

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

DATE: August 11, 2020

TIME: 10:38 a.m.

PLACE: By Videoconference via Google Meet and
Teleconference via 1-260-305-0017 (PIN: 217 682 350#)

PRESENT: Commissioner Anatol Polillo, Chairman
Commissioner Harold Huggins, Vice-Chair
Commissioner Jeremiah Hosford
Commissioner Coleen Courtney-Morrison
Commissioner James Smith
Commissioner Sean Troxell
Commissioner Bob Hergenroeder
Commissioner Gwen Skillern
Commissioner Nathan Cavey

ABSENT: Commissioner Thomas Owen
Commissioner Michelle Marzullo
Commissioner Joe Berk

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

OTHERS PRESENT:

Call to Order

Commission Chairman, Anatol Polillo, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:38 a.m. Due to the COVID19 state of emergency, this meeting was conducted virtually.

Approval of Minutes

The minutes of the business meeting held on June 9, 2020 were reviewed and considered. By Motion made by Commissioner Smith, seconded by Commissioner Skillern, and carried by a unanimous vote, the minutes of the June 9, 2020 business meeting were approved.

Real Estate Appraiser Complaint Committee Report

Commission Chair Polillo reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed 4 items of business placed before the Committee. The disposition of which was as follows:

Complaints	-	20- REA-35	Precharge
		20- REA-54	Dismissed
		20- REA-56	Dismissed
		20- REA-58	Dismissed

A Motion was made by Commissioner Courtney-Morrison, and seconded by Commissioner Hosford, 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 ^{Troxell}~~Fair~~ reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 3 items of business placed before the Committee. The disposition of which was as follows:

Complaints	-	20- INSP-36	Closed
		20- INSP-41	Tabled pending investigation
		20- INSP-51	Tabled pending investigation

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

Education Committee Report

Commission Chair Polillo reported that the Appraiser and Home Inspection Education Committees met on this date and approved 12 courses. The Appraiser Education Committee reviewed 12 courses and, of those, approved 11 courses and the Home Inspection Education Committee reviewed 1 course and approved that course. A Motion was made by Commissioner Courtney-Morrison, seconded by Commissioner Troxell, and unanimously carried that the Commission accept the recommendations of the Education Committees.

Old Business

No Old Business to consider.

New Business

Home Inspector Reciprocal Licensing

Executive Director, Todd Blackistone, brought to the attention of the Commission that two reciprocal license applications were recently accepted. Further, Mr. Blackistone reported that the State of Pennsylvania does not license individual home inspectors. Accordingly, reciprocal licensing cannot be extended to Pennsylvania home inspectors, nor to Maryland licensees seeking a Pennsylvania credential. Pennsylvania does not license home inspectors and disciplinary actions cannot be reported by the State. However, most national home inspection organizations with which a home inspector may be affiliated maintain a list of past disciplinary action for reference.

Counsel clarified that MD Bus. Occ. & Prof. Code § 16-3A-01 pertains to reciprocity and authorizes the Commission to grant a home inspector license to an individual licensed and in good standing in another state with license requirements that are determined to be equivalent to Maryland requirements for home inspector licensure. In addition, pursuant to subsection (c), the Commission is authorized to issue a home inspector license to an individual if the Commission is satisfied that the applicant is qualified based on a combination of education, training, and experience.

It was decided by the Commission that Executive Director Blackistone will further investigate the matter to determine whether the State of Maryland can accept home inspectors from the State of Pennsylvania.

Home Inspector License Application Denial

Executive Director, Todd Blackistone, reported to the Commission that a license application submitted by an individual with a criminal history had been previously denied by the Commission on the basis of the individual's criminal history. In accordance with COMAR 09.36.04.02, the applicant has requested a hearing on the Commission's decision before it becomes final, pursuant to MD Bus. Occ. & Prof. Code §§ 16-211 and 16-701.1. Mr. Blackistone will make arrangements to schedule a hearing before a hearing board in compliance with MD Bus. Occ. & Prof. Code § 16-210.

Application and Prior Criminal History Review

Executive Director, Todd Blackistone, addressed the Commission regarding the review of license applications when the applicant reports a prior criminal history. The Commission must evaluate each application in which an individual has been convicted of a felony or misdemeanor in accordance with MD Bus. Occ. & Prof. Code §§ 16-701, 16-701.1, and 16-701.2. Further, as Maryland law, pursuant to MD Crim. Proc. Code § 1-209 and MD Crim. Law Code § 14-101, encourages the employment and occupational licensure of nonviolent ex-offenders, the Executive Director asked the Commission whether members wanted to review all applications in which an individual reported a prior criminal history. The Commission discussed its authority and discretion and determine that Executive Director Blackistone should preliminarily review all

such applications in which a prior criminal conviction is reported. The Commission authorized the Executive Director to approve an application of an applicant who is otherwise qualified if the prior criminal history involves a non-violent crime or a conviction was entered several years prior to the application. The Executive Director also stated that he may consult with counsel as necessary to determine an applicant's history and will bring to the Commission any other applications in which an individual reports a serious or violent offense, or a more recent offense.

A Motion was made by Commissioner Huggins, seconded by Commissioner Cavey, and unanimously carried that the Commission grants Executive Director Blackistone and all future Executive Directors the authority to approve applications for an individual who has been convicted of a nonviolent criminal offense, or a more serious conviction of a certain age without consulting the Maryland Commission, in which the applicant is otherwise qualified for the license or certificate.

Real Estate Appraiser Trainee Application Work Logs

Executive Director, Todd Blackistone, brought to the attention of the Commission an application that was submitted by a Real Estate Appraiser Trainee. It was noted that the Supervising Appraiser, who has been mentoring this Appraiser Trainee, did not authorize the work logs in a timely or acceptable manner. It was decided by the Maryland Commission that the Real Estate Appraiser Trainee work logs would not be evaluated and rejected based on the Supervising Appraiser's omissions or failure to act responsibly.

A Motion was made by Commissioner Hosford, seconded by Commissioner Huggins, and unanimously carried that the Commission would accept the work logs that were submitted with the Real Estate Appraiser application.

Chairman's Report

Commission Chairman, Anatol Polillo, informed the Commission that he was invited by a course provider to attend training for which the provider is seeking approval. Chairman Polillo was unable to attend the course at that time and asked for the assistance of any Commission members that may represent the Commission in this manner. The Commission will further evaluate the situation in the future.

Assistant Attorney General's Report

No report offered.

Executive Director's Report

None offered.

Closed Session

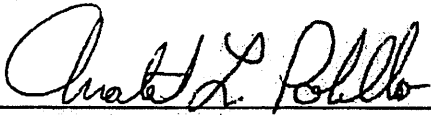
No closed session required.

Adjournment

There being no further business to discuss, a Motion was made by Commissioner Hergenroeder, seconded by Commissioner Smith, and unanimously carried that the meeting adjourn. The meeting adjourned at 11:52 a.m.

Approved without corrections

Approved with corrections



Commissioner Anatol Polillo, Chair



Date