjournment |
| 31 | | |
| 32 | | |
| 33 | | |
| 34 | | |
| 35 | | |
| 36 | | |
| 37 | | |
| 38 | | |
| 39 | | |
| 40 | | |
| 41 | | |
| 42 | | |
| 43 | | |
| 44 | | |
| 45 | | |
| 46 | | |
| 47 | | |
| 48 | | |
| 49 | | |
| 50 | | |