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**REAL ESTATE APPRAISERS BOARD**  
**Room 121C, 1400 East Washington Avenue, Madison**  
**Contact: Tom Ryan (608) 266-2112**  
**February 11, 2015**

*The following agenda describes the issues that the Board 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 Board.*

**AGENDA**

**9:30 A.M.**

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

**A) Adoption of Agenda (1-3)**

B) Welcome New Members

**C) Approval of Minutes of November 12, 2014 (4-5)**

**D) Administrative Updates**

- 1) Department and Staff Updates
- 2) Appointments/Reappointments/Confirmations
- 3) Other Informational Items

**E) Election of Officers (6)**

**F) Appointment of Liaisons and Delegated Authorities (6-8)**

**G) Discussion of Case Handling Procedures – APPEARANCE – Sarah Norberg, Division of Legal Services and Compliance Attorney (9)**

H) Education and Examination Matters

**I) Legislative/Administrative Rule Matters**

- 1) Status of Statute and Administrative Rule Matters
- 2) Mandatory Appraiser Licensing Legislation
- 3) Appraisal Management Company (AMC) Legislation
- 4) Background Check Legislation

**J) Speaking Engagement(s), Travel, or Public Relation Request(s)**

- 1) Association of Appraiser Regulatory Officials (AARO) Spring 2015 Conference – May 1-3, 2015 – Nashville, TN **(10)**
- 2) Designation of Presiding Officer to Attend Closing Conference of ASC Audit **(11)**

K) Informational Items

L) Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Updates
- 3) Education and Examination Matters
- 4) Credentialing Matters
- 5) Practice Matters
- 6) Legislation/Administrative Rule Matters
- 7) Liaison Report(s)
- 8) Informational Item(s)
- 9) Disciplinary Matters
- 10) Presentations of Petition(s) for Summary Suspension
- 11) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 12) Presentation of Proposed Decisions
- 13) Presentation of Interim Order(s)
- 14) Petitions for Re-Hearing
- 15) Petitions for Assessments
- 16) Petitions to Vacate Order(s)
- 17) Petitions for Designation of Hearing Examiner
- 18) Requests for Disciplinary Proceeding Presentations
- 19) Motions
- 20) Petitions
- 21) Appearances from Requests Received or Renewed
- 22) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

M) 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 closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).**

N) Monitoring Matters

**O) Presentation and/or Deliberation on Proposed Stipulations, Final Decisions and Orders by the Division of Legal Services and Compliance (DLSC)**

- 1) Ronald A. Fuhrmann – 12 APP 081 **(12-20)**
- 2) Beth M. Darst – 12 APP 082 **(21-27)**
- 3) Ronald A. Wright – 12 APP 084 and 13 APP 094 **(28-36)**
- 4) Patrick J. Collins – 13 APP 006 **(37-45)**
- 5) Allen L. Baehr – 13 APP 008 and 13 APP 045 **(46-51)**
- 6) Larry W. Foltz – 13 APP 009 **(52-58)**
- 7) Kathleen M. McCartan – 13 APP 016 **(59-63)**
- 8) Kelly J. Berriman – 13 APP 037 **(64-71)**
- 9) Jack C. Lidbetter – 13 APP 047 **(72-76)**

**P) Case Status Report (77-78)**

Q) Case Closing(s)

R) Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petition(s) for Summary Suspensions
- 7) Proposed Stipulations, Final Decisions and Orders
- 8) Administrative Warnings
- 9) Proposed Decisions
- 10) Matters Relating to Costs
- 11) Complaints
- 12) Case Closings
- 13) Case Status Report
- 14) Petition(s) for Extension of Time
- 15) Proposed Interim Orders
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

S) Consulting with Legal Counsel

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

T) Open Session Items Noticed Above not Completed in the Initial Open Session

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

V) Ratification of Licenses and Certificates

**ADJOURNMENT**

**REAL ESTATE APPRAISERS BOARD  
MEETING MINUTES  
November 12, 2014**

**PRESENT:** Scott Brunner, Carl Clementi (*via teleconference*), Lawrence Nicholson, Henry Simon, Linda Steinke (*via teleconference*)

**EXCUSED:** Marla Britton

**ABSENT:** Jose Perez

**STAFF:** Tom Ryan, Executive Director; Taylor Thompson, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Lawrence Nicholson, Chair, called the meeting to order at 9:37 A.M. A quorum of five (5) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Henry Simon moved, seconded by Scott Brunner, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Scott Brunner moved, seconded by Henry Simon, to approve the minutes of September 9, 2014 as published. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Scott Brunner moved, seconded by Linda Steinke, to 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 closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Scott Brunner - yes; Carl Clementi - yes; Lawrence Nicholson - yes; Henry Simon - yes; Linda Steinke - yes. Motion carried unanimously.

The Board convened into Closed Session at 10:40 A.M.

**RECONVENE TO OPEN SESSION**

**MOTION:** Henry Simon moved, seconded by Scott Brunner, to reconvene in Open Session at 11:31 A.M. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,  
IF VOTING IS APPROPRIATE**

**MOTION:** Scott Brunner moved, seconded by Carl Clementi, to affirm all Motions made and Votes taken in Closed Session. Motion carried unanimously.

**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**12 APP 062  
DONALD J. WERGIN**

**MOTION:** Henry Simon moved, seconded by Linda Steinke, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 APP 062 – Donald J. Wergin. Motion carried unanimously.

**12 APP 088  
JANICE M. CARTER**

**MOTION:** Scott Brunner moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 APP 088 – Janice M. Carter. Motion carried unanimously.

**12 APP 075 AND 13 APP 031  
KASPER ROTH**

**MOTION:** Carl Clementi moved, seconded by Linda Steinke, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 APP 075 and 13 APP 031 – Kasper Roth. Motion carried unanimously.

**14 APP 032  
ANNE E. M. THORSTENSON**

**MOTION:** Scott Brunner moved, seconded by Linda Steinke, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 14 APP 032 – Anne E. M. Thorstenson. Motion carried unanimously.

**CASE CLOSINGS**

**13 APP 073**

**MOTION:** Scott Brunner moved, seconded by Linda Steinke, to close case 13 APP 073, against M.D.D., for Prosecutorial Discretion (P7). Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Henry Simon moved, seconded by Scott Brunner, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:32 A.M.

<b>2014 OFFICERS</b>	
<b>Board Chair</b>	Lawrence Nicholson
<b>Vice Chair</b>	Carl Clementi
<b>Secretary</b>	Scott Brunner

<b>2014 LIAISON APPOINTMENTS</b>	
<b>Monitoring Liaison</b>	<b>Carl Clementi</b>
<b>Continuing Education Liaison</b>	<b>Lawrence Nicholson;</b> (Marla Britton as the Alternate)
<b>Credentialing Liaison</b>	<b>Carl Clementi;</b> (Marla Britton as the Alternate)
<b>DLSC Liaison</b>	NONE
<b>Education and Exams Liaison</b>	<b>Lawrence Nicholson;</b> (Carl Clementi as the Alternate)
<b>Legislative Liaison</b>	NONE
<b>Travel Liaison</b>	<b>Lawrence Nicholson;</b> (Carl Clementi as the Alternate)
<b>Website Liaison</b>	<b>Scott Brunner;</b> (Linda Steinke as the Alternate)
<b>Rules Liaison</b>	<b>Marla Britton;</b> (Linda Steinke as the Alternate)
<b>Professional Assistance Procedure Liaison</b>	<b>Henry Simon;</b> (Scott Brunner as the Alternate)
<b>ASC and AQB Liaison</b>	<b>Carl Clementi;</b> (Lawrence Nicholson as the Alternate)
<b>REA Application Advisory Committee Chair</b>	<b>Marla Britton;</b> (Carl Clementi as the Alternate)
<b>Screening Panel</b>	NONE

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

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Ashley Horton  Department Monitor Division of Legal Services and Compliance		2) Date When Request Submitted:  January 13, 2015  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
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?  Delegation to Monitoring Liaison and Department Monitor	
7) Place Item in:  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  Delegated Authority Motion:  <i>“_____ moved, seconded by _____ to adopt/reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today’s agenda packet.”</i>			
11) <span style="float: right;">Authorization</span>  <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">  </div> <div style="width: 30%; text-align: center;">           January 13, 2015         </div> <div style="width: 30%;"></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 20%; text-align: center;">Date</div> <div style="width: 20%;"></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 20%; text-align: center;">Date</div> <div style="width: 20%;"></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 20%; text-align: center;">Date</div> <div style="width: 20%;"></div> </div>			
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.			

## **Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

### **Current Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. **Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.**

*Monitoring Liaison currently has the authority to grant an extension up to 90 days. This change will allow the Liaison to grant payment plans and longer extensions on a case-by-case basis, which will be particularly helpful for Board/Sections that do not meet every month.*

7. **Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.**

*This addition was initiated and approved by the Medical Examining Board in October 2014. The Liaison may choose to defer a particular request to the full Board/Section for review if needed.*

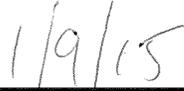
### **Current Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.

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

**AGENDA REQUEST FORM**

<b>Name and Title of Person Submitting the Request:</b>  Christy Galli, on behalf of Attorney Sarah Norberg Division of Legal Services and Compliance		<b>Date When Request Submitted:</b>  January 9, 2015 Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 8 work days before the meeting for Medical Board ▪ 8 work days before the meeting for all other boards	
<b>Name of Board, Committee, Council:</b>  Real Estate Appraisers Board			
<b>Board Meeting Date:</b>  2/11/15	<b>Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>How should the item be titled on the agenda page?</b>  Discussion of Case Handling Procedures	
<b>Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>Is an appearance before the Board being scheduled? If yes, by whom?</b> <input checked="" type="checkbox"/> Yes by Sarah Norberg <input type="checkbox"/> No	<b>Name of Case Advisor(s), if required:</b>  n/a	
<b>Describe the issue and action the Board should address:</b>  Attorney Norberg will be appearing before the Board to discuss case handling procedures.			
<b>Authorization:</b>			
			
Signature of person making this request		Date	
Supervisor signature (if required)		Date	
Executive Director signature (indicates approval to add late items to agenda)		Date	
<b>Directions for including supporting documents:</b>  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 Board's 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**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Taylor Thompson, Bureau Assistant on behalf of Tom Ryan, Executive Director		2) Date When Request Submitted:  1/30/15 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  Real Estate Appraisers Board			
4) Meeting Date:  2/11/15	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Association of Appraiser Regulatory Officials (AARO) Spring 2015 Conference - May 1-3, 2015 - Nashville, TN	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<b>Taylor Thompson</b>		<b>01/30/15</b>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
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**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Taylor Thompson, Bureau Assistant on behalf of Tom Ryan, Executive Director		2) Date When Request Submitted:  10/23/14 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  Real Estate Appraisers Board			
4) Meeting Date:  TBD, First meeting in 2015	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page?  Designation of Presiding Officer to Attend Closing Conference of ASC Audit	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  The Board will discuss and designate a Presiding Officer to Attend Closing Conference of ASC Audit.			
11) Authorization			
<b>Taylor Thompson</b>		<b>10/23/2014</b>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
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.			