

P E N N S Y L V A N I A  
S T A T E   B O A R D   O F  
**CERTIFIED**  
**REAL ESTATE APPRAISERS**  
N E W S L E T T E R

FALL 2007



COMMONWEALTH  
OF PENNSYLVANIA

Edward G. Rendell  
*Governor*

Pedro A. Cortés  
*Secretary of the Commonwealth*

Basil L. Merenda  
*Commissioner,  
Bureau of Professional and  
Occupational Affairs*

Mark Vessella  
*Deputy Commissioner,  
Bureau of Professional and  
Occupational Affairs*

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Board telephone: (717) 783-4866  
E-mail: [ST-APPRAISE@state.pa.us](mailto:ST-APPRAISE@state.pa.us)  
[www.dos.state.pa.us/real](http://www.dos.state.pa.us/real)

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Governor Rendell on important issues facing Pennsylvania.

## Message from the Chairman

by Robert F. McRae

The board has been very busy during the past two years. Apart from regular business, such as holding monthly meetings, conducting disciplinary hearings and deliberations, and reviewing applications for certification, the board has been guiding the most comprehensive revision of its regulations in history through the state regulatory review and approval process. The finalized regulations have been published in the *Pennsylvania Bulletin*. A summary of the major revisions begins on page four of this newsletter.

The board has also been working cooperatively with the Rendell administration and the General Assembly in seeking amendments to the Real Estate Appraisers Certification Act (REACA), such as the establishment of a licensed appraiser trainee classification, expansion of the board's membership to include, among others, representatives of the Attorney General's Office and state Department of Banking, and increasing the maximum civil penalty from \$1,000 per violation to \$10,000 per violation. During the 2005-06 legislative session, lawmakers debated Senate Bill 917, which would have amended the REACA to provide for the establishment of the licensed appraiser trainee classification as well as the establishment of a licensed appraiser classification at the board's option. The board was privileged to have the bill's chief sponsor, state Sen. Dominic F. Pileggi, and other legislators attend the board's April 2006 meeting to discuss the proposed legislation. While Senate Bill 917 was passed by the Senate, it died in the House of Representatives without being reported from committee. It is my understanding that the House's concerns

centered on the proposed establishment of the licensed appraiser classification. As this newsletter went to press, Sen. Pileggi had introduced Senate Bill 721 to amend the REACA, and a similar bill was being considered by the state House of Representatives. The board's hope is that such legislation will fare better this time and be enacted into law.

The board has held four regular meetings outside of Harrisburg: Pittsburgh in Nov. 2005 and April 2007; West Chester in April 2006; and Williamsport in Oct. 2006. The board will continue to seek venues for meetings in various parts of the state in an effort to better serve its constituency. I encourage each of you to attend a board meeting, whether in Harrisburg or in another venue – especially if a meeting is scheduled in a location near you. The board attempts to get the word out on meetings outside of Harrisburg through communications with the various organizations that serve appraisers and assessors, and via the board's Web site.

Service on the board, for me, has been a very interesting and enlightening endeavor. I have had opportunities to meet and speak with many of our appraisers and assessors over the years at various professional and social events and "on the street." I thoroughly enjoy these encounters and the discussions, as well as the suggestions and questions that ensue. Much of what is included in the board's rulemaking activities and legislative initiatives has its genesis in these encounters. The board is here to serve you, and it must be made aware of your concerns and your suggestions going forward.

I continue to be honored to be a member of the board and to serve as its chairman, and I remain at your service.

## Role of the BPOA Commissioner on the Board

*by Basil L. Merenda, Commissioner, Bureau of Professional and Occupational Affairs*

The Bureau of Professional and Occupational Affairs (BPOA) touches the lives of millions of Pennsylvanians each day. We protect the health, safety and welfare of the public from fraudulent and unethical practitioners by administering professional licensing to physicians and cosmetologists to accountants and funeral directors. In addition, the bureau provides administrative and legal support to 27 professional and occupational licensing boards and commissions.

As commissioner of the BPOA, I am responsible for administering the commonwealth's licensing boards, sitting as a voting member on disciplinary cases and policy matters for 25 of the 27 boards and signing all licenses issued by the BPOA.

My administrative duties include working with the deputy commissioner to make "the trains run on time." In BPOA's case, it means making sure license renewals, applications and inquiries are properly handled by our staff. It also involves making sure that where appropriate, reciprocal licenses requested from out-of-state individuals are properly reviewed. BPOA is also required to conduct reviews of education programs for some boards.

My duties as a voting member on 25 of the 27 licensing boards (not including the Board of

Certified Real Estate Appraisers) are the same duties and obligations that the professional and public members have as part of their service on our licensure boards. I act as a judge, along with the other board members, on disciplinary hearings. I participate with the other board members in the drafting and enactment of regulations, rules and other policy initiatives. In addition, I have the responsibility of coordinating policy matters of all 27 boards for Governor Edward G. Rendell.

I truly believe the most important thing I can do for you is to provide you with professional service – and that is my goal.

When Governor Rendell appointed me BPOA commissioner, he told me to make BPOA and the commonwealth's 27 licensing boards more accessible, responsive and accountable to the legislature, the licensees and the public we are sworn to protect. My pledge to you is that I, as commissioner, am working to carry out Governor Rendell's charge with intelligence, vigor and effectiveness.

If I can be of any assistance, please do not hesitate to reach out and contact my office at any time.

## Meet the Newest Board Members

### **Paul C. Kaufman**

Paul C. Kaufman was appointed on Oct. 17, 2005, to serve a four-year term as a professional member.

A certified residential appraiser since 1996, Paul is owner of P.C. Kaufman Appraisal Services LLC and The Mobile Appraiser.com. He also currently serves on the education committee of the Mortgage Bankers of Southwestern Pennsylvania and was a featured speaker at the Pennsylvania Bar Institute's summer conference in Montreal.

During 2003 and 2004, Kaufman was a contract lecturer for Lorman Education Institute. He attended the University of Pittsburgh prior to becoming a certified appraiser.

A Pittsburgh native, Kaufman currently lives in Wexford with his wife and daughter.

### **Valentino H. Pasquarella Jr.**

Valentino H. Pasquarella Jr., the board's newest member, was appointed on March 28, 2007, to serve a four-year term as a professional member.

A certified general appraiser and licensed real estate broker, Pasquarella has served since 2003 as appraiser for the Redevelopment Authority of the City of Philadelphia. He had previously operated his own real estate

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## Summary of Major Revisions to Board Regulations

This summer, the board completed a comprehensive revision of its regulations at 49 Pa. Code, Chapter 36.

Some of the substantive revisions implement new federally mandated education criteria for residential and general appraisers promulgated by The Appraisal Foundation's Appraiser Qualifications Board (AQB). Other substantive revisions relate to such matters as harmonizing the board's regulations with existing AQB criteria relating to distance education, continuing education and appraisal teaching experience; clarifying how candidates for certification as residential and general appraisers may obtain qualifying experience; and prescribing the duties of residential and general appraisers when supervising appraisal assistants. Nonsubstantive revisions involve editorial and organization changes.

The complete text of the revised regulations may be viewed and printed by visiting the board's Web site at [www.dos.state.pa.us/real](http://www.dos.state.pa.us/real) and clicking on "Special Notices."

Following is a summary of the major revisions to the board's regulations:

### Appraiser Education for Initial Certification

Effective Jan. 1, 2008, in accordance with AQB criteria, the appraiser education requirement for initial certification as a residential appraiser will increase from 120 classroom hours to 200 classroom hours, while the appraiser education requirement for initial certification as a general appraiser will increase from 180 classroom hours to 300 classroom hours.

Effective Jan. 1, 2008, the classroom hours for residential appraiser and general appraiser certification must conform to the following "core" curriculums prescribed by the AQB:

<u>Residential Appraiser Course Modules</u>	<u>Hours</u>
Basic Appraisal Principles	30 hours
Basic Appraisal Procedures	30 hours
National USPAP Course or Equivalent	15 hours
Residential Market Analysis and Highest and Best Use	15 hours
Residential Appraiser Site Valuation and Cost Approach	15 hours
Residential Sales Comparison and Income Approaches	30 hours
Residential Report Writing and Case Studies	15 hours
Statistics, Modeling and Finance	15 hours
Advanced Residential Applications and Case Studies	15 hours
Appraisal Subject Matter Electives	20 hours
<b>Total</b>	<b>200 hours</b>

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## Summary of Major Revisions to Board Regulations

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<u>General Appraiser Course Modules</u>	<u>Hours</u>
Basic Appraisal Principles	30 hours
Basic Appraisal Procedures	30 hours
National USPAP Course or Equivalent	15 hours
General Appraiser Market Analysis and Highest and Best Use	30 hours
Statistics, Modeling and Finance	15 hours
General Appraiser Sales Comparison Approach	30 hours
General Appraiser Site Valuation and Cost Approach	30 hours
General Appraiser Income Approach	60 hours
General Appraiser Report Writing and Case Studies	30 hours
Appraisal Subject Matter Electives	30 hours
<b>Total</b>	<b>300 hours</b>

(The regulations set forth the prescribed subtopics within each of the above-listed course modules.)

A candidate for initial certification as a residential or general appraiser who satisfied the pre-existing appraiser education requirements before Jan. 1, 2008, will not be required to complete the additional classroom hours or the new curriculum requirements as a condition of obtaining certification.

### Post-Secondary Education for Initial Certification

Effective Jan. 1, 2008, in accordance with AQB criteria, a candidate for initial certification as a residential or general appraiser must have achieved a minimum level of post-secondary education as follows:

#### Residential Appraiser

Possession of associate's degree, or higher,  
from an accredited college or university

OR

Completion of 21 semester credits in the  
following courses from an accredited  
college or university:

English Composition

Micro or Macro Economics

Finance

Algebra, Geometry or Higher Mathematics

Statistics

Introduction to Computers – Word Processing/  
Spreadsheets

Business or Real Estate Law

#### General Appraiser

Possession of a bachelor's degree, or higher,  
from an accredited college or university

OR

Completion of 30 semester credits in the  
following courses from an accredited  
college or university:

English Composition

Micro Economics

Macro Economics

Finance

Algebra, Geometry or Higher Mathematics

Statistics

Introduction to Computers – Word Processing/  
Spreadsheets

Business or Real Estate Law

Any two of the following: Accounting,

Geography, Ag-Economics, Real Estate or

Business Management

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## Summary of Major Revisions to Board Regulations

### *Continued from previous page*

A candidate for initial certification as a residential or general appraiser who satisfied the pre-existing appraiser education requirements before Jan. 1, 2008, will not be required to meet the new post-secondary education requirements as a condition of obtaining certification.

### **Appraisal Experience Requirement for Initial Certification**

Effective Jan. 1, 2008, in accordance with AQB criteria, qualifying appraisal experience for initial certification as a residential or general appraiser must have been acquired after Jan. 30, 1989. In addition, all experience must comply with the Uniform Standards of Professional Practice (USPAP).

Consistent with AQB criteria, the current categories of qualifying appraisal experience are expanded to include “evaluations” performed under the Financial Institutions Reform, Recovery and Enforcement Act in accordance with the requirements of federal financial institution regulatory agencies and case studies or practicum courses that are approved by the AQB Course Approval Program. The teaching of appraisal courses is not acceptable as qualifying appraisal experience.

Experience in the actual preparation of appraisal reports must comprise at least 1,250 of the 2,500 hours of appraisal experience required for initial certification as a residential appraiser and at least 1,500 of the 3,000 hours of appraisal experience required for initial certification as a general appraiser. Such experience must have been acquired by a candidate:

- (i) as an assistant to a residential or general appraiser;
- (ii) as a broker/appraiser;
- (iii) as a real estate broker, for appraisals performed prior to Sept. 3, 1998; or
- (iv) as an officer, director or employee of a lending institution, for loan transactions prior to Sept. 3, 1998.

A candidate may not acquire qualifying experience preparing appraisal reports while serving as an assistant to a broker/appraiser. A candidate who prepared appraisal reports while serving as an assistant to a residential or general appraiser must:

- (i) have performed interior and exterior inspections of the subject properties;
- (ii) have not arrived at independent determinations of value; and
- (iii) have either signed the appraisal reports as an assistant or been acknowledged in the certification sections of, or addenda to, the appraisal reports as having provided significant professional assistance.

### **Duties of Appraiser When Utilizing Appraisal Assistant**

A residential or general appraiser who utilizes an appraisal assistant must do the following:

- Give the board written notification of the assistant’s name and address before the assistant begins work.
- Directly supervise the assistant’s work, assuming total responsibility for the contents of the appraisal reports, including all value conclusions.
- Accompany the assistant during the physical inspections of the properties as follows:
  - (i) if the assistant is a residential appraiser seeking to upgrade to general appraiser certification, accompany the assistant during the physical inspections until the appraiser determines the assistant is competent under USPAP to perform the physical inspections unaccompanied.
  - (ii) if the assistant is not a residential appraiser, accompany the assistant during the physical inspections until the assistant has logged 300 hours of experience or until the appraiser deems the assistant competent under USPAP to perform the physical inspections unaccompanied, whichever is the longer period.

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## Summary of Major Revisions to Board Regulations

### *Continued from previous page*

- Have the assistant sign the appraisal reports as an assistant to the appraiser or identify the assistant in the certification section of the reports, or in an addendum to the reports, as having provided significant professional assistance.
- Sign board-approved appraisal assistant checklists that have been completed by the assistant and that relate to the assistant's work on the appraisal reports.
- Provide a current or former assistant who is applying for appraiser certification with copies of designated appraisal reports and appraisal assistant checklists requested by the Board to verify the assistant's experience.

The appraisal assistant checklist may be viewed and printed by visiting the board's Web page at [www.dos.state.pa.us/real](http://www.dos.state.pa.us/real) and clicking on (in order): *Licensure Information*, *Board Forms* and *Appraisal Assistant Checklist*.

### **Distance Education**

In accordance with AQB criteria and pre-existing board policy, both initial education requirements and continuing education requirements for appraisers and certified Pennsylvania evaluators (CPEs) may be satisfied through distance education courses. Distance education is defined as "an educational process based on the geographic separation of the learner and instructor, which provides interaction between the learner and instructor and includes testing." Examples of distance education include CD or DVD ROM, on-line learning, correspondence courses, video conferencing, and video and remote television courses.

Distance education courses must comply with board requirements, which are based on AQB criteria. A proctored written examination is necessary for a distance education course utilized for initial education, while a proctored written examination is not required for a distance education course utilized for continuing education.

A regularly updated list of approved distance education courses may be viewed and printed by visiting the Board's Web page at [www.dos.state.pa.us](http://www.dos.state.pa.us) and clicking on (in order) "Licensure Information" and "Education Information."

### **Continuing Education for Reactivating Lapsed Appraiser Certification**

In accordance with AQB criteria, a residential appraiser, general appraiser or broker/appraiser who seeks to reactivate a lapsed certification must have completed all continuing education hours that would have been required if the appraiser had maintained a current certification, except that only the most recent versions of the 7-hour National USPAP Update Course and the two-hour course on the Real Estate Appraisers Certification Act (REACA) and board regulations and policies must be completed.

### **Continuing Education for CPE**

Effective with the renewal of certification for the biennial renewal period that begins July 1, 2007, a CPE's 28 hours of continuing education must include completion of the 7-Hour National USPAP Update Course or an equivalent seven-hour course approved by the board.

## Appraisers and Comp Checks

by Daniel R. Bradley

Almost every residential appraiser in Pennsylvania has received a fax or an e-mail requesting comparable data for a property before an appraisal is ordered. Clients have a number of terms for these requests, including comp check, pre-comp, and preliminary appraisal, among others.

The board regularly receives inquiries regarding whether it is permissible for appraisers to complete these types of assignments in Pennsylvania. There is not a one-size-fits-all answer to this question because it depends upon the specific circumstances of the situation. Two common scenarios are explored in this article.

In the first scenario, the client is in need of raw sales data for a specific neighborhood. The uniform standards of professional appraisal practice (USPAP) terms this a “research illustration.” The client simply wants the appraiser to provide a list of sales in a geographic area and does not require the appraiser to address the issue of comparability to a particular property. This type of service is not considered an appraisal because the appraiser provides no analysis, opinion or conclusion. Because it is not an appraisal, there are no specific USPAP performance standards that apply. It is important to understand that no value conclusion — not even a range or a relationship to a benchmark (for example, “at least \$80,000”) — should be developed or communicated to the client in a “research” assignment.

In the second scenario, the client wants an indication of the approximate value of a property before possibly proceeding with a more in-depth analysis. In many of these cases, the client provides data about the physical characteristics of the property

and asks the appraiser to research comparable sales and provide a probable value range. If the appraiser develops any sort of value indication — even a range or a relationship to a benchmark — it is considered an appraisal, and the appraiser must comply with USPAP. The fact that the appraiser did not physically inspect the property is irrelevant. USPAP does not require an appraiser to inspect a property in order to develop a value opinion. In this type of assignment, the appraiser is required to consider all factors necessary to produce a credible value opinion under USPAP’s Standard 1 and to create a workfile that must be maintained for the required time frame. In addition, any written report provided to the client must also comply with the content requirements of USPAP’s Standard 2.

It is most important to comply with USPAP’s ethics rule, which provides, in part, that neither the appraisal assignment nor the appraiser’s compensation may be contingent upon a predetermined result, a direction in assignment results that favors the cause of the client, or the amount of the value opinion. For example, an appraisal order that states, “Please pre-comp this property, and then proceed with a full appraisal only if you determine the value will be \$200,000 or more,” contains a contingency that is prohibited by USPAP. In such a case, the appraiser should contact the prospective client and either decline the assignment or ask that the contingency be removed before accepting the assignment.

Additional guidance on this issue may be found in the Appraiser Standards Board’s Advisory Opinion 19 (Unacceptable Assignment Conditions in Real Property Appraisal Assignments).

### Upcoming 2007 Board Meeting Dates

Oct. 11

Nov. 6

Dec. 6

# Proper Acknowledgment of Assistants in Appraisal Reports

by *Daniel R. Bradley*

One of the most common deficiencies that the board office sees in an application for appraiser certification is that the sample appraisal reports submitted by the applicant do not reflect the applicant's participation as an appraisal assistant. The requirements for proper disclosure of real property appraisal assistance are found in the uniform standards of professional appraisal practice (USPAP) and in the board's regulations.

USPAP has two simple requirements regarding disclosure of significant real property appraisal assistance. The first is that, under USPAP Standards Rule 2-3, the name of any individual who provides significant real property appraisal assistance must be stated in the certification section of the report, unless such individual is a signatory to the report. If the appraiser's software does not permit the assistant's name to be added to the certification, then a separate certification containing this information should be included in the report. The Federal National Mortgage Association ("Fannie Mae") and Federal Home Loan Mortgage Corporation ("Freddie Mac") permit such additional certifications to be included in appraisal reports.

The second USPAP requirement is that a description of the assistant's contribution must be included somewhere in the report (but not necessarily in the certification). Merely stating the name of an individual who provided assistance is not sufficient; the

report must contain a disclosure of what duties the assistant actually performed. (See the comments to USPAP Standards Rules 2-2(a)(vii), 2-2(b)(vii), 2-2(c)(vii) and 2-3.)

The board's regulations, as recently revised, require that an assistant either sign the appraisal report as an assistant to the appraiser or be acknowledged in the certification section of the report, or in an addendum to the report, as having provided significant professional assistance. The board recognizes that it is not always possible to have an assistant sign appraisal reports because some clients do not permit individuals without state certification to sign appraisal reports. The board-developed appraisal assistant checklist — which was formerly optional but which is now mandatory for every appraisal assignment in which an assistant participates — may be utilized by an appraiser to satisfy the USPAP requirement for a description of the assistance received.

An applicant for certification whose participation as an assistant is not properly acknowledged in appraisal reports may have such experience disallowed, and the supervising appraiser who failed to properly acknowledge such assistant may be subject to disciplinary action.

## Reminder...

## Renew Your License Online

### You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

### First-time users need the following information:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address
- Continuing Education information

Go to the Department's Web site at  
[www.dos.state.pa.us](http://www.dos.state.pa.us)

Click on **RENEW** a Professional License  
([www.myLicense.state.pa.us](http://www.myLicense.state.pa.us)).

Then simply follow the instructions  
to renew your license online.

## Reprints of Appraisal Standards Board's Q & A

*Following are reprints of selected questions and answers that have appeared in written communications and publications recently issued by the federal Appraisal Standards Board (ASB). These communications and publications do not establish new standards or interpret existing standards. Rather, their purpose is to inform appraisers, regulators and users of appraisal services of the ASB's responses to questions raised by regulators and individuals; to illustrate the applicability of the Uniform Standards of Professional Appraisal Practice (USPAP) to specific situations; and to offer advice from the ASB for the resolution of appraisal issues and problems.*

**QUESTION:** I know it is my responsibility to identify the intended users when I perform an assignment. USPAP defines "intended user" as "[T]he client and any other party as identified, by name or type, as users of the appraisal, appraisal review, or appraisal consulting report by the appraiser on the basis of communications with the client." However, I need clarification regarding whether certain parties should automatically be considered intended users in certain circumstances described below:

- a) If I perform an appraisal for estate purposes and the client will provide my report to the Internal Revenue Service (IRS) with her tax return, must the IRS be identified as an intended user in this situation?
- b) I have been hired by an attorney representing a husband in a divorce to appraise certain assets held in the marital estate and to appear as an expert witness. I know my report will go to the court as well as to the parties on the other side of the litigation. Must the court and/or the parties on the other side of the litigation be identified as intended users?
- c) I frequently perform appraisals for purposes of purchase price allocation. The corporation that is my client will use the values for financial reporting purposes. My reports are provided to the auditors of the corporation for their review as part of the audit process. In such case, must the auditors be identified as intended users?
- d) I am appraising a property for a regulated lender. I know my appraisal will be reviewed by the bank's outside auditors and the Office of the Comptroller of the Currency (OCC) reviewers. Must the auditors and OCC reviewers be identified as intended users?

**ANSWER:** No. Intended users are identified by the appraiser through communication with the client and are not established based on who might receive or use the report. The definition of "intended user" has a specific meaning in USPAP. In the context of the USPAP definition of intended user, the fact that the IRS, the court, an independent auditor, or the OCC in the above case use your report for review, audit, or other purposes does not automatically make them intended users. These parties receive the report through established processes of disclosure or regulation.

One way to understand the concept is to think about what the intended use is for each party. The appraiser must identify both the intended users and the intended use of the appraisal, because these two factors affect many elements of the appraisal assignment, such as the appropriate scope of work and the appropriate type of report.

In each case, the use of the report by these other parties is different from the intended use the appraiser identified, which was related to the client's use. Such other parties may be evaluating the decision made by the appraiser's client to obtain an appraisal, as well as the appraisal results, and other matters of which the appraiser may not be aware. As an example, the client filing the estate tax return is using the appraisal as an indication of the amount to state on the tax form. However, the IRS may "use" the appraisal report to determine whether the value reported on the tax return is adequately supported, whether it agrees with the value, and/or whether it should challenge the taxpayer because it disagrees with the value.

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## Reprints of Appraisal Standards Board's Q & A

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As indicated in Statement on Appraisal Standards No. 9 (Identification of Intended Use and Intended User), "Parties who receive a copy of an appraisal, appraisal review, or appraisal consulting report as a consequence of disclosure requirements applicable to an appraiser's client do not become intended users of the report unless they were specifically identified by the appraiser at the time of the assignment."

**QUESTION:** The principals of a local mortgage company propose to acquire an appraisal firm and have the appraisal firm complete assignments for the mortgage company. Is this a conflict of interest for the appraisers completing the assignments for the mortgage company?

**ANSWER:** An appraiser should review the ETHICS RULE and Standards Rule 2-3 when completing appraisal assignments in situations where the appraisal company that engages (by employment or contract) the appraiser is owned by the client.

It is important to note that USPAP does not prohibit the acceptance of an assignment in this specific situation. In an appraisal assignment developed under STANDARD 1 and reported under STANDARD 2, an appraiser must specify the particulars in a situation where he or she has any present or prospective interest with respect to the parties involved in the property that is the subject of the report.

The engagement of an appraiser by an appraisal company that is owned by the client or by owners of the client does not, in and of itself, mean that the appraiser has an interest or bias with respect to the property or properties involved. If the appraiser has an interest but could provide the service in an ethical, unbiased manner, then the appraiser could accept the assignment as long as the appraiser was competent and properly disclosed the interest in accordance with Standards Rule 2-3.

If the appraiser's interest in the property or the parties involved in the assignment prevented the appraiser from providing an unbiased service, then the appraiser should not accept the assignment for it would be a violation of the ETHICS RULE and parts of the appraiser's certification in Standards Rule 2-3.

**QUESTION:** I accept assignments from an Appraisal Management Company (AMC) that has informed me it is an authorized agent for the lenders it represents. The AMC does not want me to list the name of the lender it is representing. USPAP says the appraiser's client is the party who engages the appraiser. Is it ethical to omit the AMC's name as the client on my reports?

**ANSWER:** Yes. If the AMC is acting as a duly authorized agent for a lender, identifying only the lender's name as your client is acceptable.

**QUESTION:** I am a fee appraiser currently seeking to get on the approved list for a local mortgage company. In order to be considered for approval, this lender requires appraisers to provide sample appraisal reports performed within the past year. Is there a way that I can accomplish this without violating USPAP?

**ANSWER:** In order to provide this information an appraiser must satisfy the Confidentiality section of the ETHICS RULE, which states as follows:

"An appraiser must protect the confidentiality of the appraiser-client relationship.

An appraiser must act in good faith with regard to the legitimate interests of the client in the use of confidential information and in the communication of assignment results.

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## Reprints of Appraisal Standards Board's Q & A

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An appraiser must be aware of, and comply with, all confidentiality and privacy laws and regulations applicable in an assignment.

An appraiser must not disclose confidential information or assignment results prepared for a client to anyone other than the client and persons specifically authorized by the client; state enforcement agencies and such third parties as may be authorized by due process of law; and a duly authorized professional peer review committee except when such disclosure to a committee would violate applicable law or regulation.”

The Comment to the Confidentiality section further explains that if all essential elements of confidential information are removed through redaction or the process of aggregation, client authorization is not required for the disclosure of the remaining information, as modified.

The appraiser in this case has three options: (1) turn down the request to provide the information; (2) secure a release from the client of each sample appraisal report; or (3) provide sample reports, but redact all information that should not be provided to anyone other than the client, such as confidential information or assignment results.

**QUESTION:** I was recently asked to update an appraisal performed by another appraiser who works for a different appraisal company. Can I prepare an update if the original appraisal was performed by another appraiser?

**ANSWER:** Yes. Advisory Opinion 3 (Update to a Prior Assignment) provides advice on how such an assignment can be performed in conformance with USPAP.

**QUESTION:** What is the difference between an appraisal assignment and an appraisal consulting assignment?

**ANSWER:** Appraisal assignments are those where the purpose is to provide an opinion of value. Appraisal consulting assignments are those where the purpose is to provide an analysis, recommendation or opinion to solve a problem where an opinion of value is a component of the analysis.

USPAP defines “appraisal consulting” as “[T]he act or process of developing an analysis, recommendation, or opinion to solve a problem, where an opinion of value is a component of the analysis leading to the assignment results.” The Comment to the definition states: “An appraisal consulting assignment involves an opinion of value but does not have an appraisal or appraisal service as its primary purpose.” Also, the Comment to STANDARD 4 (Real Property Appraisal Consulting, Development) states, in part: “. . . [T]he purpose of an assignment under this Standard is always to develop, without advocacy, an analysis, recommendation, or opinion where at least one opinion of value is a component of the analysis leading to the assignment results. . . . An opinion of value or an opinion as to the quality of another appraiser’s work cannot be the purpose of an appraisal consulting assignment. Developing an assignment for those purposes is an appraisal or an appraisal review assignment, respectively.”

An example of a real property appraisal consulting assignment is a feasibility study where the client is seeking advice regarding most profitable development strategies. In the feasibility study, opinions of value would be used to test different scenarios. Those opinions of value may be provided by the appraiser doing the consulting assignment (feasibility study) or by another appraiser.

**QUESTION:** I was asked by a client to provide an opinion of the market rental rate for a commercial property. Is such an assignment considered an appraisal?

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## Reprints of Appraisal Standards Board's Q & A

*Continued from previous page*

**ANSWER:** Yes. USPAP defines an appraisal as “an opinion of value,” and market rent is an expression of value for the right to use a property. Therefore, to comply with USPAP in this assignment, an appraiser would have to follow STANDARD 1 to develop the opinion of the market rent, and STANDARD 2 to report the assignment results.

**QUESTION:** Several months ago I appraised a property using only the sales comparison approach. My client is now asking that I perform an update of my prior appraisal, but now it wants me to include a cost approach. Does USPAP allow me to do this?

**ANSWER:** Yes. “Update” is a business term; under USPAP, the second assignment from the same client is a new assignment with its own scope of work and the requirement to produce credible assignment results. Advisory Opinion 3 (Update of a Prior Appraisal) states, in part: “When developing an opinion regarding a property that was the subject of a previous assignment, the scope of work in the new assignment may be different from the scope of work in the prior one.” Therefore, the new assignment can be performed with a scope of work greater than that performed in the original assignment.

**QUESTION:** I have a client requesting that the cost approach be included in every appraisal assignment, including those where I feel the cost approach may not yield meaningful results. I am concerned that by complying with the client’s request I may be providing a misleading appraisal report. How can I comply with USPAP and satisfy the client at the same time?

**ANSWER:** Performing a cost approach that may not yield a meaningful indication of value does not result in a misleading appraisal report if the appraiser properly addresses the applicability and suitability of the approach in the report. Many appraisers address this in the reconciliation by including statements such as, “The cost approach was included solely at the request of the client; it has been given no weight in arriving at the final opinion of value because . . .”

**QUESTION:** An appraiser receives a request to review an appraisal; however, the reviewer has previously appraised the same property. Does the reviewer’s prior experience with the property create a bias that then precludes an objective review?

**ANSWER:** No. Prior appraisal experience with the subject of the work under review might be considered an asset and may be contributed to the reviewer’s selection for the assignment. Before accepting any assignment, an appraiser must be certain that he or she will be able to attest in the certification that the assignment results are impartial and unbiased. If the performance of the prior appraisal assignment creates a predisposition regarding appropriate and reasonable assignment results, the appraiser should decline the appraisal review assignment.

### REMINDERS

**Licensees must contact the board office with any changes in name or address.**

Name changes require a copy of a court order, marriage certificate, divorce decree or other official document.

**Licensees must also notify the board within 90 days if another state board takes disciplinary action against them.** Criminal convictions must be reported to the board within 30 days.

**Mail information to:**

**State Board of Certified Real Estate Appraisers, PO Box 2649, Harrisburg PA 17105-2649**

## Meet the Newest Board Members

### *Continued from page 3*

brokerage, appraisal and consulting practice since 1973. Pasquarella holds a senior residential appraiser (SRA) designation from the Appraisal Institute, an accredited senior appraiser (ASA) designation from the American Society of Appraisers, and a counselor of real estate (CRE) designation from the National Association of Realtors.

Pasquarella is certified by the federal Appraiser Qualifications Board as an instructor on the Uniform Standards of Professional Appraisal Practice, and he serves as education director of the Greater Philadelphia Realty Board. He holds a bachelor's degree in business administration from Philadelphia University, formerly Philadelphia College of Textiles and Science.

Pasquarella and his wife live in Philadelphia. They have two grown sons.

## Right to Know Law and Home Addresses

The Bureau of Professional and Occupational Affairs is sensitive to its licensees' concerns about personal privacy. However, the Pennsylvania Right to Know Law, 65 P.S. § 66.1, mandates release of information contained in a "public record" stored by that agency if a member of the public requests it.

The bureau will take all reasonable steps to safeguard personal information contained in your licensure records. We realize that many of you use your home address on the licensure records maintained by the bureau. However, given the uncertainty over what the Right to Know Law requires, neither the bureau nor the board that issues your license can guarantee the confidentiality of the address shown on your licensing record. Therefore, we recommend that if you have a personal security concern, you might want to consider what many of our licensees have already done: use a business address or box number as the official address on licensure records.

Also, with the License 2000 computer system, you may indicate to the board an address for release to the public that may be different from your home address.

To further protect your privacy and identity, the bureau will only accept a request to change a licensee's address if it is submitted in writing and includes the licensee's Social Security number, license number and the old and new addresses.

## UNETHICAL OR UNLICENSED ACTIVITY

**If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession, or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs hotline:**

**In Pennsylvania: 1-800-822-2113**

**Out of State: 1-717-783-4854**

A complaint form is available on the Department of State's Web site:  
[www.dos.state.pa.us](http://www.dos.state.pa.us)

## Disciplinary Actions

*The following is a chronological listing of disciplinary actions taken by the Board from July 14, 2005, through March 12, 2007. Each entry includes the name, certification number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction; the effective date of the disciplinary sanction; and whether the disciplinary sanction was imposed pursuant to an Order (O), Adjudication and Order (A&O), or Consent Agreement and Order (C&O). The abbreviation USPAP refers to the Uniform Standards of Professional Appraisal Practice.*

*Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the board.*

**Jennifer S. Warzecha**, certificate no. RL003320L and AV002073 of Dickson City, Lackawanna County, was assessed a \$3,000 civil penalty, ordered to pay the costs of investigation, and must attend an additional 15 hours of continuing education in specified topics. Warzecha prepared an appraisal report that did not comply with the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP) and demonstrated negligence or incompetence in performing the appraisal. (07-14-05)

**Joseph John Roseman**, certificate nos. GA000580L and BA001971L, of Bethlehem, Northampton County, was assessed a \$4,000 civil penalty and directed to complete remedial continuing education for performing four real estate appraisal that did not conform to the USPAP. (08-02-05)

**Joseph D. Fisher**, uncertified, of Pittsburgh, Allegheny County, was assessed a \$750 civil penalty and ordered to cease and desist from preparing appraisals until properly certified. Fisher prepared an appraisal report without the required certification. (08-11-05)

**Irving H. Younger**, certification no. BA004217L, of Pittsburgh, Allegheny County, had his broker/appraiser certification revoked for failing to complete the 28 hours of continuing education required for renewal of his certification for the 2003-2005 renewal period and for falsely representing on his renewal application that he had completed the required continuing education. (08-12-05)

**Forrest C. Myers**, certificate no. RL003288L, of Harrisburg, Dauphin County, had his certification suspended and was assessed a \$1,000 civil penalty for performing a real estate appraisal that did not conform to the USPAP. Termination of the suspension is conditioned on Myers' payment of the civil penalty and his completion of remedial coursework on the USPAP and summary report writing. (09-30-05)

**Joan C. Bernesser**, certificate no. BA001433L, of Allison Park,

Allegheny County, voluntarily surrendered her certificate until such time as she meets the requirements for certification because Bernesser failed to meet the minimum qualifications for certification. (10-13-05)

**Karen A. Giulianelli**, certificate no. AV001115, of Erie, Erie County, was ordered to pay a civil penalty of \$500, because Giulianelli performed valuations of real property for ad valorem tax purposes without a current and active certificate. (10-13-05)

**John H. Loughridge**, certificate no. BA003435L, of Lafayette Hill, Montgomery County, was assessed a \$500 civil penalty because Loughridge performed a real estate appraisal without a current and active appraisal certificate. (11-10-05)

**Charles E. Milder**, certificate no. RL001480L, of New Tripoli, Lehigh County, voluntarily surrendered his certificate for a minimum of five years, with terms and conditions to reinstatement. Milder failed to meet the minimum qualifications for certification under the Act (be of good moral character as required by 63 P.S. § 457.6(c)(1)). (11-10-05)

**Robert Joseph Vanston**, certificate nos. RL001675L and BA000876L, of Old Forge, Lackawanna County, was assessed a \$1,750 civil penalty and directed to complete remedial continuing education and submit written office procedures relating

to appraisal tracking and review based on his mistaken issuance of a fraudulent appraisal report that had been prepared by an employee. (12-07-05)

**Vance Patrick Gallagher**, certificate no. RL001984L, of Lock Haven, Clinton County, was assessed a \$1,000 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Gallagher prepared an appraisal report that failed to comply with the requirements of the USPAP. (12-08-05)

**Barbara Hetrich-Stehman**, certificate no. RL003488L, of Reading, Berks County, was assessed a \$1,000 civil penalty and was ordered to attend an additional 15 hours of continuing education on the USPAP. Hetrich-Stehman prepared an appraisal report that did not comply with the requirements of the USPAP. (12-08-05)

**Karl Baily**, certificate no. RL000996L of Waynesburg, Greene County, was assessed a \$750 civil penalty. Baily was also ordered to attend an additional 15 hours of continuing education on the USPAP. Baily prepared an appraisal report that did not comply with the requirements of the USPAP. (01-12-06)

**Geoffrey Blauvelt**, certificate no. RL000534L of Langhorne, Bucks County, was assessed a \$1,500 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Blauvelt prepared an appraisal

## Disciplinary Actions

report that did not comply with the requirements of the USPAP. (01-12-06)

**Michael L. Desnoyers**, license no. RL003198R of Bethlehem, Northampton County, was assessed a \$1,000 civil penalty and ordered to successfully complete 15 hours of continuing education. Desnoyers failed to prepare an appraisal report in compliance with the USPAP. (01-12-06)

**Deborah Ann Differ**, certificate no. RL003237L of Landenberg, Chester County, received a public reprimand. Differ received other disciplinary action by the appraisal certification authority of another state. (01-12-06)

**Kenneth V. Gardner**, temporary practice certificate nos. 001348, 001360, & 001439 of Ithaca, N.Y., was assessed a \$1,000 civil penalty. Gardner performed real estate appraisals without the required certificate. (01-12-06)

**Kirk V. Gosweiler**, certificate no. RL003294L, of Downingtown, Chester County was assessed a \$500 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Gosweiler prepared an appraisal report that did not comply with the requirements of the USPAP. (01-12-06)

**John K. Laskey**, certificate no. RL002008L of Harleysville, Montgomery County, was assessed a \$750 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Laskey prepared an appraisal report that did not comply with the requirements of the USPAP. (01-12-06)

**Vincent A. Pacella**, unlicensed, of Pittsburgh, Allegheny County, was assessed a \$4,000 civil penalty. Pacella performed an appraisal without a valid and active appraisal certificate. (01-12-06)

**Gennaro A. Porco**, certificate no. RL001965R of Westville, N.J., was assessed a \$1,000 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Porco prepared an appraisal report that did not comply with the requirements of the USPAP. (01-12-06)

**Thomas V. Bianco**, license no. DC005690L, of Chadds Ford, Delaware County, was assessed a \$1,200 civil penalty and ordered to successfully complete 24 credit hours of continuing education. Bianco failed to submit proof of completion of at least 24 credit hours of continuing education in acceptable courses taken between Sept. 2, 2002 and Sept. 1, 2004. (01-26-06)

**Gerard L. Da Via**, certificate no. GA000816L of Pittsburgh, Allegheny County, was assessed a \$750 civil penalty. Da Via failed to personally make an interior and exterior inspection of the subject property and created a misleading appraisal report indicating he had inspected the interior of a property when he did not. (02-09-06)

**Robert Reimold**, certificate nos. RL003457L and BA000572L, of Tranfer, Mercer County, was assessed a \$1,000 civil penalty and

## Disciplinary Actions

ordered to attend an additional 15 hours of continuing education on the USPAP. Reimold prepared an appraisal report that did not comply with the requirements of the USPAP. (02-09-06)

**Nicholas A. Salamone**, certificate no. BA000810L of Plymouth Meeting, Montgomery County, voluntarily surrendered his appraisal certificate. Salamone prepared an appraisal report that did not comply with the requirements of the USPAP. (02-09-06)

**Mark Emanuel Hilbert**, certificate no. RL000388L of Mechanicsburg, Cumberland County, was assessed a \$1,500 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Hilbert signed an appraisal report that did not comply with the requirements of the USPAP. (03-09-06)

**Louis Victor Martin**, certificate nos. GA001154L and RL000332 of Latrobe, Westmoreland County, was assessed a \$1,000 civil penalty and ordered to attend 15 hours of additional continuing education. Martin prepared an appraisal report that did not comply with the requirements of the USPAP and failed to adequately supervise an appraisal trainee. (03-09-06)

**Kenneth M. Thomas**, uncertified, of Butler, Butler County, was assessed a \$500 civil penalty. Thomas prepared an appraisal report without a current and active appraisal certificate. (03-09-06)

**Lori Lyn Carbo**, certificate no. RL001639L of Boyertown, Berks County, was assessed a \$1,750 civil penalty and \$750 costs of prosecution, and ordered to attend an additional 15 hours of continuing education on the USPAP and a seven-hour course on summary report writing. Carbo prepared two appraisal reports that did not comply with the requirements of the USPAP. (4-13-06)

**Elden Lange**, certificate nos. RL000206L and BA002695L, of Hollsopple, Somerset County, was assessed a \$1,000 civil penalty and \$500 costs of prosecution, and ordered to attend an additional 15 hours of continuing education on the USPAP. Lange prepared an appraisal report that did not comply with the requirements of the USPAP. (04-13-06)

**Morton Schwartz**, certificate no. RL000155L of Willow Grove, Montgomery County, was assessed a \$750 civil penalty, \$500 costs and ordered to attend an additional 15 hours of continuing education on the USPAP. Schwartz prepared an appraisal report that did not comply with the requirements of the USPAP. (04-13-06)

**Joel Andrew Hiles**, certificate no. RL003479L, of Boiling Springs, Cumberland County, was assessed a \$1,000 civil penalty, \$500 costs and ordered to attend an additional 15 hours of continuing education on the USPAP. Hiles prepared an appraisal report that did not comply with the requirements of the USPAP. (05-11-06)

**Michael John McDevitt**, certificate no. GA000491L

of Reading, Berks County, was assessed a \$1,000 civil penalty, and \$750 costs and ordered to attend an additional 15 hours of continuing education on the USPAP and a seven-hour course on appraisal of agricultural properties or on condemnation appraising. McDevitt prepared an appraisal report that did not comply with the requirements of the USPAP. (05-11-06)

**James Paul Benincasa**, certificate no. RL000401L of Orelan, Montgomery County, was assessed a \$1,500 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Benincasa prepared an appraisal report that did not comply with the requirements of the USPAP. (06-08-06)

**Robert W. Benjamin**, license no. GA000644L of Wysox, Bradford County, paid a \$1,500 civil penalty. Benjamin failed to prepare an appraisal report in compliance with the USPAP. (06-08-06)

**Thomas Dale Meagher**, certificate nos. GA000895L & RL000986L, of York, York County, was assessed a \$1,000 civil penalty and \$587.88 costs and ordered to attend an additional 15 hours of continuing education on the USPAP. Meagher did not personally inspect the interior of a property, resulting in an appraisal report that did not comply with the requirements of the USPAP. (06-08-06)

**Robert C. Stoner**, certificate no. RL003684 of Dillsburg, York County, was placed on probation for 12 months,

## Disciplinary Actions

assessed a \$1,000 civil penalty and \$750 costs, and ordered to attend an additional 15 hours of continuing education on the USPAP. Stoner prepared two appraisal reports that did not comply with the requirements of the USPAP. (06-08-06)

**Robert B. Stainbrook**, uncertified, of Sharpsville, Mercer County, was assessed a \$4,000 civil penalty for performing four real estate appraisals without possessing a real estate appraiser certification from the board. (06-12-06)

**Jeffry E. Busche**, certificate no. GA003414, of Leawood, Kan., was assessed a \$1,500 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Busche prepared an appraisal report that did not comply with the requirements of the USPAP, accepted a contingency fee, and failed to maintain a work file. (07-13-06)

**Donald N. Griffith**, certificate no. GA001388L, of Lebanon, Lebanon County, was assessed a \$1,500 civil penalty and \$490 in costs, and ordered to attend an additional 15 hours of remedial education on the USPAP and a seven-hour course on appraisal of income-producing properties. Griffith prepared an appraisal report that did not comply with the requirements of the USPAP. (07-13-06)

**Perry Joseph Berardino**, certificate no. GA000428L, of Irwin, Westmoreland County, voluntarily and permanently surrendered his appraisal

certificate. Berardino prepared an appraisal report that did not comply with USPAP requirements. (08-10-06)

**Carole A. Macko**, license no. BA000563L, of Monessen, Westmoreland County, was assessed a \$1,000 civil penalty and permanently and voluntarily surrender her license. Macko failed to prepare an appraisal report in compliance with the USPAP. (08-10-06)

**Michael Ryan**, certificate no. RL003285L, of Irwin, Westmoreland County, was assessed a \$1,000 civil penalty and ordered to attend an additional 15 hours of continuing education on the USPAP. Ryan prepared an appraisal report that did not comply with USPAP requirements. (08-10-06)

**Jeanette Yvonne Gray**, certification nos. RL138977L and BA002736L, of Yeadon, Delaware County, had her residential real estate appraiser and broker/appraiser certifications revoked, and was assessed a \$5,000 civil penalty for allowing an uncredentialed person to prepare appraisal reports using her signature and certification number in exchange for payment of compensation. (8/16/06)

**Henry Blyth**, certificate no. RL003425L, of Upper St. Clair, Allegheny County, consented to the voluntary surrender of his certificate until no later than Sept. 30, 2006 or until Blyth completes an additional 15 hours of remedial education on the USPAP. Blyth prepared an

appraisal report that did not comply with the requirements of the USPAP. (09-14-06)

**Michael James Lerario**, certificate no. GA000594L, of Broomall, Delaware County, had his certification revoked and was assessed a \$2,000 civil penalty based on findings that he performed two real estate appraisals while his appraiser certification was suspended, and that he failed to surrender his appraiser certificate to the board. (9/14/06)

**Woodrow, a.k.a. "Sonny" Nolan**, uncertified, of Laverock, Bucks County, was assessed a \$9,000 civil penalty and ordered to cease and desist from the uncertified practice of real estate appraising. Nolan prepared 30 appraisal reports without the required certification. (09-14-06)

**Terrence J. Tague**, certificate no. BA004218L, of Pittsburgh, Allegheny County, was suspended until Tague attends an additional 15 hours of remedial education on the USPAP and an additional 60 hours of coursework on Basic Appraisal Practice and Procedure. Tague prepared an appraisal report that did not comply with the requirements of the USPAP. (09-14-06)

**Ronald Wiles**, certificate nos. RL001185L and BA003446L, of Washington, Washington County, permanently and voluntarily

## Disciplinary Actions

surrendered his appraisal certificates. Wiles prepared an appraisal report that did not comply with USPAP requirements. (09-14-06)

**Forrest C. Myers**, certificate no. RL003288L of Harrisburg, Dauphin County, had his residential real estate appraiser certification suspended and was assessed a \$1,000 civil penalty for performing a real estate appraisal that did not conform to the USPAP. Termination of the suspension is conditioned on Myers's payment of the civil penalty and his completion of remedial coursework on the USPAP and summary report writing. (09-30-05)

**Charles J. Burke**, license no. RL003270L, of Stewartstown, York County, was assessed a \$1,000 civil penalty and ordered to attend and successfully complete a total of 30 course hours on basic appraisal procedures. Burke had his license or certificate to perform appraisals disciplined by the appraisal licensure or certificate authority of another state, territory, or country. (10-11-06)

**Gerald W. Gibbs**, certificate no. RL003350L, of Newtown, Bucks County, was assessed a \$1,000 civil penalty and \$500 costs, and ordered to attend an additional 15 hours of remedial education on the USPAP. Gibbs prepared an appraisal report that did not comply with the requirements of the USPAP. (10-11-06)

**Howard M. Kerr**, certificate no. GA000677L, of Towanda, Bradford County, permanently and voluntarily surrendered his appraisal certificate. Kerr did not personally inspect the interior of an appraised property, instead Kerr relied upon the interior inspection by an uncertified assistant. (10-11-06)

**Richard L. Bauer**, certificate nos. RL001018L and BA-002605L, of Titusville, Crawford County, permanently and voluntarily surrendered his appraisal certificates. Bauer failed to comply with the requirements of the USPAP. (11-9-06)

**Donald N. Griffith**, certification no. GA001388L, of Lebanon, Lebanon County, had his certificate suspended for failing to comply with a prior disciplinary order that directed him to complete remedial coursework. The suspension was terminated after 26 days when Griffith submitted documentation of his completion of the remedial coursework. (12/1/06)

**Harold M. Adams, Jr.**, license no. RL138892 of Pennsauken, N.J., was assessed a \$1,000 civil penalty and a public reprimand was placed on Adam's permanent board record. Adams had his license or certificate to perform appraisals disciplined by the appraisal licensure or certificate authority of another state. (12-14-06)

**John M. DiGennaro**, license no. BA001484L of Philadelphia,

Philadelphia County, was immediately and indefinitely suspended and assessed a \$1,000 civil penalty. DiGennaro prepared an appraisal report that did not comply with the requirements of the USPAP, failed to exercise reasonable diligence in preparing an appraisal report, and negligently or incompetently prepared an appraisal report. (03-08-07)

**Gary R. Sebolt**, license no. RL138950 of Etters, York County, was assessed a \$1,500 civil penalty and ordered to attend and successfully complete a 15-hour continuing education course entitled *The National Uniform Standards of Professional Appraisal Practice*. Sebolt prepared an appraisal that did not comply with the requirements of the USPAP, failed or refused to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal, and, lastly, negligently or incompetently developed an appraisal, prepared an appraisal report, or communicated an appraisal. (03-08-07)

**Roger W. Schmitt**, uncertified, of Monroeville, Allegheny County, was assessed a \$3,000 civil penalty for performing three real estate appraisals without possessing a real estate appraiser certification from the board. (3/12/07)

P E N N S Y L V A N I A

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