

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE APPRAISAL COMMISSION
APRIL 2005 MINUTES

165 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106

The Connecticut Real Estate Appraisal Commission met on Wednesday, April 13, 2005 at 8:30 a.m. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Christopher A. Italia (Cert. Gen. App. – 1st District), Chairman
Francis Buckley, Jr. (Cert. Gen. App. – 2nd District)
Sean Hagearty (Cert. Gen. App. – 2nd District)
Russell Hunter (Public Member – 5th District)
Gerald V. Rasmussen (Cert. Gen. App. – 4th District)
Nicholas J. Tetreault (Cert. Res. App. – 3th District)

Commissioners Absent: None

Commission Vacancies: 2 Public Members

DCP Staff Present: Richard M. Hurlburt, Director
Elisa Nahas, DCP Principal Attorney
Timothy Keefe, Real Estate Appraisal Examiner
Edward McMahon, Real Estate Appraisal Examiner
Judith R. Booth, Commission Secretary II

Assistant AG: None

Guest(s): Jim Kyle

Note: The administrative functions of this Commission are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, please contact Director Richard M. Hurlburt at (860) 713-6135.

The next meeting is scheduled for Wednesday, May 11, 2005 at 8:30 a.m. in Room 126.

MINUTES

The Real Estate Appraisal Commission Minutes of March 9, 2005.

A motion was made by Commissioner Francis Buckley, Jr., to approve the Minutes of March 9, 2005. The motion was seconded by Commissioner Gerald Rasmussen. The motion carried unanimously.

CORRESPONDENCE

The following correspondences were reviewed by the Commission. With the exception of items one and three, no questions or comments were noted.

1. Organizational Changes within Consumer Protection.

Director Richard M. Hurlburt provided an overview of the agency's organizational changes of March 18, 2005, and how this Commission would be affected by it.

Director Hurlburt explained that investigations will now fall under the Trade Practices Division under the supervision of Director Richard Maloney, and that Examiner Timothy Keefe will be responsible for appraisal complaints and audits and in his spare time will work on real estate complaints. The Director further explained that Examiner Edward McMahon, who will no longer attend the Commission meetings, will be responsible for processing appraisal applications and examination enrollments under the direction of Tim West, Director of the Licensing Division, and that Lauren Rubino will continue to supervise real estate and real estate appraisal activities as well as providing Letters of Good Standing and assisting in application processing.

Chairman Christopher Italia stated that it was not unusual for the Commission to ask questions of an examiner during the application review. Director Hurlburt responded that the new set up will not disrupt the application review process and that Examiner McMahon will continue to attach a written history to each application to assist the Commission in their decision-making.

The Commission agreed that from this point on all applications that meet the qualifications can be approved by the Department and that they will continue to review and rule on those applications that fall short of compliance. However, the Commission would like to see a monthly list of the approved candidates. Other than that, they will see how this restructuring works out.

2. February 25, 2005 bulletin from the Appraiser Qualifications Board entitled "*Public Meeting Summary*".

Submitted under FYI.

3. March 15, 2005 email from Jenny Tidwell to Laureen Rubino regarding the AQB's interpretation on substituting the 15 hour National USPAP for the 7 hour update, which read as follows:

Background:

On January 1, 2003 new requirements took effect that require appraisers, under the jurisdiction of the AQB, to take the 7-hour National USPAP Course or its equivalent at least once every two years as part of their continuing education requirements. Prior to the effective date of this requirement the AQB was asked by various parties to allow appraisers to take and complete the 15-hour National USPAP Course, or its equivalent In lieu of the 7-hour course. In the AQB's opinion this was not the most advantageous scenario for appraisers seeking continuing education credit. However, the AQB agreed that in order to facilitate the transition to this new continuing education requirement, in calendar years 2003 and 2004 appraisers can fulfill their USPAP continuing education requirement successfully completing the 15-hour National USPAP course, or its equivalent.

Interpretation:

For continuing education purposes in 2003 and 2004, the 15-hour National USPAP course, or its equivalent may be taken in lieu of the 7-hour National USPAP course, or its equivalent. The licensing/certifying jurisdiction must determine whether the student is required to take and pass the associated examination.

Commissioner Sean Hagearty volunteered to contact Jenny Tidwell on ASC's position for the 2006 renewal period. The matter was tabled.

4. March 18, 2005 letter from Webersinn Appraisal Company, Inc. regarding any concerns, problems and suggestions this commission may have for discussion at the upcoming AARO Conference in St. Louis on April 9-11, 2005.

Submitted under FYI.

5. Invitation to the Appraisal Commission to attend the Boards & Commissions Breakfast on Tuesday, April 26, 2005, from 8:30a to 9:30a at the State Capitol, Room 310. RSVP requested by April 12, 2005 by calling (860) 727-1157.

Submitted under FYI.

6. AARO Survey 2005-03-01

Submitted under FYI.

PENDING LEGAL MATTERS

(*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

Elisa Nahas

None

Cases

None

COMPLAINTS

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Edward McMahon

None

Tim Keefe

None

REQUESTED BY THE COMMISSION TO APPEAR

None

REQUESTED TO APPEAR BEFORE THE COMMISSION

1. March 21, 2005 letter from Andrew C. Migani of Appraisal-Link, LLC, who requested to appear before the CT Appraisal Commission to discuss the new regulation, Section 20-504-5(j), and to request a waiver.

Commissioner Gerald Rasmussen made a motion to approve this waiver to December 31, 2005, but Mr. Migani must meet the regulation requirement by January 1, 2006, or contact the Commission prior to this date, in writing or in person, should he encounter any problems. Commissioner Nicholas Tetreault seconded the motion. The motion carried unanimously.

DISCUSSION

1. Commissioner Sean Hagearty requested an opportunity to address some education concerns:

- In respect to the AQB's proposed changes for education, including the breakdown of different topics into 15 and 30 hour increments, how will this affect our current courses submissions whereby Providers are requesting 36 or 38 hours, and would it be a good idea to encourage them to make certain that their curriculum matches up to the AQB criteria prior to submitting it to the Commission.

The Commission felt that this AQB requirement may be reversed by 2006-2007 and believed that the Providers are getting better at complying with the AQB criteria.

- Providers should no longer include the word "qualifying" or should no longer place the number of course credits in the course titles.

The Commission did not disagree with this request.

- Confusion concerning whether or not the Commission should be granting in excess of 18 hours of continuing education credit to Providers who submit continuing education courses and applying for over 30 hours of continuing education credit.

The Commission understood Commissioner Hagearty's remarks and explained that an approved 30 hour course would not fulfill the 28 hour continuing education requirement. Therefore, by granting 18 hours of an approved 30 hour course or request for equivalency, the licensee will know that they are still required to take the remaining 10 hours of required education.

REQUESTS FOR CONTINUING EDUCATION CREDIT

(*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

1. Norman Benedict requested continuing education credit towards his RCG license for successfully completing a 9.25 hour seminar by Counselors of Real Estate.

Commissioner Russell Hunter made a motion to approve this request for seven (7) hours of continuing education. Commissioner Sean Hagearty seconded the motion. The motion carried unanimously.

REQUEST FOR EXTENSIONS, REQUEST TO HOLD OR REQUEST FOR SPECIAL CONSIDERATION

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None

REQUEST TO RENDER LICENSE INACTIVE

None

REQUEST FOR WAIVER

Requests for waiver from the new appraisal regulations, Section 20-5004-4(j), which was effective December 7, 2004:

(*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

1. March 25, 2005 letter Kenneth D. Rattet

Commissioner Francis Buckley, Jr., made a motion to table this request until the Commission receives a list of your employees, their titles and your proposed “game-plan” for restructuring your office. Commissioner Sean Hagearty seconded the motion. The motion carried unanimously.

2. March 22, 2005 letter from Tim Sheary

Commissioner Francis Buckley, Jr., made a motion to approve this waiver to December 31, 2005, but Mr. Sheary must meet the regulation requirement by January 1, 2006. Commissioner Nicholas Tetreault seconded the motion. The motion carried unanimously.

3. March 22, 2005 letter from William Donaruma

Commissioner Sean Hagearty made a motion to approve this waiver to December 31, 2005, but Mr. Donaruma must meet the regulation requirement by January 1, 2006. Commissioner Gerald Rasmussen seconded the motion. The motion carried unanimously.

4. March 23, 2005, letter from Thomas E. Gallagher

Commissioner Gerald Rasmussen made a motion to approve this waiver to December 31, 2005, but Mr. Gallagher must meet the regulation requirement by January 1, 2006. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

PSI SPECIAL ACCOMMODATION REQUESTS

None

EXTENSION OF ELIGIBILITY – EXAM RETAKE REQUESTS

None

FORMAL HEARING

None

NEW BUSINESS

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None

OLD BUSINESS

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None

PREVIOUSLY SUBMITTED APPLICATIONS

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1. Michael N. Allard – Suffield, CT

- Submitted an application for State Certified Residential Real Estate Appraiser
- First reviewed and denied by the CREAC on 10/13/04
- He complied with the October 2004 deficiencies
- Application was submitted, reviewed and denied again by the CREAC on 12/8/04 and Mr. Allard was ordered to complete a thirty hour Residential Appraisal class before his application could be reconsidered
- Completed and submitted a thirty (30) hour “Basic Real Estate Appraisal” course and has submitted proof of completion.

Commissioner Russell Hunter made a motion to approve this applicant to take the examination. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

CHRO APPLICATIONS

None

PREVIOUSLY LICENSED

None

**APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL/GENERAL APPRAISERS
(Reciprocal/Non-Resident/Out of State License)**

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1. James A. Miles of Adamsville, RI, applying for State Certified General Real Estate Appraiser

Commissioner Francis Buckley, Jr., made a motion to deny the application for being messy and that the application be returned. Commissioner Gerald Rasmussen seconded the motion. The motion carried unanimously.

2. Peter M. Scotti of Cranston, RI, applying for State Certified General Real Estate Appraiser

Commissioner Francis Buckley, Jr., made a motion to deny the application for being messy and that the application be returned. Commissioner Gerald Rasmussen seconded the motion. The motion carried unanimously.

APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL OR STATE CERTIFIED GENERAL APPRAISERS

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CERTIFIED RESIDENTIAL

1. Eric R. Enhoffer of Bridgeport, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

2. Sandra M. Farrance of New Preston, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

3. Scott A. Hart of Guilford, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

4. Laurie E. Lyga of Meriden, CT

Commissioner Francis Buckley, Jr., made a motion to deny this applicant, because the sample appraisal reports were incomplete. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

5. Joseph A. Violetta of Shelton, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant subject to receipt of the original course completion certificates for two of the required pre-certification education courses. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

6. Richard E. Vitale of Stratford, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

CERTIFIED GENERAL

1. Sarah P. Otte of Unionville, CT

Commissioner Francis Buckley, Jr., made a motion to approve this applicant. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

PROVISIONAL APPLICATIONS

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1. Dawn M. D'Angelo of Shelton, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

1. Christopher J. Lanna of New Caanan, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

2. Cindy M. Leffell of New Haven, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

3. Adam B. Tamme of Darien, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

4. John D. Townsend of Deep River, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

5. Kate O. Uhry of Old Greenwich, CT

Commissioner Nicholas Tetreault made a motion to approve this applicant. Commissioner Francis Buckley, Jr., seconded the motion. The motion carried unanimously.

- *7. Daniel L. Escamilla of Newington, CT

Commissioner Gerald Rasmussen made a motion to approve this applicant subject to verification of education in Montana. Commissioner Nicholas Tetreault seconded the motion. The motion carried unanimously.

CONNECTICUT REAL ESTATE APPRAISER TEST DATES

PSI Summary Reports from March 1, 2005 to March 31, 2005.

The Commission did not review the Real Estate Appraisal examination results for the month of March. They will be presented along with the April 2005 examination results at the May 2005 meeting. This matter was tabled to May 2005.

CE AUDIT REPORT

None

SCHOOL AND COURSE APPLICATIONS FOR APRIL 2005

(*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

Commissioner Gerald Rasmussen made a motion to approve, deny or defer the following courses as a result of the Commission's review today. Commissioner Sean Hagearty seconded the motion. The motion carried unanimously.

AMERICAN SOCIETY OF FARM MANAGERS AND RURAL APPRAISERS

(Continuing Education)

"Identifying Intangible Assets" **Approved 16 Hours**

APPRAISAL INSTITUTE

(Continuing Education)

"Opportunities of Appraiser- Consultants under the Brownfield's Act of 2002" **Approved 15 Hours**

“What Clients would like their Appraisers to Know: How to Meet their Expectations”	Approved	7 Hours
“Market Analysis and the Site to do Business: A Powerful Combination”	Approved	7 Hours

CAREER WEBSCHOOL

(Pre-licensing Education)

“Online 75 Hour Qualifying Course for Licensure” (Resubmission)	Deferred	75 Hours
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DARES INSTITUTE

(Continuing Education)

“New Fannie Mae Report Forms”	Approved	6 Hours
“Appraising a 2-4 Family House Using New Fannie Mae Report Forms”	Approved	3 Hours
“Appraisal Review with New Fannie Mae Forms”	Approved	6 Hours
“Mandatory Connecticut Real Estate Law & Fair Housing”	Approved	3 Hours
“Residential Construction, Design, Structure, Finish & Trends”	Approved	3 Hours
“Conflict Resolution in Real Estate”	Approved	3 Hours
“Risk Management”	Approved	2 Hours
“Older Homes for Modern Living”	Approved	3 Hours
“Valuation & Protection of Real Estate Assets”	Approved	3 Hours
“Price it Right”	Approved	3 Hours
“Real Estate Agency in Connecticut”	Denied	3 Hours
“Home Inspections-Ultimate Quality Control”	Approved	3 Hours
“Mandatory Connecticut Real Estate Appraisal Law Update”	Approved	3 Hours
“2005 7-Hour National USPAP Update Course”	Approved	7 Hours

GREATER HARTFORD ASSOCIATION OF REALTORS

(Continuing Education)

“Mandatory Connecticut Real Estate Law & Fair Housing”	Approved	3 Hours
“The Power of Exchange”	Approved	3 Hours
“Appraised Property Value: Fact or Fiction”	Approved	3 Hours
“Online Commercial Real Estate: Understanding Investments”	Approved	3 Hours

MCKISSOCK APPRAISAL SCHOOL

(Pre-licensing Education)

“Online Introduction to the Residential Appraisal Process”	Approved	15 Hours
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MIDDLESEX SHORELINE REAL ESTATE SCHOOL

Commission authorization for a textbook and exam change for an approved course, “Residential Appraising”	Approved	-
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NORTHERN FAIRFIELD COUNTY ASSOCIATION OF REALTORS REAL ESTATE SCHOOL

(Continuing Education)

“Earth Management”

Approved 3 Hours

ADJOURNMENT

There being no further business, a motion was made by Commissioner Gerald Rasmussen to adjourn today’s proceedings. Commissioner Russell Hunter seconded the motion. The motion carried unanimously.

The meeting adjourned at 10:08 a.m.

Respectfully submitted,

Judith R. Booth, Commission Secretary II