

**MEETING SUMMARY**  
**NEW YORK STATE BOARD OF REAL ESTATE APPRAISAL**  
**February 25, 2021**

The meeting was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting was held to comply with COVID-19 social distancing directives. Due to the fact the meeting of the NYS Board of Real Estate Appraisal was held remotely, the public hearing section was held in abeyance.

**I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE**

The meeting was called to order at 1:01 p.m. S. Roefaro performed roll call announced there was a quorum. The official attendance was as follows:

**BOARD MEMBERS**

Stephen Roefaro, Chair  
Carol DiSanto, Vice Chair  
Anthony Girasole  
James LeGrett  
Lillian Levy  
Eliezer Rodriguez

**DEPARTMENT OF STATE STAFF**

Whitney Clark  
Amy Penzabene  
David Mossberg  
Ernest Delaney  
Denise Tidings  
Marcella Rose  
Alison Lacy  
Emily Lupe

**PAREA COMMITTEE MEMBER**

Rebecca Jones, Upstate Appraisal

**VISITORS**

Caryn Zeh  
Linda Allyn-Welborn

**\*PUBLIC MEMBERS ON WEBEX**

**A. Approval of Meeting Summaries** – S. Roefaro asked for a motion to approve the 12-3-20 meeting summary. C. DiSanto made a motion to approve the meeting summary. A. Girasole seconded the motion. All members were in favor. S. Roefaro announced that the 12-3-20 meeting summary was approved.

**II. DEPARTMENT REPORTS**

**A. Enforcement/CE Audits** – E. Delaney reported the metrics for new appraiser complaints received since October 2020 to present. He stated that there were 8 new appraiser complaints/investigations that were closed: five cases have been closed due to no violation, one was closed with no violation, one was closed due to abandon, and one was closed with a warning. The current caseload is 47 open cases. E. Delaney also mentioned that Enforcement was seeing an increase in the number of complaints with Fannie Mae; he stated that the complaints tend to be issues over methodology of final value (tend to disagree with final value).

**B. Processing Reports** – E. Lupe reported on the provided January 2020 and January 2021 statistical reports. She explained that the total number of licensees are listed by county and that the figures only include active licensees and may not cover expired licenses covered by EO 202.11 which allows licensed individuals to extend their license term during the current State of Emergency.

**C. Qualifying Education Update** – M. Rose reported that The Appraisal Standards Board announced that the current edition of the Uniform Standards of Professional Appraisal Practice (USPAP) will be extended by one year; the 2020–2021 USPAP will now be effective until December 31, 2022. She added that his extension does not impact the continuing education requirement and that the 7-hour continuing education course still needs to be taken once every two years as a way to offer appraisers a refresher on important cornerstones of the profession and offer practical applications for their appraisal practice. M. Rose stated that this information will be posted on the Department’s website. She mentioned that most course providers have renewed their courses for 2021 in accordance with the AQB/ASC guidelines as they pertain to live distance education; this has allowed individuals to locate courses and have more options to meet the education requirements.

A. Girasole inquired as to whether there is a way to track individuals who have taken the courses online as opposed to the classroom and compare violations. M. Rose responded that due to system limitations, there is not a way to track this information and to make these comparisons.

### III. ACTION ITEMS

**A. Regulatory Update (Fair Housing & Fair Lending CE)** – D. Mossberg provided an update on the proposed regulations voted on at the last meeting to require CE courses on the topics of Fair Housing and Fair Lending. He stated that the Board voted to authorize the Department to take all appropriate measures to propose and adopt the rule provided there were no substantive changes. He reported that the public comment period following the rule had expired and that no public comments were received. He added that the Department had planned to adopt the rule per the Board’s last vote, however, a minor typographical error was discovered which the Department decided to bring before the Board before the paperwork is filed. He reported that the detected error was a misspelling of USPAP in Section 1107.34 (paragraphs a-3 and b-3)—instead of USPAP, it was USAP. He stated that this is a very minor change and that in all other respects, the original text proposed by the Board will remain. D. Mossberg also reported that another issue was researched with respect to this rule to determine whether additional changes were necessary to include implicit bias, as this term was not specifically used in the rule text. He stated that the rule does, however, cover conscious and unconscious biases; research suggested that implicit bias is also considered the same as unconscious bias so it may be concluded that this subject will be covered. D. Mossberg suggested that a motion be made to file the Notice of Adoption. S. Roefaro made a motion to file the Notice and C. DiSanto seconded that motion. All Board members were in favor and the motion to file was passed.

**B. Practical Applications of Real Estate Appraisal (PAREA) Committee Report/Virtual Experience** – C. DiSanto explained PAREA as a pathway to licensing in place of or as an alternative to the traditional experience requirement; this would allow prospective appraisers to gain virtual experience which may be a good option especially when it may be difficult to locate a supervisor for obtaining traditional experience. She further explained that after the educational courses are complete, the prospective appraiser would be able to decide if they wanted to participate in this virtual training under a mentor. She stated that the Committee is attempting to determine if a supervisor definition would fit that of a mentor and if license law changes, in general, would be necessary to move forward with this pathway.

R. Jones reported that the PAREA Committee met yesterday to discuss this virtual pathway. She mentioned that the Committee is interested in the Board's response to determine if this project is worth pursuing. She stated that this may be a big undertaking and that the virtual reality product needs to be created by the private sector, and that we might want to see the product before making any decisions to allow PAREA as a pathway. She mentioned that this is still a 'class', and we may need to determine the necessary qualifications to become an 'instructor' as part of this program's mentor process.

S. Roefaro invited public comment on this topic. Public member, C. Zeh, stated that she feels this pathway is needed as live person training may not necessarily provide sufficient training and expressed her concerns about ensuring qualified individuals become part of the process. Another public member, L. Allyn-Welborn, stated that she also feels it is needed as she is unable to find someone to supervise her. She inquired about gaining the experience from both a live person and the virtual learning pathway. C. DiSanto clarified stating that the Appraisal Foundation requires one or the other and that PAREA and traditional experience cannot be combined. C. DiSanto mentioned that until the courses are created, it will be difficult to say if New York State will want to adopt the program.

S. Roefaro stated that in yesterday's meeting, the Committee discussed how this program could possibly fit into existing legislation. He encouraged other Board members to become more involved and consider taking on a more active role, adding that he believes the program may be necessary. C. DiSanto asked to poll the members on whether they feel it is necessary to pursue PAREA. A. Girasole stated that he understands the concerns expressed about finding live training but has some concerns about covering the more complicated areas without getting real physical experience; he agreed to join the Committee. R. Jones clarified that the program only covers licensed residential and residential certified and does not include commercial properties. L. Levy expressed that she feels virtual teaching is the way of the future. S. Roefaro agreed and stated that the Board needs to do their due diligence and stay on top of this; C. Santo added that we need to modernize our processes in order to become more efficient.

#### **IV. NEW BUSINESS**

A. **Executive Order Update** – D. Mossberg reported on two Governor’s Executive Orders that are relevant to the Appraisal Board and industry. He stated that the EO relating to the continuation to change the open meeting laws, which allows for virtual meetings, has been extended to at least March 24, 2021, and may possibly be further extended. He also stated that EO 202.11, which permits licensees to extend their license beyond the expiration date, has been extended to the same date of March 24, 2021.

R. Jones asked if the Fair Housing courses could go into effect on 3/17/21 and could be available to all appraisers. D. Mossberg explained that once the rule is published, it would allow providers to start offering courses and licensees to start taking courses starting 3/17/21. He mentioned that the providers can start submitting paperwork to teach but that the courses would not be required until January 1, 2022. He mentioned that licensees that have a license that expires before the January 1, 2022, effective date would not be subject to the new requirement until after the effective date. C. DiSanto requested that a timeline be sent to Board members. A. Penzabene added that the information will be posted on the Department’s website, along with FAQs, and that schools would be notified of the new requirement.

#### **V. NEXT MEETING DATE**

S. Roefaro announced the next meeting date; the next meeting of the Board will be on Thursday, May 13, 2021, at 1 p.m. D. Tidings mentioned that a PAREA Committee WebEx meeting is scheduled for Tuesday, March 16, at 11 a.m. S. Roefaro reminded Board members to reply to future electronic Board meeting invitations to help ensure a quorum is achieved.

#### **VI. ADJOURNMENT**

S. Roefaro asked for a motion to adjourn the meeting. C. DiSanto made a motion to adjourn the meeting; A. Girasole seconded the motion. All were in favor. The meeting was adjourned at 1:52 p.m.