

**OPEN SESSION MEETING OF THE  
RHODE ISLAND REAL ESTATE APPRAISERS BOARD**

**DATE: June 6, 2018**

**TIME: 9:30 A.M.**

**PLACE: Department of Business Regulation**

**69-1 Conference Room**

**1511 Pontiac Avenue**

**Cranston, RI 02920**

**BOARD MEMBERS PRESENT:**

**Chairperson Bernardino Lancia III Vice-Chairperson Susan  
Martins-Phipps**

**Vanessa Mann Edward Stachurski Brenda Marchwicki Michael  
McWeeney**

**Leonarda Conti Suzanne Fry**

**William DeLuca**

**OTHERS PRESENT:**

**Amy Stewart, Senior Legal Counsel**

**Director Elizabeth Tanner\*\***

**Chairperson Lancia called the meeting to order at 9:30 A.M.**

**The first order of business was: Discussion and approval of previous month's minutes.**

**Chairperson Lancia asked for a review of the minutes from the meeting held on April 4, 2018. Upon motion made by Vice-Chairperson Susan Martins-Phipps and duly seconded by, Edward Stachurski, it was unanimously**

**VOTED: To approve the minutes of the Open Session held on April 4, 2018.**

**The next order of business was discussion and approval of the following continuing education courses submitted for approval:**

**All of the courses were reviewed by Chairperson Lancia prior to the meeting.**

**Vanessa Mann presented the below courses for consideration.**

**Appraisal Institute (Chicago Chapter)**

**Applications and Interpretation of Simple Linear Regression - 15 Hours**

**The Appraiser as an Expert Witness: Preparation and Testimony – 16 Hours**

**Case Studies in Appraising Green Residential Buildings – 8 Hours**

**Condemnation Appraising: Principles and Applications – 22 Hours**  
**Litigation Appraising: Specialized Topics and Applications -16 Hours**  
**Review Case Studies – General – 32 Hours**  
**Uniform Appraisal Standards for Federal Land Acquisitions: Practical Applications – 15 Hours**

**Upon motion made by Chairperson Lancia and duly seconded by Vice-Chairperson Martins-Phipps, it was unanimously**

**VOTED: To approve the Appraisal Institute (Chicago Chapter) courses.**

**CLEAResult Consulting Inc.**

**Introduction to Building Science and Zero Ready Energy Homes – 2 Hours**

**Upon motion made by Chairperson Lancia and duly seconded by Vice-Chairperson Martins-Phipps, it was unanimously**

**VOTED: To approve the CLEAResult Consulting, Inc. course.**

**MA Board of Real Estate Appraisers**

**Financial Institutions Guide to Commercial Appraisal – 7 Hours**

**Golf Course Valuation Issues – 7 Hours**

**Refresher Seminar for Experienced Appraisers – 7 Hours**

**Upon motion made by Chairperson Lancia and duly seconded by Vice-Chairperson Martins-Phipps, it was unanimously**

**VOTED: To approve the MA Board of Real Estate Appraisers courses.**

**The next order of business was discussion and approval of an upgrade request submitted by Spencer W. Webb:**

**Chairperson Lancia reported he reviewed the reports submitted and found them to be incomplete. The supplemental addendum pages were blank in each report. Also, the reports from the last six months should have been completed and signed by him. Recommended requesting the additional information and review at the next meeting.**

**Director Tanner joined the meeting at 9:52 AM.**

**Director Elizabeth Tanner joined the Board meeting to address the members. She informed the Board of various projects and initiatives occurring at the Department of Business Regulation. She also advised the Board that she was available to assist them in their efforts whenever she was able. She thanked the members for their time and departed the meeting.**

**The next order of business was discussion of Real Property Appraiser Qualification Criteria Changes (“RPAQC) relating to**

**minimum qualifications for education and experience - Effective May 1, 2018.**

**Vice-Chairperson Martin-Phipps began the discussion of the assorted options the Board could take on the changes proposed. General discussion ensued with emphasis on the experience and education required sections. The Board requested a status as to what Connecticut and Massachusetts have decided to do.**

**Upon motion made by Edward Stachurski and duly seconded by, Brenda Marchwicki, it was unanimously**

**VOTED: To place the topic on the next meeting agenda for further discussion.**

**The next order of business was discussion regarding a Massachusetts law that only an intended user could file a complaint against an appraiser and exclude the public:**

**Vice-Chairperson Martin-Phipps began the discussion regarding the above proposed Massachusetts law with an update. She reported that the law limits the intended users to the client at the time of the appraisal. It allows the appraiser not to be liable in court or subject to a disciplinary action if an action is filed by someone other than the intended user. Legal Counsel Stewart expressed concerns that this**

would prevent the Board from hearing some legitimate complaints. Some of the past complaints from the seller have alleged violations of the law.

The next order of business was discussion of a sales agreement that would allow the potential buyer of a property to recover the cost of an appraisal, home inspection and return of all escrow deposits:

Vice-Chairperson Martin-Phipps began the discussion regarding the above language observed in some sales agreement. The discussion concerned undo pressure upon an appraiser to make value or the fees are returned to the buyer leaving open the question of who pays for the appraisal. The clause has been observed in a limited number of sales contracts and has not become wide spread yet. Members need to be aware of the clause when deciding to conduct appraisals.

The next order of business was Executive Session.

At 10:25 a.m., upon motion made by Chairperson Lancia and duly seconded by Vice-Chairperson Susan Martins-Phipps, made a motion to go into Executive Session, it was unanimously:

**VOTED:** To go into Executive Session for the consideration of:

a. One (1) self-reporting of a potential violation, pursuant to R.I. Gen. Laws § 42-46-5(a)(4).

**b. One (1) complaint matter, pursuant to R.I. Gen. Laws § 42-46-5(a)(4).**

**c. Motion to return to Open Session.**

**At 10:58 a.m., the Board returned to Open Session.**

**The next order of business was a motion to seal the minutes of today's Executive Session.**

**Upon motion made by, Chairperson Lancia and duly seconded by Edward Stachurski, it was unanimously**

**VOTED: To seal the minutes of the Executive Session held on June 6, 2018.**

**The Board took the following actions in Executive Session:**

**Reviewed one (1) self-reporting of a potential violation, and one (1) complaint matter, pursuant to R.I. Gen. Laws § 42-46-5(a)(4) and combined them into one complaint for additional review.**

**The next order of business was opportunity for public comment:**

**No public members were in attendance.**

**Next meeting is scheduled for August 9, 2018 at 9:30 AM.**

**At 11:00 AM., upon motion made by Chairperson Lancia and duly seconded by Michael McWeeney, it was unanimously**

**VOTED: To adjourn.**

**Respectfully submitted,**

**William J. DeLuca**

**Real Estate Administrator**