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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: 10:30 A.M.

Wednesday, March 2, 2022

1                                    State Board of Certified  
2                                    Real Estate Appraisers  
3                                    March 2, 2022  
4  
5

6 BOARD MEMBERS:  
7

8 Joseph D. Pasquarella, Chairman, Professional  
9 Member

10 Jeffrey L. Walters, Vice Chairman, Professional  
11 Member - Absent

12 Mark V. Smeltzer Sr., Secretary, Professional  
13 Member

14 John D. Ausherman, Professional Member

15 William T. Stoerrle Jr., Professional Member

16 Michael McFarlane, Professional Member

17 Randy L. Waggoner, Professional Member

18 Martha H. Brown, Esquire, Secretary of the  
19 Commonwealth designee - Absent

20 Merna T. Hoffman, Esquire, Deputy Attorney General,  
21 Office of Attorney General Designee

22 Paul H. Wentzel Jr., Senior Legislative Director,  
23 Department of Banking and Securities  
24 Designee  
25  
26

27 BUREAU PERSONNEL:  
28

29 Ronald K. Rouse, Esquire, Board Counsel

30 Dean F. Picarella, Esquire, Senior Board Counsel

31 Ray Michalowski, Esquire, Senior Board Prosecution  
32 Liaison

33 Caroline A. Bailey, Esquire, Board Prosecutor

34 Kristel Hennessy Hemler, Board Administrator

35 Andrew LaFratte, MPA, Executive Policy Specialist,  
36 Department of State

37 Danie Bendesky, Director of Intergovernmental Affairs,  
38 Department of State  
39  
40

41 ALSO PRESENT:  
42

43 Scott DiBiasio, Manager of State and Industry Affairs,  
44 Appraisal Institute

45 Mark Kellerman, President, Assessors' Association  
46 of Pennsylvania

47 Teresa Cochran, Executive Director, Assessors'  
48 Association of Pennsylvania  
49  
50

1 \*\*\*

2 State Board of Certified

3 Real Estate Appraisers

4 March 2, 2022

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
7 9:30 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 Meeting Instructions

14 [Kristel Hennessy Hemler, Board Administrator,  
15 provided instructions to be followed during the  
16 virtual meeting.]

17 \*\*\*

18 [Ronald K. Rouse, Esquire, Board Counsel, informed  
19 everyone that the meeting of the State Board of  
20 Certified Real Estate Appraisers was being held by  
21 teleconference pursuant to the act of September 30,  
22 2021, also known as Act 73 of 2021, which extends the  
23 waiver of the physical presence requirement in Section  
24 4(i) of the Real Estate Appraisers Certification Act  
25 until March 31, 2022.]

1 Mr. Rouse also informed everyone that the meeting  
2 was being recorded, and those who continued to  
3 participate were giving their consent to be recorded.

4 Mr. Rouse also noted that the Board met in  
5 Executive Session to have attorney-client  
6 consultations and for the purpose of conducting quasi-  
7 judicial deliberations.]

8 \*\*\*

9 The regularly scheduled meeting of the State  
10 Board of Certified Real Estate Appraisers was held on  
11 Wednesday, March 2, 2022. Joseph D. Pasquarella,  
12 Chairman, Professional Member, officially called the  
13 meeting to order at 10:30 a.m.

14 \*\*\*

15 Roll Call

16 [Joseph D. Pasquarella, Chairman, Professional Member,  
17 requested a roll call of Board members. There was a  
18 quorum.]

19 \*\*\*

20 Approval of minutes of the January 20, 2022 meeting

21 CHAIRMAN PASQUARELLA:

22 I'd like to move to approval of the  
23 minutes of the January 20, 2022 meeting  
24 of the Board.

25 Do I have a motion to approve the

1 minutes?

2 MR. AUSERMAN:

3 So moved.

4 MR. WAGGONER:

5 Second.

6 CHAIRMAN PASQUARELLA:

7 All in favor of approval of the minutes,  
8 say aye. Any opposed, please say nay.

9 Hearing none.

10 [The motion carried unanimously.]

11 \*\*\*

12 Report of Prosecutorial Division - No Report

13 \*\*\*

14 Report of Board Counsel - Final Adjudication and  
15 Order

16 MR. ROUSE:

17 Regarding item 2, which is the Final  
18 Adjudication and Order in the Matter of  
19 BPOA v. Matthew David Ross, Case No. 20-  
20 70-001592, this was a matter that was  
21 discussed in Executive Session.

22 I believe the Board would entertain  
23 a motion to adopt the Adjudication and  
24 Order as presented by Board Counsel and  
25 to direct Board Counsel to prepare the

1 Board's Final Order.

2 Is there such a motion?

3 MR. SMELTZER:

4 I so move.

5 MR. ROUSE:

6 Is there a second?

7 MR. STOERRLE:

8 Second.

9 MR. ROUSE:

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

13 [The motion carried unanimously.]

14 \*\*\*

15 Report of Board Prosecution Division

16 [Ray Michalowski, Esquire, Senior Board Prosecution  
17 Liaison, had nothing to present but offered to answer  
18 any Board member questions.]

19 \*\*\*

20 Report of Board Counsel - Proposed Adjudication and  
21 Order

22 MR. ROUSE:

23 This is the Proposed Adjudication and  
24 Order in the Matter of BPOA v. Russell  
25 Bruce Davison, Case No. 19-70-013458 at

1 item 3.

2 Regarding that matter, I believe  
3 the Board would entertain a motion to  
4 deny the Respondent's Motion for Oral  
5 Argument.

6 Is there such a motion?

7 MR. SMELTZER:

8 I so move.

9 MR. AUSHERMAN:

10 I second.

11 MR. ROUSE:

12 Any discussion? Any abstentions on this  
13 matter? Are there any recusals? All  
14 those in favor, say aye. All those  
15 opposed, say nay.

16 [The motion carried unanimously.]

17 \*\*\*

18 MR. ROUSE:

19 I believe the Board would also entertain  
20 a motion to bring the Proposed  
21 Adjudication and Order in the Matter of  
22 BPOA v. Russell Bruce Davison, Case No.  
23 19-70-013458 back before the Board at  
24 the next Board meeting.

25 Is there such a motion?

1 MR. AUSHERMAN:

2 I so move.

3 MR. WAGGONER:

4 Second.

5 MR. ROUSE:

6 Any abstentions? Any recusals? All  
7 those in favor, say aye. All those  
8 opposed, say nay.

9 [The motion carried unanimously.]

10 \*\*\*

11 Report of Board Counsel - Motion to Deem Facts

12 Admitted

13 MR. ROUSE:

14 Next on the agenda is a Motion to Deem  
15 Facts Admitted in the Matter of BPOA v.  
16 Ernest Fredrick Del Guercio, Case No.  
17 20-70-001589 at item 4 on the agenda.

18 I believe the Board would entertain  
19 a motion to grant the Motion to Deem  
20 Facts Admitted and to direct Board  
21 Counsel to prepare the Adjudication and  
22 Order in accordance with the discussion  
23 in Executive Session.

24 Is there such a motion?

25 MR. MCFARLANE:



1 I so move.

2 MR. ROUSE:

3 Is there a second?

4 MR. SMELTZER:

5 I second.

6 MR. ROUSE:

7 Any discussion? Any abstentions? Any  
8 recusals? All those in favor, say aye.

9 All those opposed, say nay.

10 [The motion carried unanimously.]

11 \*\*\*

12 Regulations/Statute

13 [Ronald K. Rouse, Esquire, Board Counsel, referred to  
14 16A-7029 regarding implementing distance education for  
15 appraisers and certified Pennsylvania evaluators  
16 (CPEs). He noted the Board voted to release  
17 Regulation 16A-7029 as an exposure draft to  
18 stakeholders at the January 20, 2022 meeting.

19 Mr. Rouse informed the Board that the exposure  
20 draft was released to stakeholders on January 21,  
21 2022, but Teresa Cochran from the Assessors'  
22 Association of Pennsylvania was not on the list. He  
23 mentioned that Ms. Cochran received a copy yesterday  
24 and provided comments this morning, but he did not  
25 have a chance to circulate those comments to Board

1 members. He asked whether the Board wanted him to  
2 place the matter on the next Board agenda, so he could  
3 rerelease the exposure draft and Chairman Pasquarella  
4 agreed.

5 Mr. Rouse apologized to Ms. Cochran.

6 Mr. Rouse referred to 16A-7025 regarding fees.  
7 He noted the Board voted to release the regulation to  
8 stakeholders at the last meeting. He mentioned that  
9 stakeholders were asked to submit written comments by  
10 February 25, 2022 but received no comments until this  
11 date, again from Ms. Cochran, and would like to also  
12 put 16A-7025 on the next Board agenda and rerelease  
13 the exposure draft to allow Ms. Cochran more time for  
14 comments and Chairman Pasquarella agreed.]

15 \*\*\*

16 Applications for Review - Application to Sit for the  
17 Certified Residential Real Estate Appraiser  
18 Examination

19 MR. ROUSE:

20 Item 7 on the agenda is the Application  
21 to Sit for the Certified Residential  
22 Real Estate Appraiser Examination of  
23 Jason Jacob Sheraw, Case No. 20-70-  
24 008217.

25 Regarding this matter, I believe

1 the Board would entertain a motion to  
2 grant the application to sit for the  
3 examination.

4 Is there such a motion?

5 MR. AUSERMAN:

6 I so move.

7 MR. ROUSE:

8 Is there a second?

9 MR. SMELTZER:

10 I second.

11 MR. ROUSE:

12 Any discussion? Any abstentions? Any  
13 recusals? All those in favor, say aye.  
14 All those opposed, say nay.

15 [The motion carried unanimously.]

16 \*\*\*

17 Matters for Discussion

18 [Ronald K. Rouse, Esquire, Board Counsel, addressed  
19 the Practical Applications of Real Estate Appraisal  
20 (PAREA). He referred to the presentation by William  
21 Fall, a member of the Appraiser Qualifications Board  
22 (AQB), regarding PAREA being the concept of using  
23 simulated computer training to fulfil the experience  
24 requirement to become a certified residential real  
25 estate appraiser.]

1           Mr. Rouse commented that the standards for PAREA  
2 were included in the Real Property Appraiser  
3 Qualification Criteria since January 2021. He noted  
4 discussion of PAREA being an alternative to the  
5 traditional appraiser trainee and supervisory  
6 appraiser model.

7           Mr. Rouse stated the Board was provided with  
8 information as to why Mr. Fall recommended the Board  
9 entertain accepting 100 percent of PAREA for certified  
10 residential real estate appraiser candidates and 50  
11 percent of the certified general real estate appraiser  
12 candidates.

13           Chairman Pasquarella commented that the program  
14 had a lot more substance to it compared to the last  
15 time it was reviewed by the Board. He mentioned that  
16 there are procedures and more new context to better  
17 understand the PAREA program. He also noted more  
18 consistency now with all the training as opposed to  
19 individuals being trained by multiple types of  
20 supervisors.

21           Chairman Pasquarella stated the Board sees many  
22 cases from bad habits and believed the bad habits  
23 would not continue with the PAREA program, because it  
24 is being presented by professional trainers equipped  
25 to deal with many issues appraisers are fighting in

1 today's market and today's procedures.

2 Chairman Pasquarella commented that it may also  
3 relieve some of the burden on the State Board, where  
4 the residential component would not have to prepare  
5 logs and have appraisals reviewed if the PAREA program  
6 is successfully completed. He also mentioned the  
7 benefit of not having to find supervisors, especially  
8 in the rural areas.

9 Mr. Smeltzer noted PAREA to be more consistent  
10 and believed it to be superior training that would  
11 lighten the burden of finding qualified individuals in  
12 rural areas. He also believed that it would also open  
13 the doors of the industry to allow more diversity.

14 Mr. Smeltzer mentioned that individuals would  
15 obtain approval and become certified in surrounding  
16 states and then apply for reciprocity here anyway if  
17 the Board did not adopt this program. He believed the  
18 Board should get onboard and accept it for 100 percent  
19 for residential and 50 percent for general.

20 Mr. McFarlane echoed the sentiments both Chairman  
21 Pasquarella and Mr. Smeltzer put forth and believed  
22 this is a good way to remove one of the barriers to  
23 entry to the industry.

24 Chairman Pasquarella commented that the industry  
25 is losing appraisers and noted the importance of the

1 Board serving to protect the public, where education  
2 is the number one vehicle.

3 Mr. Ausherman agreed and believed it is very  
4 important that the general appraiser have 50 percent  
5 practical experience out in the field because the  
6 commercial industry is a lot more diverse than the  
7 residential appraiser as far as different types of  
8 properties.

9

\*\*\*

10 [Paul Wentzel, Secretary of Banking and Securities  
11 designee, entered the meeting at 10:50 a.m.]

12

\*\*\*

13 [Scott DiBiasio, Manager of State and Industry  
14 Affairs, Appraisal Institute, requested further  
15 information regarding how it would be put into place  
16 in terms of the rules and how those would be drafted  
17 and exposed and ultimately enacted. He thanked the  
18 Board for their action, noting appreciation for the  
19 Board's reconsideration and looked forward to working  
20 on the rules with the Board.

21 Chairman Pasquarella stated that the Board would  
22 like to direct Board Counsel to draft the appropriate  
23 regulations and procedures for review and then have  
24 additional commentary and review for the public.

25 Mr. Rouse requested clarification and asked

1 whether the Board would entertain a motion to accept  
2 PAREA to fulfil 100 percent of the experience  
3 requirement for certified residential real estate  
4 appraiser candidates and 50 percent of the experience  
5 requirement for certified general real estate  
6 candidates.]

7 \*\*\*

8 MR. ROUSE:

9 Is there such a motion to accept PAREA  
10 at 100 percent of the experience  
11 requirement for residential candidates  
12 and 50 percent of the experience  
13 requirement for general appraiser  
14 candidates?

15 MR. AUSERMAN:

16 So moved.

17 MR. SMELTZER:

18 I'll second.

19 MR. ROUSE:

20 Any other discussion on this matter?  
21 Any abstentions? Any recusals? All  
22 those in favor, say aye. All those  
23 opposed, say nay.

24 [The motion carried unanimously.]

25 \*\*\*

1 MR. ROUSE:

2 I believe, chairman, you were saying  
3 there is a motion to direct Board  
4 Counsel to draft an annex consistent  
5 with today's discussion regarding PAREA.

6 CHAIRMAN PASQUARELLA:

7 Yes. That would be my motion.

8 MR. ROUSE:

9 Is there a second?

10 MR. STOERRLE:

11 Second.

12 MR. ROUSE:

13 Any discussion on this matter? Any  
14 abstentions on this matter? Any  
15 recusals? All those in favor, say aye.  
16 All those opposed, say nay.

17 [The motion carried unanimously.]

18 \*\*\*

19 [Ronald K. Rouse, Esquire, Board Counsel, referred to  
20 proposed rulemaking on temporary waiver proceedings  
21 posted by the Appraisal Subcommittee (ASC). He stated  
22 that ASC posted a notice of proposed rulemaking in the  
23 Federal Register on January 13, 2022, regarding  
24 amendments to the existing rules of practice and  
25 procedure governing temporary waiver proceedings. He



1 explained that section 1119(b) of Title XI authorizes  
2 the Appraisal Subcommittee to waive, on a temporary  
3 basis, subject to approval of the Federal Financial  
4 Institutions Examination Council any requirement  
5 relating to certification or licensing of a person to  
6 perform appraisals under Title XI if the ASC or a  
7 state appraiser regulatory agency makes a written  
8 determination that there is a scarcity of certified or  
9 licensed appraisers to perform appraisals in  
10 connection with federally related transactions in a  
11 state or in any geographic political subdivision of a  
12 state leading to significant delays in the performance  
13 of such appraisers.

14 Mr. Rouse stated that a waiver terminates when  
15 the ASC determines that such significant delays have  
16 been eliminated. He noted that Congress intended ASC  
17 to exercise this waiver authority cautiously, and the  
18 proposed amendments are intended to provide greater  
19 transparency and clarity on temporary waiver  
20 proceedings. He mentioned that there was also a  
21 flowchart that details the request process for a  
22 waiver or petition to initiate proceeding.

23 Mr. Rouse stated that anyone who wanted to send  
24 comments on the proposed rulemaking may do so by  
25 emailing [webmaster@ASC.gov](mailto:webmaster@ASC.gov), through the Federal

1 eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov), or by mail  
2 to the Appraisal Subcommittee, Lori Schuster,  
3 Management and Program Analyst, 1325 G Street NW,  
4 Suite 500 Washington, DC 20005. He noted to also  
5 include Docket No. AS22-01 with any comments to the  
6 proposed amendments, which are due on or before  
7 Monday, March 14, 2022.

8 Mr. McFarlane asked whether this means ASC has  
9 the power to grant a temporary waiver, through itself  
10 or through a state-administered board based on  
11 location, and can issue a license waiver for the  
12 purpose of completing FIRREA-based appraisal  
13 assignment work.

14 Mr. Rouse noted Mr. McFarlane to be correct,  
15 stating that they have to meet certain requirements.

16 Mr. Wentzel asked whether that would be a  
17 situation Pennsylvania may face.

18 Mr. Smeltzer stated that only North Dakota has  
19 this so far, and it has been around since 1992. He  
20 commented that rural areas of North Dakota in 2019  
21 were probably having difficulty getting appraisals  
22 done and would have the ability to grant that waiver.

23 Mr. Smeltzer noted it to be very unlikely that  
24 Pennsylvania would have that because the state is  
25 still being serviced. He noted it may become an issue

1 as the number of appraisers continues to go down.

2 Mr. Ausherman did not see it happening in the  
3 near future in Pennsylvania, because the State was  
4 pretty well covered.]

5 \*\*\*

6 Report of Board Chairman - No Report

7 \*\*\*

8 Report of Board Administrator

9 [Kristel Hennessy Hemler, Board Administrator,  
10 informed everyone that the next Board meeting on  
11 Thursday, April 14, 2022, would be a hybrid meeting,  
12 where those attending have the option of either being  
13 in person at One Penn Center or by video.]

14 \*\*\*

15 Applications Committee - No Report

16 \*\*\*

17 Continuing Education Committee - No Report

18 \*\*\*

19 Miscellaneous

20 [Joseph D. Pasquarella, Chairman, Professional Member,  
21 noted the Spring 2022 AARO Conference May 13-16, 2022,  
22 in San Antonio, TX.]

23 MR. ROUSE:

24 I believe the Board would entertain a  
25 motion to amend the date on item 10 from

1                   May 13-16 to May 12-16.

2                   Is there such a motion?

3 CHAIRMAN PASQUARELLA:

4                   I'll make that motion.

5 MR. SMELTZER:

6                   Second.

7 MR. ROUSE:

8                   Any discussion? Regarding amending May  
9                   12-16, all those in favor say aye. All  
10                  those opposed, say nay. Any  
11                  abstentions? Any recusals?

12 [The motion carried unanimously.]

13   \*\*\*

14 MR. ROUSE:

15                  Is there a motion to nominate a Board  
16                  member or two to go to the spring 2022  
17                  conference?

18 CHAIRMAN PASQUARELLA:

19                  I nominate Mark Smeltzer and Bill  
20                  Stoerrle to attend the conference.

21 MR. AUSERMAN:

22                  I second that.

23 MR. ROUSE:

24                  Any discussion? Any abstentions? Any  
25                  recusals? All those in favor, say aye.

1 All those opposed, say nay.

2 [The motion carried unanimously.]

3 \*\*\*

4 Review of Requests

5 MR. ROUSE:

6 Item 11 is Lori Allen, Application No.  
7 AA0002051984, and was a Request for an  
8 Extension to Sit for the Certified  
9 Pennsylvania Evaluator Examination.

10 I believe the Board would entertain  
11 a motion to deny the Request for an  
12 Extension to Sit for the Certified  
13 Pennsylvania Evaluator Examination.

14 Is there such a motion?

15 MR. AUSHERMAN:

16 I so move.

17 MR. ROUSE:

18 Is there a second?

19 MR. STOERRLE:

20 Second.

21 MR. ROUSE:

22 Any discussion? All those in favor, say  
23 aye. All those opposed, say nay. Any  
24 abstentions? Any recusals?

25 [The motion carried unanimously.]

1 \*\*\*

2 MR. ROUSE:

3 Item 12 on the agenda is Gary Fields,  
4 Application No. AA0003537447, which was  
5 an Act 41 Request for Endorsement  
6 License for a Certified Pennsylvania  
7 Evaluator.

8 I believe the Board would entertain  
9 a motion to grant a provisional license  
10 by endorsement and to direct Board  
11 Counsel to prepare a final order  
12 consistent with the discussion in  
13 Executive Session.

14 Is there such a motion?

15 MR. SMELTZER:

16 I so move.

17 MR. WAGGONER:

18 I second.

19 MR. ROUSE:

20 Any discussion? Any abstentions? Any  
21 recusals? All those in favor, say aye.  
22 All those opposed, say nay.

23 [The motion carried unanimously.]

24 \*\*\*

25 Public Comment/Discussion

1 [Mark Kellerman, President, Assessors' Association  
2 of Pennsylvania, thanked the Board for giving AAP the  
3 opportunity to further comment on agenda items 5 and  
4 6.

5 Mr. Michalowski agreed with the Board's decision  
6 regarding the PAREA amendments.

7 Teresa Cochran, Executive Director, Assessors'  
8 Association of Pennsylvania, also thanked the Board  
9 for the extra time to allow a more thorough review.]

10 \*\*\*

11 Adjournment

12 CHAIRMAN PASQUARELLA:

13 Do I have a motion to adjourn today's  
14 meeting?

15 MR. SMELTZER:

16 I so move.

17 CHAIRMAN PASQUARELLA:

18 Is there a second?

19 MR. AUSHERMAN:

20 I'll second.

21 CHAIRMAN PASQUARELLA:

22 Any discussion? All in favor of  
23 adjourning today's meeting, say aye.

24 Any opposed, say nay.

25 [The motion carried unanimously.]

\*\*\*

[There being no further business, the State Board of Certified Real Estate Appraisers Meeting adjourned at 11:14 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.



Amber Garbinski,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.



STATE BOARD OF CERTIFIED  
REAL ESTATE APPRAISERS  
REFERENCE INDEX

March 2, 2022

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10	9:30	Executive Session
11	10:30	Return to Open Session
12		
13	10:30	Official Call to Order
14		
15	10:32	Roll Call
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17	10:33	Approval of Minutes
18		
19	10:34	Report of Board Counsel
20		
21	10:39	Regulations/Statute
22		
23	10:43	Applications for Review
24		
25	10:44	Matters for Discussion
26		
27	11:04	Report of Board Administrator
28		
29	11:04	Miscellaneous
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31	11:07	Review of Requests
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33	11:11	Public Comment/Discussion
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35	11:14	Adjournment
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