



VIRTUAL/TELECONFERENCE
REAL ESTATE APPRAISERS BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
August 2, 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 June 8, 2022 (4-7)**
- C. Introduction, Announcements, and Recognition**
 - 1) Introduction of Richard Rubow, Assessor Member (Succeeds: Miner)
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
 - 1) Additional Meetings in September and October
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) 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. Rubow, Richard L. – 5/1/2023
 - g. Wagner, David J. – 5/1/2026
- F. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending or Possible Rulemaking Projects
- G. COVID-19 – Discussion and Consideration**
- H. Report from the Real Estate Appraisers Application Advisory Committee**
- I. Discussion and Consideration of Items Added After Preparation of Agenda**
 - 1) Introductions, Announcements and Recognition

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

J. 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.).

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

- 1) **Administrative Warning**
 - a. 21 APP 011 – T.E.W. **(8-10)**
- 2) **Case Closings**
 - a. 21 APP 017 – C.A. **(11-17)**

L. 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

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: NOVEMBER 17, 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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. 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 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
JUNE 8, 2022**

PRESENT: Carl Clementi, Jennifer Coates, Daniel Figurski, Thomas Kneesel, Dennis Myers, David Wagner

STAFF: Tom Ryan, Executive Director; Jon Derenne, Legal Counsel; Nilajah Hardin, Administrative Rule Coordinator; Katlin Schwartz, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Carl Clementi, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF FEBRUARY 1, 2022

MOTION: Jennifer Coates moved, seconded by Thomas Kneesel, to approve the minutes of February 1, 2022 as published. Motion carried unanimously.

**BOARD CHAIR MEETING AND OPTIONS TO ADDRESS DEPARTMENT
RESOURCES**

MOTION: Jennifer Coates moved, seconded by David Wagner, to express its concern to the Legislature that its ongoing restrictions on the Department of Safety and Professional Services' (DSPS) ability to add staff and spending authority have created backlogs in licensing timelines that have in turn created unnecessary delays in real estate appraisers being licensed in a timely manner. This has resulted in delays in real estate appraisers' ability to enter the workforce, serve clients, and earn a livelihood. As a result, public protection suffers. Staffing levels at DSPS are simply not adequate to manage the increasing volume of license applications. The number of complaints about the slow pace of licensing has increased significantly due to the staff and spending authority restrictions. The Board urges the Legislature to take immediate action to increase the staffing and spending authority of DSPS and to immediately discontinue its practice of diverting real estate appraiser license fee program revenue for other purposes. Motion carried. Dennis Myers: Opposed

MOTION: Jennifer Coates moved, seconded by David Wagner, to authorize Carl Clementi and Daniel Figurski, to discuss with the Wisconsin Realtors Association, the Appraisal Institute, and others, cooperative initiatives involving the state legislature, its Joint Finance Committee and the state budget aimed at increasing the number of DSPS staff positions and the spending authority of DSPS. Motion carried unanimously.

**REPORT FROM THE REAL ESTATE APPRAISERS
APPLICATION ADVISORY COMMITTEE**

LIAISON APPOINTMENTS	
REA Application Advisory Committee Chair	Thomas Kneesel <i>Alternates:</i> Daniel Figurski, David Wagner

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; Daniel Figurski-yes; Thomas Knessel-yes; Dennis Myers-yes; and David Wagner-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:58 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

21 APP 012 – K.J.D.

MOTION: Dennis Myers moved, seconded by Daniel Figurski, to issue an Administrative Warning in the matter of K.J.D., DLSC Case Number 21 APP 012. Motion carried. David Wagner: abstained.

Case Closings

21 APP 002 – D.P.

MOTION: Carl Clementi moved, seconded by Jennifer Coates, to close DLSC Case Number 21 APP 002, against D.P., for Prosecutorial Discretion (P3). Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

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 of the following cases:

1. 20 APP 056 – April L. Konczal
2. 20 APP 059 – Timothy A. Christ
3. 20 APP 061 – Cara E. Barton
4. 21 APP 003, 21 APP 050 – Jessica Johnson
5. 21 APP 008 – Jesse J. Fritsch
6. 21 APP 015 – Nolan T. Wahoske
7. 22 APP 006 – Ronald A. Fuhrmann

Motion carried unanimously.

Monitoring Matters

**Kenneth D. Hanson
Requesting Removal of Limitation and a Return to Full Licensure**

MOTION: Dennis Myers moved, seconded by Thomas Kneesel, to grant the request of Kenneth D. Hanson for a removal of limitation and to return to full licensure. Motion carried unanimously.

**Donald E. Lindquist
Requesting Removal of Limitation and a Return to Full Licensure**

MOTION: Dennis Myers moved, seconded by Daniel Figurski, to grant the request of Donald E. Lindquist for removal of limitation and to return to full licensure. Motion carried unanimously.

**Gerald J. Long
Requesting Full Licensure (Incl Permanent Limitation)
or Removal of Remaining Limitations**

MOTION: Carl Clementi moved, seconded by Jennifer Coates, to grant the request of Gerald J. Long for full licensure. Motion carried unanimously.

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 10:21 a.m.

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

MOTION: Dennis Myers moved, seconded by Daniel Figurski, 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 Carl Clementi, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:22 a.m.

DRAFT