

**MARYLAND COMMISSION OF REAL ESTATE APPRAISERS,
APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS
BUSINESS MEETING MINUTES**

DATE: February 14, 2023

TIME: 10:36 a.m.

PLACE: 1100 N. Eutaw Street (virtual)
Baltimore, Maryland 21201

PRESENT: Commissioner Sean Troxell, Chairman
Commissioner Harold Huggins, Vice-Chair
Commissioner Anatol Polillo
Commissioner Jeremiah Hosford
Commissioner Coleen Courtney-Morrison
Commissioner Steve Feyerick
Commissioner Thomas Owen
Commissioner Stacy Harman
Commissioner Bob Hergenroeder
Commissioner Jerry Pickholtz
Commissioner Karen Trendler
Commissioner Roxanne Alston (present for voting only)
Commissioner Gwen Skillern
Commissioner Todd Warren (arrived late)

DEPT. OF LABOR STAFF PRESENT: Greg Morgan, Commission, Occupational and
Professional Licensing Division
Todd Blackistone, Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Michael Szlachetka, Administrative Specialist
Danielle Anderson, Web Content and Outreach
Coordinator, DOL Assistant

OTHERS PRESENT: Scott DiBiasio, Appraisal Institute
Christa McGee Maryland Realtors Association

Call to Order

Commission Chairman, Sean Troxell, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:36 a.m.

Approval of Minutes

The minutes of the business meeting held on December 13, 2022, were reviewed, and considered. By Motion made by Commissioner Pickholtz, seconded by Commissioner Huggins and, by a majority vote carried, to approve the minutes of the December 13, 2022 business meeting. Commissioners Warren, and Alston were not present and did not vote on the matter. Commissioner Hergenroeder abstained.

Real Estate Appraiser Complaint Committee Report

Executive Director, Todd Blackistone, reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed 6 items of new business. The disposition of which was as follows:

Complaints	-	23- REA - 21	Settlement Negotiations/Precharge
		23- REA - 23	Settlement Negotiations/Precharge
		23- REA - 24	Settlement Negotiations/Precharge
		23- REA - 26	Tabled
		23- REA - 28	Remedial Education
		23- REA - 29	Remedial Education

A Motion was made by Commissioner Pickholtz and seconded by Commissioner Huggins to accept the report and recommendations of the Appraiser Complaint Committee. By a unanimous vote, the Commission accept the report and recommendations of the Appraiser Complaint Committee. Commissioner Alston was not present; Commissioner Hergenroeder abstained.

Home Inspector Complaint Committee Report

The Home Inspector Complaint Committee report was tabled and will be presented at the next meeting.

Education Committee Report

Commissioner Polillo reported that the Appraiser and Home Inspection Education Committees met on this date and approved 21 courses. The Appraiser Education Committee reviewed 13 courses and, of those, all courses were approved; the Home Inspection Education Committee reviewed 10 courses and, of those, 9 courses were approved.

A Motion was made by Commissioner Pickholtz, seconded by Commissioner Huggins and, by a unanimous vote carried that the Commission accept the recommendations of the Education Committees. Commissioner Alston was not present.

Old Business

Executive Director, Todd Blackistone, addressed the Commission regarding the ongoing consideration of adopting Practical Applications of Real Estate Appraisal (“PAREA”). Mr.

Blackistone reminded the Commission of the potential benefits of the PAREA program. PAREA may be considered as an alternative to the existing supervising appraiser and appraiser trainee relationship required for license or certification examination eligibility. The PAREA program is intended to alleviate unnecessary barriers to an individual's ability to obtain a real estate appraiser license. The Commission resumed a discussion of PAREA and its concerns regarding a lack of actual practical, non-virtual training. Although there were initial concerns regarding the adoption of PAREA, the Commission decided to adopt PAREA with a minimum of 3 USPAP-compliant appraisal reports to be completed by the prospective candidate and approved by the Commission.

A Motion was made by Commissioner Warren, seconded by Commissioner Huggins and, by a majority vote, was carried that the Commission adopt the PAREA program with a minimum of 3 USPAP-compliant appraisal reports completed by the prospective candidate that the Commission deems acceptable. Commissioner Feyerick abstained. Commissioner Hosford voted against motion.

New Business

Onsite Home Inspections

Commissioner Sean Troxell, Chairman, addressed the Commission regarding the physical presence on site of a licensed home inspector during an inspection. The Commission discussed on the use of cameras and drones while performing a home inspection and how it has affected the industry. It has come to the attention of the Commission that some home inspectors may have made some observations remotely or relied on information gathered by an unlicensed assistant. The Commission discussed a regulation concept that a licensed home inspector must be physically present at the time of the home inspection and instructed Todd Blackistone, Executive Director, to prepare a concept pater for the Secretary's approval of proposed action.

A Motion was made by Commissioner Polillo, seconded by Commissioner Trendler and, by a majority vote, carried, to approve Executive Director, Todd Blackistone's, submission of a regulatory concept to the Secretary of Labor to approve proposed action on a regulation to require that a licensed home inspector must be physically present on site at the time of a home inspection. Commissioner Warren abstained. Commissioner Alston left the meeting.

Sunset Extension of the Commission of Real Estate Appraisers, Appraiser Management Companies, and Home Inspectors

Commissioner Sean Troxell, Chairman, addressed the Commission regarding the proposed legislation to extend the Commission. Assistant Attorney General, Sloane Kinstler, reported to the Commission about proposed bills to extend the scheduled July 1, 2023 termination of the Commission.

SB 712 is a Departmental bill, similar to one proposed unsuccessfully last year, that would extend the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors in accordance with the provisions of the Maryland Program Evaluation Act

(sunset law) for the standard ten (10) years, to July 1, 2033.

Assistant Attorney General, Sloane Kinstler, also reported to the Commission about another bill introduced by Senator Hayes, SB 827, which would continue the Commission by extending, for three (3) years to July 1, 2026, the termination of the Commission. The bill also requires, in uncodified language, the appointment of independent evaluator, charged with evaluating the Commission's adherence to the most recent USPAP provisions pertaining diversity, equity, and inclusion guidelines in its regulation of real estate appraisers and AMCs, and submitting a report of such evaluation, under the supervision of the Office of Program Evaluation and Government Accountability in the Department of Legislative Services, by January 1, 2024.

Commission staff will observe and report back regarding the status of these bills.

Real Estate Appraiser Complaint Committee

Executive Director, Todd Blackistone, addressed the Commission and complimented the two current Complaint Committee members. He noted Commissioner Trendler's contributions and suggested that she would be an excellent addition to the existing Complaint Committee. Mr. Blackistone asked that the Commission establish the Appraiser Complaint Committee to include Commissioners Courtney-Morrison, Hosford, and Trendler.

A Motion was made by Commissioner Warren, seconded by Commissioner Pickholtz. By a majority vote, the Commission established a Real Estate Appraiser Complaint Committee comprised of Commissioners Courtney-Morrison, Hosford, and Trendler. Commissioner Harman abstained. Commissioners Hergenroeder and Alston had left the meeting.

Real Estate Appraiser Application Review Committee

Executive Director, Todd Blackistone, addressed the Commission to explain the current review process for real estate appraiser applications. He explained that Commissioners Courtney-Morrison and Hosford currently conduct such reviews as part of their work on the Appraiser Complaint Committee. He asked that the Commission establish an Application Review Committee, tasked with reviewing appraiser applications and making recommendations to the Commission. The Commission discussed the matter with Commissioners Courtney-Morrison, Hosford, and Trendler who agreed to serve on an Application Review Committee.

A Motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and, by a majority vote, carried to establish an Appraiser Application Review Committee comprised of Commissioners Courtney-Morrison, Hosford, and Trendler. Commissioners Harman, Hergenroeder and Alston had previously left the meeting.

Chairman's Report

No report offered.

Assistant Attorney General's Report

Proposed Regulation to Amend Required Appraiser Continuing Education-COMAR 09.19.02.04

Assistant Attorney General, Sloane Kinstler, reminded the Commission that it had voted during the August 2022 meeting to propose action to amend real estate appraiser continuing education requirements in COMAR 09.19.02.04 in response to reports of alleged implicit bias and racial discrimination in the real estate appraiser profession. AAG Kinstler reminded the Commission regarding of its proposal to require appraisers to complete 3 hours of related continuing education as a condition of license renewal every 3 years.

Counsel Kinstler further reminded the Commission that it had considered allowing additional time for a licensee to comply with such a requirement prior to license expiration, the availability of qualifying continuing education courses, and that the Commission had determined, in August 2022, to implement the new requirement effective May 1, 2023.

Counsel explained that, as a result of the Maryland Division of State Documents moving to a new electronic platform for the submission and approval of regulations, the Commission's proposed action had been submitted in August 2022, but was not published until February 10, 2023. Prior to the publication, Counsel consulted Director Blackistone about the delayed implementation of the regulation, as the Commission had intended. Director Blackistone approved modification of the regulatory language to provide for an effective date of the new education requirements on November 1, 2023 (the same advanced period of time before implementation that the original regulatory language would have provided). The period for public comment on the proposed action to amend COMAR 09.19.02.04 will be open until March 13, 2023. The Commission will be authorized to take final action on the regulation during the April 11, 2023 Commission meeting, upon approval by the Secretary.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Warren, seconded by Commissioner Pickholtz, and, by a majority vote, carried to adjourn the meeting at 11:51 a.m. Commissioners Harman, Hergenroeder and Alston had previously left the meeting.

Approved without corrections

Approved with corrections

Signature on file

Commissioner Sean Troxell, Chair

Date