



**VIRTUAL/TELECONFERENCE
REAL ESTATE APPRAISERS BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
August 1, 2023**

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 May 23, 2023 (4-5)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements, and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Coates, Jennifer M. – 5/1/2019
 - b. Figurski, Daniel J. – 5/1/2026
 - c. Kneesel, Thomas J. – 5/1/2022
 - d. Krueger, Christopher D. – 5/1/2024
 - 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 (6)**
 - 1) Update on SPS 85 to 87, Relating to Practical Applications of Real Estate Appraisal (PAREA)
 - 2) Pending or Possible Rulemaking Projects
- G. WI Real Estate Appraiser Board Recommendations for The Student Appraiser Applicant (Form 2757) – Discussion and Consideration (7-9)**
- 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) Public Health Emergencies
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) 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 (10-78)

- 1) **Proposed Stipulations and Final Decision and Orders**
 - a. 21 APP 033 – Brian J. Haferman **(10-18)**
 - b. 21 APP 034 – Barbara A. Shannon **(19-25)**
 - c. 21 APP 056 – Trenton J. Krueger **(25-34)**
 - d. 21 APP 062, 21 APP 067, and 22 APP 024 – Carol L. Berg **(35-42)**
 - e. 21APP 069 – Dominic J. Mickelson **(43-50)**
- 2) **Case Closing**
 - a. 22 APP 067 – B.E.Y. **(51-59)**
- 3) **Monitoring Matters**
 - a. Candice Coopman, Licensed Appraiser – Requesting termination of mentor requirement **(60-78)**

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 7, 2023

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, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
REAL ESTATE APPRAISERS BOARD
MEETING MINUTES
MAY 23, 2023**

PRESENT: Daniel Figurski, Christopher Krueger, Dennis Myers, Richard Rubow, David Wagner

EXCUSED: Jennifer Coates, Thomas Kneesel

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

CALL TO ORDER

Daniel Figurski, Chairperson, called the meeting to order at 9:01 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF JANUARY 31, 2023

MOTION: Richard Rubow moved, seconded by David Wagner, to approve the minutes of January 31, 2023 as published. Motion carried unanimously.

CLOSED SESSION

MOTION: Dennis Myers moved, seconded by Richard Rubow, 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.). Daniel Figurski, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Daniel Figurski-yes; Christopher Krueger-yes; Dennis Myers-yes; Richard Rubow-yes; and David Wagner-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:19 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations and Final Decision and Orders

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

1. 21 APP 006 – Richard A. Hearn
2. 21 APP 029 – Darrell L. Bachofen
3. 21 APP 039 – Brian K. Hietpas
4. 21 APP 040 – Michael J. Jandrin
5. 21 APP 052 – Patrick T. Wagner
6. 21 APP 057 – Gatlin D. Fenwick
7. 21 APP 060, 22 APP 038 – Margaret M. Schroeder

Motion carried unanimously.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 9:37 a.m.

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

MOTION: Richard Rubow moved, seconded by David Wagner, 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: David Wagner moved, seconded by Richard Rubow, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:39 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 7/18/23 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 Board			
4) Meeting Date: 08/01/23	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules – Discussion and Consideration 1. Update on SPS 85 to 87, Relating to Practical Applications of Real Estate Appraisal (PAREA) 2. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Status update on the rule project on PAREA. Copies of Board Rule Projects can be found here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx			
11) Authorization			
 Signature of person making this request		07/18/23 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: James Horton		2) Date when request submitted: 7/6/2023 <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: Real Estate Appraisers Board			
4) Meeting Date: 8/1/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Review Form 2757	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <p>Form 2757 is "WI Real Estate Appraiser Board Recommendations for the Student Appraiser Applicant". This form was last revised in September of 2011. As it is a form based on board recommendations, I would like it to be reviewed to determine if updates should be made, or if it is all still applicable.</p> <p>https://dsps.wi.gov/Credentialing/Business/fm2757.pdf</p>			
11) Authorization			
James Horton		7/6/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 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.			

Wisconsin Department of Safety and Professional Services

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DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

WI REAL ESTATE APPRAISER BOARD RECOMMENDATIONS FOR THE STUDENT APPRAISER APPLICANT

What to look for and expect from a supervisor as you obtain the experience required for licensure. The supervisor should:

- 1) Have sufficient knowledge and experience to provide your training. A mentor should be a professional Licensed or Certified Appraiser, in good standing, with several years experience appraising a variety of property types in the state in which you are obtaining your license.
- 2) Provide “hands on” training in the field for as long as it takes for you to become competent. This training may take months or years; at minimum your supervisor should accompany you on inspections of a variety of property types. Your training should take place in one or two counties or within a fifty mile radius of the supervisor’s office.
- 3) Go with you to inspect a variety of property types, conditions, complexity, and value ranges. The supervisor should show you how to accurately measure a structure, correctly determine square footage, help you identify architectural styles and features; familiarize you with different types of construction, materials and quality differences.
- 4) Provide instruction in how to properly research, analyze and accurately report your findings. Your supervisor should explain how to describe the neighborhood, how to locate and research various public record sources, how to consult flood plain maps, find tax/assessment data, how to review and analyze historical data, how to confirm zoning and explain the affects zoning has on highest and best use, and how to draw a sketch.
- 5) Teach you how develop the Cost Approach. Your supervisor should provide training in how determine and support land value, understand and apply physical, functional and external obsolescence, read a cost manual, and estimate effective age.
- 6) Provide basic instruction in how to develop the Income Approach. Your supervisor can provide more in-depth training in where to obtain rental data, alternate data sources available, income and expenses, how to develop a GRM (gross rent multiplier), and how to estimate rents.
- 7) Explain the process of selecting appropriate comparable properties in the development of the Sales Comparison Approach. Your supervisor should explain the importance of understanding the market area, of selecting appropriate elements of comparison, how and where to make searches, and how to verify the sales data.
- 8) Show you how comparable sale adjustments are derived from the market and how this process is ongoing, how to determine which adjustments are applicable, how to support your adjustments, and how to apply those adjustments in your report.
- 9) Help you to analyze and reconcile the data collected. Provide instruction in how to appropriately consider all the information gathered including prior listings, current competitive listings, and offers to purchase to determine a value opinion.

Wisconsin Department of Safety and Professional Services

- 10) Provide guidance as you write a clear, understandable scope of work which describes the steps you have taken to collect, verify, analyze and report your value conclusions in a manner that is in compliance with USPAP. Remind you to proof read your report for errors, typos, and misstatements.
- 11) Understand that he or she takes full responsibility for the report by signing and certifying that the report is in compliance with Uniform Standards of Professional Appraisal Practice (USPAP).
- 12) Understand that any significant assistance supplied by you, the appraiser applicant, must be disclosed in the appraisal report to be in compliance with USPAP and that disclosure will be required to document your experience for licensure. Reports submitted to the DSPS by the applicant must be true, accurate signed copies with nothing altered, blacked out or omitted.
- 13) Understand that the report must, per USPAP, disclose the intended use, intended user, scope of work, and the reporting option. Also, understand, explain and comply with the USPAP record keeping requirements which provide for your access to and retrieval of reports completed while in training.

These are currently board recommendations only. Another resource to consider for training is the Student Appraiser Guide, which can be found at The Appraisal Foundation website: www.appraisalfoundation.org.

Links to some organizations which may offer education, continuing education, specialized training and/or assistance to the appraisal applicant include:

The American Society of Appraisers: www.appraisers.org

The Appraisal Institute: www.appraisalinstitute.org

The Wisconsin Realtors Association: www.wra.org