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**VIRTUAL/TELECONFERENCE  
REAL ESTATE APPRAISERS  
APPLICATION ADVISORY COMMITTEE MEETING  
Room 121A, 1400 East Washington Avenue, Madison  
Contact: Tom Ryan (608) 266-2112  
December 15, 2016**

*The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Committee.*

**AGENDA**

**10:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A) Adoption of Agenda (1-2)**
- B) Approval of Minutes of October 12, 2016 (3-4)**
- C) Administrative Updates**
  - 1) Appointments/Reappointments/Confirmations
  - 2) Department and Staff Updates
  - 3) Nominations, Elections, and Appointments
    - a) Appointment of Credentialing Liaison
  - 4) Other Informational Items
  - 5) Committee Roster
    - a) Peter Bronek – Certified Residential Appraiser Member
    - b) Duane Heins – Certified General Appraiser Member
    - c) Frank Hopp – Certified General Appraiser Member
    - d) Thomas Kneesel – Real Estate Appraisers Board Representative
    - e) Peter Moegenburg – Certified General Appraiser Member
    - f) David Wagner – Certified General Appraiser Member
    - g) Wanda Wood – Certified Residential Appraiser Member
- D) Review and Consideration of Applicants' Appraisal Experience and Appraisal Reports, Including Any Reports Mailed or Received After Preparation of the Agenda (5-8)**
  - 1) Certified General Applicants:
    - a) Daniel Payne
    - b) Bobbi Statton, Certified General Appraiser
  - 2) Certified Residential Applicants:
    - a) Alan Porcaro
    - b) Christie Winklenman
  - 3) Licensed Appraiser Applicants:
    - a) Joshua Schneider

**E) Board Member Recusal (9-10)**

**F) Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Updates
- 4) Credentialing Matters
- 5) Review and Consideration of Applicants' Appraisal Experience and Appraisal Reports
- 6) Practice Matters
- 7) Legislation/Administrative Rule Matters
- 8) Liaison Report(s)
- 9) Informational Item(s)
- 10) Appearances from Requests Received or Renewed
- 11) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

**G) Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).**

**H) Credentialing Matters**

- 1) Application Review

**I) Deliberation of Items Added After Preparation of the Agenda**

- 1) Credentialing Matters
- 2) Appearances from Requests Received or Renewed

**J) Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**K) Open Session Items Noticed Above not Completed in the Initial Open Session**

**L) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate**

**ADJOURNMENT**

The next scheduled meeting is January 31, 2017.

**REAL ESTATE APPRAISERS  
APPLICATION ADVISORY COMMITTEE  
VIRTUAL TELECONFERENCE  
MEETING MINUTES  
OCTOBER 12, 2016**

**PRESENT:** Peter Bronek (*via GoToMeeting*), Duane Heins (*via GoToMeeting*), Thomas Kneesel (*via GoToMeeting*), Wanda Wood (*via GoToMeeting*)

**EXCUSED:** Frank Hopp, Peter Moegenburg, David Wagner

**STAFF:** Tom Ryan, Executive Director; Nilajah Hardin, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Thomas Kneesel, Chair, called the meeting to order at 10:01 a.m. four (4) members were present.

**ADOPTION OF AGENDA**

**MOTION:** Duane Heins moved, seconded by Peter Bronek, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Peter Bronek moved, seconded by Wanda Wood, to approve the minutes of May 4, 2016 as published. Motion carried unanimously.

**REVIEW AND CONSIDERATION OF APPLICANTS' APPRAISAL EXPERIENCE AND APPRAISAL REPORTS, OR ANY RECEIVED AFTER PREPARATION OF THE AGENDA**

**Shannon Neumann**

**MOTION:** Wanda Wood moved, seconded by Duane Heins, to recommend denial of the appraisal reports. **Reason For Denial:** Reports do not comply with USPAP Standards 1 and 2. Motion carried unanimously.

**Sarah Pelikan**

**MOTION:** Wanda Wood moved, seconded by Peter Bronek, to table this matter for submission of additional reports and information. Motion carried unanimously.

**Jeffrey Carlson**

*Review of the application of Jeffrey Carlson is in progress.*

*Approval was recommended prior to the meeting for the following applicants on the agenda: Leslie Grenzow, Jay Diefenbaugh and Shane Williamson.*

## **ADJOURNMENT**

**MOTION:** Wanda Wood moved, seconded by Duane Heins, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:55 a.m.

DRAFT

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Eleanor Shea, LPPA		2) Date When Request Submitted:  12/5/16  Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  Real Estate Appraisers Application Advisory Committee			
4) Meeting Date:  12/15/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Applications for review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: <b>1) Consideration of listed credential applications</b>  <b>2) Qualifying experience prepared under USPAP Standard 3 (see attachment)</b> - Credentialing staff have prepared the attached text in order to instruct applicants in how to submit qualifying experience under USPAP standard 3 (see 10.17.16 board attachment file) and would like to determine the following: - <u>Exhibit A:</u> - 1) Do the listed criteria request sufficient complexity for the assigned committee member to make an informed decision? - 2) What, if any, additional criteria should be listed? - <u>Exhibit B:</u> - The highlighted questions are asked of all applicants that provide work samples under USPAP Standards 1 & 2; credentialing staff would like to determine: - 1) Are they applicable to Appraisal Review work samples? - 2) If not, what questions should be asked regarding these work samples?			
11) <b>Authorization</b>  <hr/> <b>Eleanor Shea, 12/5/2016</b> Signature of person making this request <span style="float: right;">Date</span>  <hr/> Supervisor (if required) <span style="float: right;">Date</span>  <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) <span style="float: right;">Date</span>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

Applicant	Type:	Committee member	Date sent	Worksheet rec'd	Recommend:
Schneider, Joshua	licensed appraiser	Wanda Wood	10/12/16	N	?
Winkleman, Christie	Cert res	Pete Moegenburg	10/12/16	N	?
Statton, Bobbi	Cert gen	Pete Moegenburg	10/12/16	N	?
Porcaro, Alan	Cert res	Wanda Wood	10/26/16	N	?
Payne, Daniel	Cert gen	Duane Heins	10/26/16	N	?

*Note: Work samples for Southard, Bryan was approved by Duane Heins 11/8/16.*

**Exhibit A: This is what we are proposing to send to applicants after they have provided the requisite number of experience hours:**

Following review of the submitted experience roster, additional information is requested. Work product prepared under USPAP Standard 3 (Appraisal Review) is permissible under Wis. Admin. Code Ch. SPS 85.700(1)(b); however, in order for DSPS to select three (3) work samples for review by the Real Estate Appraisers Application Advisory Committee, please identify at least ten (10) appraisal reviews that meet the criteria listed below.

- 1) If applying for either Licensed Appraiser or Certified Residential Appraiser credential, list residential properties
- 2) If applying for a Certified General Appraiser, list commercial properties
- 3) Recent work samples are appreciated by the committee; please limit the list to work samples that fall under the current revision of USPAP, ideally prepared no more than six months preceding date of application to DSPS
- 4) Provide a mixture of property types
- 5) List only those reviews that provide a narrative
- 6) Demonstrate understanding of the following:
  - a. The three (3) approaches to value
  - b. Comparable Properties
  - c. Highest and Best Use
- 7) Designate at least one example that disagreed with the Appraiser and/or requested the Appraiser to make a revision to the report
- 8) To the extent that is possible, please avoid listing any reviews based upon restricted reports

**Exhibit B: Once the applicant has provided this list of 10 properties and the selections have been made, this is the text of the letter that the applicant receives informing them of which samples have been selected:**

To certify your appraisal experience to become AQB compliant on the Federal Registry, please provide verification that the experience is in compliance with the Uniform Standards of Professional Appraisal Standards (USPAP). Effective July 1, 1996 the work claimed for appraisal experience credit shall be in compliance with the uniform standards of professional appraisal practice as in effect at the time the appraisals were prepared. [SPS SPS 85.700(1)(a) Wis. Admin. Code]

Please send the documents electronically; you can do so by emailing a .pdf copy of each report listed below to [DSPSCREDAppraiser@wisconsin.gov](mailto:DSPSCREDAppraiser@wisconsin.gov). In addition to your own review, be sure to include a copy of the complete report, addendums, pictures, and signed certification page. They must be non-redacted, signed reports. If the requested report is a restricted report, please include a copy of your work file.

Please refer to the confidentiality provision in the USPAP Ethics Rule regarding the disclosure of true signed reports which states “An appraiser must not disclose confidential information or assignment results prepared for a client to anyone other than...state enforcement agencies and such third parties as may be authorized by due process of law...”.

Report 1: ADDRESS 1, CITY, ST, ZIP

Report 2: ADDRESS 1, CITY, ST, ZIP

Report 3: ADDRESS 1, CITY, ST, ZIP

For each appraisal listed above, please include a signed, dated statement that answers the following questions:

1. What was your specific role in the appraisal review? Which of the parts did you perform, and how many hours for each part (inspection, data gathering, analysis, report writing)?

2. Did anyone contribute professional assistance in the performance of the appraisal reviews noted above? If yes, identify which appraisal review(s) and the name(s) of the individual(s).

3. If you did the appraisal review as one of a team, what percent of the appraisal was your own work? Please have a report signer designate your role and hours of participation in the appraisal.

If you have any questions or concerns, please contact our office.

Sincerely,

Division of Professional Credential Processing, Real Estate Appraisers Board

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Amber Cardenas, Board Counsel</b>		2) Date When Request Submitted:  <b>10.4.2016</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections:			
4) Meeting Date:	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  <b>Board Member Recusal</b>	
7) Place Item in: <input type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  Review information regarding ethical and legal obligations to recuse on certain matters at meetings.			
11) Authorization			
Signature of person making this request		Date	
s/Amber Cardenas		10.4.2016	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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## Recusal

Board members are charged with making decisions that objectively represent the voice of the public, members of the profession, and those seeking entry into the profession. This means that as a board member you are not an advocate for a private interest group or professional association. As a public official, you are held to the highest standards of ethical and professional conduct, and should strive to avoid any relationship, activity or position that may influence the performance of your official duties as a board member.

It follows that you must recuse yourself from any conflict of interest that would compromise your neutrality in making decisions on the board. Ask yourself, “can I decide the issue, fairly and without bias, prejudice, or the impression or appearance of impropriety?” If not, you should recuse from the matter.

A conflict of interest is a type of interest that would result in some benefit, perceived benefit to you, or a bias or perceived bias in favor of or against a particular matter. Under any of the above circumstances, you may have an ethical duty to recuse. Factors to consider in deciding whether to recuse are whether the issue at hand involves a colleague, friend, family member or someone with a close business or social relationship. If yes, then it may be proper to recuse yourself from the matter. The more remote the relationship, professional association, or knowledge becomes, the further you may be removed from bias. You must consider whether you can render an impartial and unbiased decision.

Finally, when acting as a case advisor, you have a legal duty to recuse when the case involves a **contested matter** which is being deliberated and voted upon.

Examples include:

- Reviews of Administrative Warnings
- Petitions for Summary Suspension
- Complaints for Probable Cause (Med Board)
- Administrative Law Judge Proposed Decision and Orders (ALJ PDOs).

The Case Advisor **must** recuse him or herself and leave the room for any contested matter. Board Counsel should be present for contested cases to answer any legal questions and to provide information to the prosecutor should the case be remanded.

The Department of Safety and Professional Services greatly appreciates your willingness to serve the public and those in your profession. If there are any questions about whether a Board member should recuse, please contact Board Legal Counsel.