

**MARYLAND COMMISSION OF REAL ESTATE APPRAISERS,
APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS
BUSINESS MEETING MINUTES**

DATE: October 8, 2019

TIME: 10:48 a.m.

PLACE: 500 N. Calvert Street
2nd Floor Conference Room
Baltimore, Maryland 21202

PRESENT: Commissioner Anatol Polillo, Chairman
Commissioner Harold Huggins, Vice-Chair
Commissioner George Fair
Commissioner Joseph Berk
Commissioner Michelle Marzullo
Commissioner Helen Won
Commissioner Terry Dunkin
Commissioner Jeremiah Hosford
Commissioner Coleen Courtney-Morrison
Commissioner James Smith

ABSENT: Commissioner John Hamilton

DEPT. OF LABOR STAFF PRESENT: Todd Blackistone, Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Michael Szlachetka, Administrative Specialist

Call to Order

Commissioner Anatol Polillo, Chairman, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:48 a.m.

Approval of Minutes

The minutes of the business meeting held on August 13, 2019 were reviewed and considered. By Motion made by Commissioner Fair, seconded by Commissioner Huggins, Vice-Chair, and carried by a unanimous vote, the minutes of the August 13, 2019 business meeting be approved.

Real Estate Appraiser Complaint Committee Reports

Commissioner Polillo reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed several items of business placed before the Committee. The disposition of which was as follows:

Complaints - 2 cases were sent for technical review;
6 cases were dismissed

- 5 cases were sent for precharge
- 3 cases resulted in informal meetings

A Motion was made by Commissioner Berk and seconded by Commissioner Huggins, that the Commission accept the report and recommendations of the Appraiser Complaint Committee. This motion passed by a unanimous vote.

Home Inspector Complaint Committee Report

Commissioner Fair reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 17 items of business placed before the Committee. The disposition of which was as follows:

- Complaints - 1 cases resulted in informal meeting
- 6 cases as sent for precharge.
- 6 cases were dismissed.
- 4 cases were reviewed

A Motion was made by Commissioner Smith, seconded by Commissioner Berk and unanimously carried that the Commission accept the recommendations of the Home Inspector Complaint Committee.

Education Committee Report

Commissioner Polillo reported that the Appraiser Education Committee met on this date and approved 44 courses. A Motion was made by Commissioner Fair, seconded by Commissioner Huggins and unanimously carried that the Commission accept the recommendations of the Education Committees.

Old Business

Real Estate Appraiser Technical Review

Commissioner Fair inquired as to the status of the Maryland Real Estate Appraiser Technical Review panel. Executive Director Blackistone informed the Commission that a list of perspective individuals for technical review of complaints was sent to the Department of Budget and Fiscal Services and that the Commission is waiting for a response.

New Business

Board Member Consideration

Commissioner Fair inquired as to the status of acquiring another Home Inspector member to sit on the Commission. Executive Director Blackistone brought to the Commission's attention that a new applicant has applied for consideration that the Commission is currently awaiting approval to be made by the Office of the Secretary.

Chairman's Report

Nothing to report at this time.

Assistant Attorney General's Report

Nothing to report at this time.

Executive Director's Report

Nothing to report at this time.

Closed Session

A Motion was made by Commissioner Courtney-Morrison, seconded by Commissioner Dunkin, and unanimously carried that the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors meet in a closed session at 11:09 a.m. in the 2nd floor conference room, 500 N. Calvert Street, Baltimore, MD 21202, pursuant to General Provisions Article, Maryland Annotated Code, §3-305(b)(2), (7) and (8) to seek the advice of counsel regarding contested administrative cases and to consider the credentials of multiple applicants for home inspector licensure.

The Maryland Commission vs. Unlicensed Home Inspector

Executive Director Blackistone provided to Commission members the background of a former real estate appraiser and licensed Virginia home inspector who is the subject of a complaint alleging the provision of home inspection services without a valid license, potential violations of Bus. Occ. & Prof. Art., Maryland Annotated Code, §16-701.1 and 16-703.1. In addition, this individual was formerly involved in a complaint which resulted in the imposition of a civil monetary penalty for violations of Bus. Occ. & Prof. Art., Maryland Annotated Code, § 16-701(a)(2). The penalty is unpaid and remains outstanding. The Commission agreed that an individual who is found to be operating in Maryland in the capacity of a home inspector without a license is subject to administrative sanctions and potential criminal prosecution. The Home Inspector Complaint Committee will review the matter and make a recommendation to the Commission at a later date.

Home Inspector License Applicant-01

Executive Director Blackistone reported to the Commission a home inspector applicant who is the subject of a complaint. It has been alleged that the individual operated as home inspector in Maryland without the required license, potential violations of Bus. Occ. & Prof. Art., Maryland Annotated Code, §16-701.1 and 16-703.1. Commissioner Fair stated that a discussion is ongoing in regards to a settlement offer for operating without a Maryland home inspector license. No definitive result came of this discussion. The Home Inspector Compliant Committee is still considering the matter and potential settlement. The matter will be investigated before the Committee makes a determination or recommendation to the Commission on the complaint.

Home Inspector License Applicant-02

The Commission discussed another home inspector applicant with a 2016 felony conviction for making a false statement while working as a loan originator (offense date: 2003), for which the applicant was sentenced to incarceration for five (5) months, home detention for six (6) months, and ordered to pay restitution. Upon consideration that the offense was committed over 10 years ago, the applicant's activities since then, among other factors, the majority of the Commission determined that the applicant's criminal history would not be a bar to licensure.

A Motion was made by Commissioner Fair, seconded by Commissioner Berk and, by a majority vote, carried that the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors approve the applicant for licensure provided the individual is otherwise qualified.

Home Inspector License Applicant-03

Executive Director Blackstone reported to the Commission an applicant for a home inspector license reported a 2018 conviction for embezzlement, a misdemeanor, for which the applicant was sentenced to incarceration for 12 months suspended and probation for three (3) years.

A Motion was made by Commissioner Fair, seconded by Commissioner Marzullo and, by a unanimous vote, carried that the Maryland Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors approve the applicant for licensure provided the individual is otherwise qualified.

The Commission reconvened its Business Meeting at 11:45 a.m. By a Motion made by Commissioner Fair, seconded by Commissioner Huggins, and unanimously carried, the Commission unanimously voted to approve the decisions rendered during the closed session.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Fair, seconded by Commissioner Huggins, and unanimously carried that the meeting adjourn. The meeting adjourned at 11:46 a.m.

Approved without corrections

Approved with corrections

Anatol Polillo
Commissioner Anatol Polillo, Chair

12/10/19
Date