

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

CONNECTICUT REAL ESTATE APPRAISAL COMMISSION

FEBRUARY 2005 MINUTES

165 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106

The Connecticut Real Estate Appraisal Commission met on Wednesday, February 9, 2005 at 8:30 a.m. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Christopher A. Italia (Cert. Gen. App. – 1st District), Chairman
Francis Buckley, Jr. (Cert. Gen. App. – 2nd District)
Sean Hagearty (Cert. Gen. App. – 2nd District)
Russell Hunter (Public Member – 5th District)
Nicholas J. Tetreault (Cert. Res. App. – 3th District)

Commissioners Absent: Gerald V. Rasmussen (Cert. Gen. App. – 4th District)

Commission Vacancies: 3 Public Members

DCP Staff Present: Richard Hurlburt, Director
Elisa Nahas, DCP Principal Attorney
Timothy Keefe, Real Estate Appraisal Examiner
Edward McMahon, Real Estate Appraisal Examiner
Judith R. Booth, Commission Secretary II

Assistant AG: None

Guest(s): Joseph Dattilo
John E. Tolbert
Warren Sorrentino
Frank Marchetti
Brian Lawrynowicz
Todd Stockwell

Note: The administrative functions of this Commission are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, please contact Director Richard M. Hurlburt at (860) 713-6135.

The next meeting is scheduled for Wednesday, March 9, 2005 at 8:30 a.m. in Room 126.

MINUTES

The Real Estate Appraisal Commission approved the Minutes of December 8, 2004.

A motion was made by Commissioner Francis Buckley, Jr., to approve the Minutes of December 8, 2004. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

CORRESPONDENCE

The following correspondences were reviewed by the Commission. With the exception of item one, no questions or comments were noted.

1. Director Richard Hurlburt's report of 12/10/04 from PSI Examination Services in response to the Commission's request to review PSI appraisal questions.

The Commission was dissatisfied with the Director's 12/10/04 report and asked that he join the meeting to discuss it. After a brief discussion, Director Hurlburt stated that he would provide to the Commission a breakdown list of the content areas of the appraisal examination.

2. 2003 Annual Report

This item was submitted as FYI.

3. 2004 AARO CITF Questionnaire

This item was submitted as FYI.

PENDING LEGAL MATTERS

() This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

Elisa Nahas, Esq.

None

Cases

1. 2003-7373

Commissioner Francis Buckley, Jr., made a motion to accept the agreement with an imposed fine of \$500.00. The motion was seconded by Commissioner Russell Hunter. The motion carried.

Note: Commissioner Nicholas Tetreault abstained in this matter.

2. 2004-1977

Commissioner Nicholas Tetreault made a motion to dismiss this matter with no further action. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

COMPLAINTS

- (*) This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.

Edward McMahon

None

Tim Keefe

None

REQUESTED BY THE COMMISSION TO APPEAR

1. **William Phelan and Gary Olcha**

Mr. Phelan and Mr. Olcha were asked to appear before the Commission to explain why they as sponsors failed to sign a portion of Erin Pascale's appraisal experience logs. Erin Pascale claimed to work for Mr. Phelan and Mr. Olcha as a provisional appraiser. Both sponsors were contacted by Examiner Edward McMahon and only Mr. Phelan responded after a follow-up letter was mailed to what was discovered to be Mr. Phelan's correct address. Mr. Olcha never responded to his request to appear.

Mr. Phelan and Mr. Olcha were not present for today's proceedings.

Commissioner Francis Buckley, Jr., made a motion that Mr. Olcha appear at the March meeting and if does not appear he will face disciplinary action for not cooperating with a commission request. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

2. **Joseph Dattilo and John E. Tolbert**

Mr. Dattilo and Mr. Tolbert were asked to appear before the Commission to discuss their applications for certification, and the fact that they have one sponsor noted in the department file but their certified applications reflected two sponsoring appraisers.

Mr. Dattilo and Mr. Tolbert, along with their current sponsor Mr. Todd Stockwell, were present for today's proceedings.

Mr. Dattilo and Mr. Tolbert were aware of being short educational appraiser hours to obtain certified appraiser status, but reported that they each completed a 45 hour course which they are awaiting the results. The Commission stated that upon passing they may be granted to sit for the certified examination. Mr. Stockwell was informed by the Commission that it is both the responsibility of the sponsor and the appraiser to notify the department of sponsorship changes.

3. **Warren Sorrentino and Frank Marchetti, Sponsor**

Mr. Sorrentino and Mr. Marchetti were asked to appear before the Commission, because Mr. Sorrentino applied for Certified Residential status in September 2003 and the application was reviewed and denied by the Commissioner on May 12, 2004. Mr. Sorrentino sent in supporting documentation to the Department, which was received on October 20, 2004, but was deemed unsatisfactory as criteria for Certified Residential Appraiser status.

Mr. Sorrentino and Mr. Marchetti were present for today's proceedings.

The Commission asked Mr. Sorrentino to provide an overview of his background to establish if he qualified to sit for the certified examination. After a lengthy discussion, Commission Francis Buckley, Jr., made a motion that Mr. Sorrentino sit for the certified examination. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

*4. **Brian Lawrynowicz**

Mr. Lawrynowicz, who failed the certified examination eight times, was advised by the Commission that he must take and successfully complete an Appraisal I type course. Mr. Lawrynowicz followed the advice of the Commission and reported that he paid \$50.00 to receive advanced notice if he passed the course, which he had.

Mr. Lawrynowicz was present for today's proceedings.

Commissioner Nicholas Tetreault made a motion to allow Mr. Lawrynowicz to have two more attempts at the certified examination. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.

REQUESTED TO APPEAR BEFORE THE COMMISSION

None

DISCUSSION

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1. 2008 AQB Criteria Changes Implementation.

This item was tabled until Laureen Rubino and Jerry Padula, the agency's new legislative liaison, are present.

2. Removal of an appraiser from the HUD Appraiser Roster.

The Commission advised the Department to open an investigation concerning a letter addressed from HUD to the Department of Consumer Protection concerning an appraiser removed from the appraisal roster.

REQUESTS FOR CONTINUING EDUCATION CREDIT

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1. Audrey Cole of West Cornwall, CT

Commissioner Francis Buckley, Jr., made a motion to grant Ms Cole 18 hours of CE credit. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

2. Michael E. Vacca of West Haven, CT

Commissioner Sean Hagearty made a motion to grant Mr. Vacca 15 hours of PL credit. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

REQUEST FOR EXTENSIONS, REQUEST TO HOLD OR REQUEST FOR SPECIAL CONSIDERATION

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1. Joseph Czarkowski: Requested extension of his time as a provisional appraiser.

Commissioner Francis Buckley, Jr., made a motion to grant this request and that a timeline adjustment may be considered in the future. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

2. Nancy Violette: Requested to start her time as a provisional appraiser from 2002.

Commissioner Francis Buckley, Jr., made a motion to grant this request and that Ms Violette's time expires April 2006. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

REQUEST TO RENDER LICENSE INACTIVE

None

REQUEST FOR WAIVER

None

PSI SPECIAL ACCOMMODATION REQUESTS

None

EXTENSION OF ELIGIBILITY – EXAM RETAKE REQUESTS

None

FORMAL HEARING

None

NEW BUSINESS

1. The Commission requested that the Department issue a mailer notifying all appraisers of the new law requirements and that this task be performed 30 days from today's date. The notification to read as follows:

Re: Sponsorship of Provisional Real Estate Appraisers

Dear Real Estate Appraiser:

We are writing to advise you of a recent change in the Regulations of Connecticut State Agencies concerning real estate appraisers of which you should already be aware. Effective December 7, 2004, in Connecticut, a supervising appraiser may not sponsor more than three provisional appraisers. This revision was prompted by the need to ensure better supervision, training, and oversight by the supervisor over the provisional appraisers. Provisional appraisers may continue to work with more than one supervising appraiser.

Section 20-504-4(j) of the Regulations provides that:

- (j) A supervising appraiser shall have no more than three (3) provisional licensed appraisers at any one time unless the supervisor has first obtained a waiver of this subsection from the commission. Any waiver of this subsection shall:*
 - (1) Be for a specific maximum number of provisional licensed appraisers;*
 - (2) State the minimum number of supervising appraisers that must be maintained in order to retain the waiver;*
 - (3) Lapse at the end of the licensure period during which the waiver is granted or upon a failure to maintain the required number of supervising appraisers, whichever occurs first; and*
 - (4) Require a new waiver whenever provisional licensed appraisers' licenses are renewed.*

*We realize that this new regulation may necessitate changes in your business, and therefore, we will allow a period of transition to allow you an opportunity to implement any necessary changes. **Please be advised that all certified real estate appraisers in Connecticut must be in compliance with Section 20-504-4(j) of the Regulations no later than May 1, 2005.** We will monitor compliance and take enforcement action as necessary.*

If you have any questions or comments, please submit them in writing to the Connecticut Real Estate Appraisal Commission, Room 110, Department of Consumer Protection, 165 Capitol Ave., Hartford, CT 06106.

2. Commissioner Christopher Italia presented an anonymous complaint regarding a website company, www.sourceoneservices, soliciting Broker Price Opinions (BPOs).

The Commission asked the Department to investigate this matter. Commissioner Sean Hagearty commented that he would provide the language that addresses BPOs in the statute.

3. CE Cards:

Back on May 7, 2004, the Commission decided to discontinue the use of continuing education cards in lieu of having the CT-approved education providers produce and issue a Certificate of Completion on their official letterhead to any student who successfully completes a course. This decision was made based on Director Richard Hurlburt's comments at the meeting that the Department is looking into a new method whereby the education provider can access the Department's e-licensing system to upload the names of those students who took and successfully completed continuing education courses. The information is then collected by PSI Examination Services who in turn submits it back to the State to upload into the e-licensing system. An audit is then performed by the Department to determine who did or did not complete their continuing education for the cycle.

Based on the new process not being operational, the Commission decided to reinstate the use of CE cards and asked Examiner Edward McMahon to order them for the 2006-2008 appraisal cycle.

4. Commissioner Gerald Rassmussen requested that the Commission consider approving the online version of "Course 320: General Applications" offered by the Appraisal Institute.

After a brief discussion, the Commission granted this request and Commissioner Sean Hagearty stated that he would contact the Appraisal Institute to have the online course submitted to the Commission Secretary after it has been IDECC approved.

OLD BUSINESS

None

PREVIOUSLY SUBMITTED APPLICATIONS

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1. Joseph T. Hart of Monroe, CT

Commissioner Francis Buckley, Jr., made a motion to approve this application. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

2. David J. Murphy of Branford, CT

Commissioner Francis Buckley, Jr., made a motion to approve this application. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

CHRO APPLICATIONS

None

PREVIOUSLY LICENSED

None

APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL/GENERAL APPRAISERS (Reciprocal/Non-Resident/Out of State License)

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1. Robert Gossman of Springfield, MA

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

2. Christopher T. Langlois of Westfield, MA

Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

3. Ronald W. McInerney, Jr., of Yonkers, NY

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form and a Letter of Good Standing from Rhode Island. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

4. Thomas P. Podzikowski of Pawtucket, RI

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

5. Karen L. White of South Deerfield, MA

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required notarization of the application for certification. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

6. Bina Wrona of Springfield, MA

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

7. David E. Barry of South Kingstown, RI

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Letter of Good Standing from Rhode Island. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

8. Dorothy R. Driscoll of Garden City, NY

Commissioner Nicholas Tetreault made a motion to deny this application, because the applicant did not provide proof of being a certified appraiser in her resident state. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

9. Channa A. Eberhart of Phippsburg, ME

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

10. David H. Johnson of Lynnfield, MA

Commissioner Nicholas Tetreault made a motion to defer this application, because the Letter of Good Standing from MA revealed that the applicant had complaint(s) against him, but the applicant answered "no" to question 2, Section 3, of our application where it asked if he had any complaints against him. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

11. Matthew P. Krach of Monson, MA

Commissioner Nicholas Tetreault made a motion to approve this application subject to receipt of the required Consent for Service of Process for Individual's form. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

12. James L. Murrett of Clifton Park, NY

Commissioner Nicholas Tetreault made a motion to approve this application. The motion was seconded by Commissioner Sean Hagearty. The motion carried unanimously.

APPLICATIONS FOR STATE CERTIFIED RESIDENTIAL OR STATE CERTIFIED GENERAL APPRAISERS

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CERTIFIED RESIDENTIAL

1. Thierry DeChartrette of Wilton, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

2. Nina P. Jaffe of Westport, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

3. Wendy L. Kangisser of Fairfield, CT

Commissioner Russell Hunter made a motion to deny this application due to insufficient educational hours. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

4. Joseph Kubachka, Jr., of Glastonbury, CT

Commissioner Russell Hunter made a motion to deny this application due to the Principle and Practices course was taken prior to the year 2001. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

5. Howard H. Martin of Wilton, CT

Commissioner Russell Hunter made a motion to deny this application due to no submission of reports. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

6. Michael H. Beebe of Hamden, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

7. Todd J. Carpenter of Meriden, CT

Commissioner Russell Hunter made a motion to deny this application due to insufficient educational hours. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

8. Maureen Gaidosz of Orange, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

9. Tyler M. O'Hazo of Washington, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

10. Deborah L. Quinn of Fairfield, CT

Commissioner Russell Hunter made a motion to approve this application. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

11. Sanya Ahn of Southington, CT

Commissioner Russell Hunter made a motion to deny this application due to no submission of samples and a log. The motion was seconded by Commissioner Nicholas Tetreault. The motion carried unanimously.

CERTIFIED GENERAL

None

PROVISIONAL APPLICATIONS

- (*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

Commissioner Francis Buckley, Jr., made a motion to approve items 1-12, 14-23, and to deny item 13 due to lack of educational requirements. The motion was seconded by Commissioner Russell Hunter. The motion carried unanimously.

1. Laurie M. Ammann – Oxford, CT
Sponsored by: Dawn Cortina, RCR.819
Schools: Naugatuck Valley CC
USPAP: Naugatuck Valley CC
2. Albert L. Amundsen – Canterbury, CT
Sponsored by: James V. Mozzicato, RCR.980
Schools: Career WebSchool 90 Hour
USPAP: Career WebSchool
3. Susan A. Anselmo – Haddam, CT
Sponsored by: Evan Noglow, RCG.454
Schools: Middlesex CC
USPAP: The PV & RE School

4. Celeste B. Baker – Ridgefield, CT
Sponsored by: Robert Chapman, RCR.664
Schools: NFCAR
USPAP: Naugatuck Valley CC
5. Stacy L. Cahill – Norwalk, CT
Sponsored by: Dominick Pastorello, RCR.409
Schools: Norwalk CC
USPAP: Norwalk CC
6. Maura Chilson – Middlebury, CT
Sponsored by: Colin A. Chilson, RCR.858
Schools: Tunxis CC
USPAP: UCONN
7. Annie M. Chong – Windsor, CT
Sponsored by: Ernest J. Lavissiere, RCG.361
Schools: UCONN
USPAP: UCONN
8. Rolando Collazo – Stamford, CT
Sponsored by: Stephen Flaxman, RCR.651
Schools: Appraisal & RE School
USPAP: Appraisal & RE School
9. Peter J. Duarte – Waterbury, CT
Sponsored by: Michael L. Colburn, RCR.1191
Schools: Naugatuck Valley CC & The PV & RE School
USPAP: The PV & RE School
10. Daniel T. Falvey – New York, NY **(NY Reciprocal)**
Sponsored by: Eric B. Lewis, RCG.373
Consent for Service: Received
License History: Received
11. Carissa A. Fox – Willington, CT
Sponsored by: Thomas L. Fox, RCG.212
Schools: ECAR & UCONN
USPAP: Career WebSchool
12. Steven J. Gaidosz – Ansonia, CT
Sponsored by: Russell F. Gaidosz, RCr.937
Schools: Naugatuck Valley CC
USPAP: The PV & RE School
13. Eric G. Garvey – Meriden, CT
Sponsored by: William M. Newman, RCG.447
Schools: Manchester CC & **(Equivalency Request)**
USPAP: The PV & RE School
14. Steven M. Guagliano – Bronx, NY **(Non-Resident Appl)**
Sponsored by: David N. Pender, RCR.973
Schools: The Appraisal Institute
USPAP: The Appraisal Institute

15. Vittaya Jaraskul – Cos Cob, CT
Sponsored by: Charles Magyar, RCG.384
Schools: 90 Hours New York (**Out of State**)
Copy of New York License: Received
NY License History: Received
16. Stephen A. Kuzmickas – Cheshire, CT
Sponsored by: Irva DellaValle, RCR.931
Schools: The PV & RE School
USPAP: The PV & RE School
17. Elizabeth A. LaPointe – Middlefield, CT
Sponsored by: Shirley A. Rietze, RCR.1020
Schools: Middlesex CC
USPAP: UCONN
18. Jesse J. Merly – Fairfield, CT
Sponsored by: Michael Fazio, RCG.194
Schools: The New Haven RE School
USPAP: Naugatuck Valley CC
19. Ann R. Oravetz – Newington, CT
Sponsored by: Marion Carey, RCR.103
Schools: Tunxis CC
USPAP: The PV & RE School
20. Bonnee L. Pecquex – Wilton, CT
Sponsored by: Taylor Beerbower, RCR.39
Schools: Norwalk CC
USPAP: Norwalk CC
21. Brian D. Penney – Middletown, CT
Sponsored by: Patrick A. Lemp, RCG.367
Schools: Middlesex CC
USPAP: UCONN
22. Lukasz Rogoz – Norwalk, CT
Sponsored by: Nora K. King, RCR.990
Schools: Norwalk CC
USPAP: Norwalk CC
23. Jill F. Wolodko – Enfield, CT
Sponsored by: Keith R. Colli, RCR.128
Schools: UCONN
USPAP: UCONN

CONNECTICUT REAL ESTATE APPRAISER TEST DATES

PSI Summary Reports from December 1, 2004 to January 31, 2005.

The Commission reviewed the Real Estate Appraisal examination results for the months of December 2004 and January 2005.

CE AUDIT REPORT

None

SCHOOL AND COURSE APPLICATIONS FOR FEBRUARY 2005

(*) *This symbol indicates an item that was not on the agenda but was discussed and ruled on in the meeting.*

Commissioner Nicholas Tetreault made a motion to approve, deny or defer the following courses as a result of the Commission's review today. The motion was seconded by Commissioner Francis Buckley, Jr. The motion carried unanimously.

APPRAISAL INSTITUTE

(Continuing Education)

"Case Studies in Residential Highest: Best Use"	Approved	7 Hours
"Appraisal Review: General"	Approved	7 Hours
"Appraisal Review: Single-Family Residential"	Approved	7 Hours
"Residential Demonstration Appraisal Report Writing" (Online)	Approved	15 Hours

APPRAISAL & REAL ESTATE SCHOOL

(Pre-licensing Education)

"75 Hour Qualifying Course for Licensure" (Online)	Withdrawn by Provider	75 Hours
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CT ASSOCIATION OF REALTORS

(Continuing Education)

"Appraisal I"	Approved	35 Hours
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DEARBORN PUBLISHING d.b.a. RE CAMPUS.COM (Developer/Reseller – not a Provider)

(Continuing Education)

"Commercial Real Estate: Understanding Investments"	Approved	6 Hours
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MCKISSOCK, INC.

(Continuing Education)

"Appraising for the Secondary Market" (Online)	Approved	7 Hours
"Disclosures & Disclaimers" (Online)	Approved	3 Hours
"Appraising the Oddball" (Online)	Approved	7 Hours

MIDDLESEX SHORELINE REAL ESTATE SCHOOL

(Pre-licensing Education)

“Real Estate Economics” **Approved** 30 Hours

(Continuing Education)

“Real Estate Economics” **Approved** 15 Hours

NORTHERN FAIRFIELD COUNTY ASSOCIATION OF REALTORS

(Pre-licensing Education)

“Essentials of Real Estate Finance” **Approved** 36 Hours

(Continuing Education)

“Essentials of Real Estate Finance” **Approved** 18 Hours

***THE PROFESSIONAL VALUATION & REAL ESTATE SCHOOL**

(Pre-licensing Education)

“Income Property Appraisal II” **Approved** 30 Hours

(Continuing Education)

“Income Property Appraisal II” **Approved** 18 Hours

ADJOURNMENT

There being no further business, a motion was made by Commissioner Francis Buckley, Jr., to adjourn today’s proceedings. The motion was seconded by Commissioner Nicholas Tetreault. The motion was approved unanimously.

The meeting adjourned at 11:00 a.m.

Respectfully submitted,

Judith R. Booth, Commission Secretary II