

MEETING SUMMARY
NEW YORK STATE BOARD OF REAL ESTATE APPRAISAL
May 12, 2022

The meeting and public hearing 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.

I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE

The meeting was called to order at 1:00 p.m. S. Roefaro announced that this is an open meeting of the New York State Board of Real Estate Appraisal that is being held remotely and that this remote meeting is conducted in accordance with the governor's EO relating to the COVID pandemic and as authorized by Chapter 417 of the Laws of 2021, Chapter 1 of the Laws of 2022 and Part WW of Chapter 56 of the Laws of 2022. Roll call was taken and a quorum was announced. The official attendance was as follows:

BOARD MEMBERS

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

GUEST SPEAKER

Jerry Yurek, AQB Member

VISITORS

Rebecca Jones, Upstate Appraisal
Jonathan LaMantia

DEPARTMENT OF STATE STAFF

Jodi DeLollo
David Mossberg
Ernest Delaney
Denise Tidings
Emily Lupe
Shannon Maguire
Marcella Rose
Alison Lacy
Paula O'Brien

A. Introduction of Guest Speaker – S. Roefaro introduced guest speaker, Jerry Yurek, and announced that Jerry would be doing an AQB presentation on PAREA.

B. PAREA-AQB Presentation – J. Yurek thanked members on behalf of the Appraisal Foundation for the opportunity to speak with the Board on Practical Applications of Real Estate Appraisal (PAREA). J. Yurek provided a slide presentation on PAREA that offered a brief overview of the program which is another pathway for aspiring appraisers. He explained that apprentice appraisers had been trained by apprentices for decades but that this model is no longer working as it is becoming more difficult to find a supervising appraiser. He mentioned that they adopted PAREA in October 2020 with an effective date of January 1, 2021. He added that PAREA is not designed to replace the current mentorship model and provided examples of each delivery method for the program to attain the goal of developing geographic competency. He stated that participants would be instructed to verify with their state regulatory board or authority to ensure that their program experience will be acceptable and if there are any other state-specific requirements that will need to be met. He mentioned that six states have fully adopted the program and that 30 states have partially adopted the program. He added that 100% adoption is encouraged with no additional requirements.

C. Approval of Meeting Summaries – S. Roefaro asked for a motion to approve the

10-14-21 meeting summary. C. DiSanto made a motion to approve the meeting summary. L. Levy seconded the motion. All members were in favor. S. Roefaro announced that the 10-14-21 meeting summary was approved.

- II. Public Hearing Pursuant to Part WW of Chapter 56 of the Laws of 2022 – proposed resolution authorizing the use of videoconferencing and written procedures governing member and public attendance** – D. Mossberg led a discussion and explained that the purpose of the public hearing is for public comment on a proposed resolution and written procedure by the Board regarding Part WW of Chapter 56 of the Laws of 2022, which will allow its members to participate remotely in meetings under extraordinary circumstances as long as there is a quorum of members gathered at a physical location or locations that are open to the public. He explained that if the resolution and written procedure are adopted, Real Estate Appraisal Board members would be authorized to appear by video, from a private location (not accessible to the public), based upon extraordinary circumstances. He invited public comment; no comments were received by the public. The hearing commenced at 1:44 p.m. and was declared closed at 1:47 p.m. since no public members appeared to provide comment. D. Mossberg stated that once adopted, the resolution and written procedures would be posted on the Department’s website.

III. DEPARTMENT REPORTS

- A. Enforcement/CE Audits** – E. Delaney reported the metrics for new appraiser complaints received since October 2021 to present. He stated that there were 35 new real estate appraiser complaints and Enforcement completed the investigation on 26 cases. He reported the disposition of closed cases during this period as follows: 14 closed due to no violation, one closed with a warning letter issued to the appraiser, one was a duplicate complaint, one closed due to insufficient evidence, and nine complaints were referred to counsel with recommendation for disciplinary action. He added that the current caseload is 45 open cases.

C.DiSanto asked if any of the complaints received were due to appraisal bias. E. Delaney stated that one complaint was received claiming racial bias.

- B. Processing Report**– E. Lupe reported on the provided May 2021 and May 2022 statistical reports. She explained that the total number of licensees are broken down by county and class code/license type and that the 2021 figures only include active licensees and may not include expired licenses covered by EO 202.11 which allowed licensed individuals to extend their license term during the State of Emergency.

- C. Education Update** – M. Rose reported that effective January 1, 2022, all appraiser licensees submitting a renewal application must complete 28 hours of continuing education. She stated that the 7-hour national USPAP as well as an approved course of study in fair housing, fair lending, and environmental issues are required. She explained that a licensee who has previously completed an approved course in fair housing, fair lending, and environmental issues (RE-2 or GE-1) prior to January 1, 2022, must complete either the designated 4-hour or 7-hour course on Fair Housing and Fair Lending prior to renewal. She added that a licensee who has not completed RE-2 or GE-1 prior to January 1, 2022, must complete the designated 7-hour course on Fair Housing, Fair Lending prior to renewal.

M. Rose stated that for all subsequent renewals, licensees must complete the 7-hour national

USPAP update course and either the 4-hour or 7-hour course of instruction pertaining to fair housing and fair lending within their two-year licensing certification period prior to renewal.

She mentioned that in consideration of the COVID-19 pandemic, a new regulation went into effect on December 7, 2021, Section 159.1, which allows schools approved by the Department to offer qualifying and continuing education courses virtually via live remote programs subject to restrictions. She added that this allows for the schools to now apply for live distance delivery method and allows individuals more options to locate courses and to meet the educational requirements.

IV. ACTION ITEMS

A. Assessment of Public Comments and Consideration of Motion to Adopt Resolution and Written Procedures – A discussion was led by David Mossberg, Licensing Counsel, to assess public comments and consider adopting the resolution and written procedures pertaining to the authorization of videoconferencing for members with extraordinary circumstance, to participate in future open meetings from a location not available to the public. D. Mossberg clarified the proposed resolution and written procedures. S. Roefaro asked for a motion to adopt the proposed resolution. A. Girasole made a motion; the motion was seconded C. DiSanto. All were in favor, and the proposed resolution was passed. C. DiSanto asked for a motion to adopt the written procedures. S. Roefaro made a motion; the motion was seconded by L. Levy. All were in favor of adopting the proposed written procedures. Both votes passed and D. Mossberg announced that the adopted resolution and written procedures would be posted on the NYS Real Estate Appraisal Board webpage.

V. NEW BUSINESS

A. Next Meeting Date – S. Roefaro announced that the next meeting date is scheduled for Thursday, October 13, at 1 p.m.

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 2:22 p.m.