



**VIRTUAL/TELECONFERENCE
REAL ESTATE APPRAISERS BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
June 8, 2022**

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 description of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of February 1, 2022 (4-9)**
- C. Introduction, Announcements, and Recognition**
 - 1) Introduction of Daniel Figurski, Certified Residential Appraisers Member (Succeeds: Svendsen)
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Scheduled Meeting: November 17, 2022 at 9:00 a.m.
 - 3) Board Members – Term Expiration Dates
 - a. Clementi, Carl N. – 5/1/2020
 - b. Coates, Jennifer M. – 5/1/2019
 - c. Figurski, Daniel J. – 5/1/2026
 - d. Kneesel, Thomas J. – 5/1/2022
 - e. Myers, Dennis – 5/1/2021
 - f. Wagner, David J. – 5/1/2026
- F. Board Chair Meeting and Options to Address Department Resources – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending or Possible Rulemaking Projects
- H. COVID-19 – Discussion and Consideration**
- I. Report from the Real Estate Appraisers Application Advisory Committee**

- J. Discussion and Consideration of Items Added After Preparation of Agenda
Introductions, Announcements and Recognition
- 1) Administrative Matters
 - 2) Election of Officers
 - 3) Appointment of Liaisons and Alternates
 - 4) Delegation of Authorities
 - 5) Education and Examination Matters
 - 6) Credentialing Matters
 - 7) Practice Matters
 - 8) Legislative and Policy Matters
 - 9) Administrative Rule Matters
 - 10) Liaison Reports
 - 11) Board Liaison Training and Appointment of Mentors
 - 12) Informational Items
 - 13) Division of Legal Services and Compliance (DLSC) Matters
 - 14) Presentations of Petitions for Summary Suspension
 - 15) Petitions for Designation of Hearing Examiner
 - 16) Presentation of Stipulations, Final Decisions and Orders
 - 17) Presentation of Proposed Final Decisions and Orders
 - 18) Presentation of Interim Orders
 - 19) Petitions for Re-Hearing
 - 20) Petitions for Assessments
 - 21) Petitions to Vacate Orders
 - 22) Requests for Disciplinary Proceeding Presentations
 - 23) Motions
 - 24) Petitions
 - 25) Appearances from Requests Received or Renewed
 - 26) Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Administrative Warnings**
 - a. 21 APP 012 – K.J.D. **(10-11)**
- 2) **Case Closings**
 - a. 21 APP 002 – D.P. **(12-16)**
- 3) **Deliberation of Stipulations and Final Decision and Orders**
 - a. 20 APP 056 – April L. Konczal **(17-24)**
 - b. 20 APP 059 – Timothy A. Christ **(25-32)**
 - c. 20 APP 061 – Cara E. Barton **(33-41)**
 - d. 21 APP 003, 21 APP 050 – Jessica Johnson **(42-49)**
 - e. 21 APP 008 – Jesse J. Fritsch **(50-55)**
 - f. 21 APP 015 – Nolan T. Wahoske **(56-60)**
 - g. 22 APP 006 – Ronald A. Fuhrmann **(61-65)**

- 4) **Monitoring Matters (66-67)**
 - a. Kenneth D. Hanson – Requesting Removal of Limitation and a Return to Full Licensure **(68-76)**
 - b. Donald E. Lindquist – Requesting Removal of Limitation and a Return to Full Licensure **(77-86)**
 - c. Gerald J. Long – Requesting Full Licensure (Incl Permanent Limitation) or Removal of Remaining Limitations **(87-105)**

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 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

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: AUGUST 2, 2022

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
REAL ESTATE APPRAISERS BOARD
MEETING MINUTES
FEBRUARY 1, 2022**

PRESENT: Carl Clementi, Jennifer Coates, Thomas Kneesel, Dennis Myers (*arrived at 9:05 a.m.*), David Wagner

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rule Coordinator; Katlin Schwartz, Bureau Assistant; Megan Glaeser, Bureau Assistant.; and other DSPS Staff

CALL TO ORDER

Carl Clementi, Chairperson, called the meeting to order at 9:04 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

Dennis Myers arrived at 9:05 a.m.

MOTION: Jennifer Coates moved, seconded by Thomas Kneesel, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 3, 2021

MOTION: Dennis Myers moved, seconded by Jennifer Coates, to approve the minutes of August 3, 2021 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Slate of Officers

NOMINATION: Dennis Myers nominated the 2021 slate of officers to continue in 2022. All officers accepted their nominations.

Tom Ryan, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Carl Clementi
Vice Chairperson	David Wagner
Secretary	Dennis Myers

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Carl Clementi <i>Alternate: Thomas Kneesel</i>
Education and Exams Liaison(s)	Carl Clementi <i>Alternate: Thomas Kneesel</i>
Monitoring Liaison(s)	Carl Clementi <i>Alternate: Jennifer Coates</i>
Professional Assistance Procedure Liaison(s)	Thomas Kneesel <i>Alternates: Jennifer Coates</i>
Legislative Liaison(s)	David Wagner <i>Alternate: Dennis Myers</i>
Travel Authorization Liaison(s)	David Wagner <i>Alternate: Jennifer Coates</i>
ASC and AQB Liaison(s)	Carl Clementi <i>Alternate: Thomas Kneesel</i>
REA Application Advisory Committee Chair	Thomas Kneesel <i>Alternate: Carl Clementi</i>
Website Liaison(s)	Jennifer Coates <i>Alternate: Dennis Myers</i>

Delegation of Authorities

Document Signature Delegations

MOTION: Carl Clementi moved, seconded by Dennis Myers, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Jennifer Coates moved, seconded by Dennis Myers, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Jennifer Coates moved, seconded by Thomas Kneesel, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Dennis Myers moved, seconded by Jennifer Coates, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Dennis Myers moved, seconded by Carl Clementi, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the February 1, 2022 agenda materials on pages 16-17. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Thomas Kneesel moved, seconded by Carl Clementi, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Voluntary Surrenders

MOTION: Jennifer Coates moved, seconded by Dennis Myers, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Carl Clementi moved, seconded by Thomas Kneesel, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Thomas Kneesel moved, seconded by David Wagner, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Carl Clementi moved, seconded by David Wagner, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Jennifer Coates moved, seconded by David Wagner, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Carl Clementi moved, seconded by Jennifer Coates, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

ASC and AQB Liaison(s) Delegation

MOTION: David Wagner moved, seconded by Thomas Kneesel, to authorize to the ASC and AQB Liaison(s) to address all issues related to ASC and AQB. Motion carried unanimously.

Website Liaison(s) Delegation

MOTION: Carl Clementi moved, seconded by Jennifer Coates, to authorize the Website Liaison(s) to act on behalf of the Board in working with Department staff to identify and execute website updates. Motion carried. Dennis Myers opposed

CLOSED SESSION

MOTION: Dennis Myers moved, seconded by David Wagner, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Carl Clementi, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Carl Clementi-yes; Jennifer Coates-yes; Thomas Knessel-yes; Dennis Myers-yes; and David Wagner-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:50 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Thomas Knessel moved, seconded by Dennis Myers, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 20 APP 026 – Robert W. Wappler
2. 20 APP 050 – Ahmed Awadallah
3. 20 APP 051 – Taylor Behm
4. 20 APP 052 – Paul M. De Angelis Jr.

Motion carried unanimously.

20 APP 017 – Matthew J. Fitzsimons

MOTION: Dennis Myers moved, seconded by Jennifer Coates, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Matthew J. Fitzsimons, DLSC Case Number 20 APP 017. Motion carried unanimously.

(Carl Clementi recused himself and left the room for deliberation and voting in the matter concerning Matthew J. Fitzsimons, DLSC Case Number 20 APP 017.)

RECONVENE TO OPEN SESSION

MOTION: Dennis Myers moved, seconded by Carl Clementi, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 9:56 a.m.

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

MOTION: Dennis Myers moved, seconded by Jennifer Coates, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Jennifer Coates moved, seconded by Thomas Kneesel, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:57 a.m.

DRAFT