



NORTH CAROLINA APPRAISAL BOARD

APPRAISER REPORT

Volume 13

Fall 2003

Number 3

Worsley Appointed to Appraisal Board



Earl M. Worsley, Jr.

Governor Michael F. Easley has appointed Earl M. Worsley, Jr. to the North Carolina Appraisal Board for a term which expires June 30, 2006. Mr. Worsley was administered the Oath of Office by Superior Court Judge Abraham Penn Jones at a swearing in ceremony held at the Board's office on October 14, 2003. Mr. Worsley is a state-certified general appraiser and holds the professional designation of M.A.I. from the Appraisal Institute. Mr. Worsley is a

North Carolina real estate broker with the CRE designation and has been active in the National Association of Realtors through its local Board in Wilmington. He is a native of Pitt County and a graduate of East Carolina University.

Mr. Worsley began his professional career as a staff member in the United States Congress and began his career in real estate in 1979 in Wilmington. After many years of working for various firms and in a partnership, Mr. Worsley formed the Worsley Real Estate Company in 1995 to concentrate as an advisor and consultant in various real estate ventures. Mr. Worsley has many years of experience in real estate appraisal, brokerage

and also in real estate investment and development. He currently serves on the Board of Directors of the North Carolina Chapter of the Appraisal Institute and is also currently vice-chairman of the North Carolina/South Carolina Chapter of the Counselors of Real Estate. Mr. Worsley also formed Worsley Investment and Development, LLC and is very active in the investment and development of real estate in eastern North Carolina.

Mr. Worsley is married to Charlotte Wilson Moseley and they have one son, William Earl Worsley. The Worsley's make their home in Wrightsville Beach and are active in various community organizations. □

Humphries Promoted to Executive Director



Philip W. Humphries

The Appraisal Board has promoted Philip W. Humphries from Deputy Director to the position of Executive Director. Mr. Humphries was employed in October 2001 as a Deputy Director and has over 30 years of appraisal experience, all of which was obtained working in North Carolina. He graduated from Campbell University with a Bachelor's Degree in Business Administration and has been a state-certified general appraiser since 1991.

Before becoming a member of the

Board staff, Mr. Humphries was employed by the North Carolina Department of Transportation for over 33 years. He worked as a staff appraiser, review appraiser, area supervising appraiser and state appraiser. He has a great deal of experience in the appraisal of all types of real estate.

Mr. Humphries is one of the few individuals who has received the distinguished award of the Order of the Long Leaf Pine from two different governors. This award was presented to Mr. Humphries by Governor James B. Hunt, Jr. in December of 1984 and by Governor Michael F. Easley in October 2001.

Mr. Humphries is a native of Wake County and he and his wife Margaret live in Raleigh. □

Staff Update



Jill A. Bryan

Jill A. Bryan has been employed by the Board as Legal Counsel. Ms. Bryan obtained a Bachelor of Arts Degree from the University of North Carolina and obtained her law degree from Wake Forest University Law School.

Before becoming legal counsel of the Board, Ms. Bryan was an Assistant Chief Appeals Referee with the North Carolina Employment Security Commission. In this position Ms. Bryan trained appeals referees and hearing officers and also conducted hearings for the Employment Security Commission. Ms. Bryan has represented the Pesticide Section of the Department of Agriculture and served as

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APPRAISERREPORT

Published as a service to appraisers to promote a better understanding of the Law, Rules and Regulations, and proficiency in ethical appraisal practice. The articles published herein shall not be reprinted or reproduced in any other publication, without specific reference being made to their original publication in the **North Carolina Appraisal Board Appraisereport**.

NORTH CAROLINA APPRAISAL BOARD

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www.ncappraisalboard.org

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ncab@ncab.org

Michael F. Easley, Governor

APPRAISAL BOARD MEMBERS

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Jack O. Horton.....Elizabeth City
E. Ossie Smith.....Oxford
Earl M. Worsley, Jr.Wilmington

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John K. Weaver, *Deputy Director*
Jill A. Bryan, *Legal Counsel*
Matthew W. Green, *Investigator*
Donald T. Rodgers, *Investigator*
Lynn P. Crawford, *Appraiser Secretary*
Kim N. Giannattasio, *Administrative Assistant*
Paula Ford, *Appraiser Clerk*

APPRAISER COUNT

(As of November 6, 2003)

Trainees	1130
Licensed Residential	314
Certified Residential.....	1721
Certified General.....	889
Total Number	4054

APPRAISER EXAMINATION RESULTS

July, August, September 2003

Examination	Total	Passed	Failed
Trainees	155	111	44
Licensed Residential	25	19	6
Certified Residential	23	12	11
Certified General	15	12	3

Examinations are administered by a national testing service. For information, please contact the North Carolina Appraisal Board in writing at Post Office Box 20500, Raleigh, North Carolina 27619-0500.

Key Features of the 2004 Uniform Standards of Professional Appraisal Practice (USPAP)

The 2004 edition of USPAP has been published and the effective date is January 1, 2004. The following list of key features is copied directly from the 2004 edition. The Appraisal Foundation web site is www.appraisalfoundation.org and information is available to order a copy or to access the most current edition of USPAP on your computer. When you access the homepage, click at the top on Appraisal Standards, and on the second screen, click on the top left margin under current edition of USPAP.

Key Features of the 2004 USPAP:

DEFINITIONS: Two definitions, INVESTMENT ANALYSIS and MARKET ANALYSIS have been deleted because of their limited use in USPAP.

DEFINITIONS: The definition of BIAS has been edited to represent the full range of mental and emotional predispositions required of appraisers by USPAP.

PREAMBLE: The PREAMBLE has been revised to enhance its clarity.

ETHICS RULE: The Record Keeping section of the ETHICS RULE has been edited to clarify the intent and responsibility of appraisers regarding record retention relative to judicial proceedings. An edit has also been made to clarify the need for appraisers to have appropriate custody or access to their workfile.

Standards Rules 2-2(c)(ix) and 8-2(c)(ix): Language in these Standards Rules that indicated the review of a Restricted Use Appraisal Report in compliance with STANDARD 3 is not possible without the reviewer having the benefit of the information retained in the workfile was removed.

Standards Rules 10-2(b)(vii) and 10-3: Edits have been made to these Standards Rules regarding the appraiser's certification and disclosure of the nature of professional assistance to make them more consistent with parallel Standards Rules.

Advisory Opinion 10 (AO-10): This Advisory Opinion titled "The Appraiser-Client Relationship" has been retired. Many of the issues addressed in this Advisory Opinion have incorporated into the new Advisory Opinions 25, 26, and 27.

Advisory Opinion 24 (AO-24): "Normal Course of Business: - This is a new Advisory Opinion addressing the concept of "Normal Course of Business" that is used in Standards Rules 1-5 and 7-5.

Advisory Opinion 25 (AO-25): "Clarification of the Client in a Federally Related Transaction" - This is a new Advisory Opinion that addresses whether an appraiser has an obligation to ensure that his or her services are directly engaged by a federally insured depository institution.

Advisory Opinion 26 (AO-26): "Readdressing (Transferring) a Report to Another Party" - This new Advisory Opinion addresses the practice of altering a report to indicate that a new recipient is the client when it was originally completed for another party.

Advisory Opinion 27 (AO-27): "Appraising the Same Property for a New Client" - This new Advisory Opinion addresses the practice of appraising a property for a party after appraising it for another party.

GLOSSARY: The Glossary has been removed from the USPAP publication. □

Staff Update

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assistant director for the structural pest control division. Ms. Bryan also has experience working in a private law office. Therefore she brings a great deal of experience to this position as Board Legal Counsel.

Ms. Bryan is a native of Chatham County and currently resides in eastern Wake County. □

APPRAISAL BOARD WEBSITE

Please visit the Board's website at:

www.ncappraisalboard.org

Appraisal Board Complaint Handling Program

Fairness and due process are fundamental concepts in the Complaint Handling Program.

All complaints must be in writing. No verbal complaints will be received or investigated. Anonymous complaints are opened and investigated if they present evidence of significant wrongdoing. In addition, the Board may, on its own motion, decide to open a complaint.

Once a complaint is received, it is given to the Board's attorney. A determination is made as to whether this is an appropriate disciplinary case (i.e., do we have jurisdiction, is it a request for advice, etc.). A letter is sent to the complainant, if known, acknowledging the complaint. The person filing the complaint is not considered to be a party to the complaint; he or she does not have any control over the course of the case. A letter of inquiry (and a copy of the complaint) is sent to the respondent requesting a response. Upon receipt of the response, the complaint is more thoroughly investigated.

What the Board investigates is determined by the type of complaint it receives. The Board takes each case as it is presented, and the scope of the investigation can be broadened as more details are received about the case.

Where deemed appropriate by legal counsel, the investigator will conduct a comprehensive investigation of the Respondent's other appraisal work. A comprehensive investigation can take place whenever warranted and when reasonable. Some indications for a comprehensive investigation may be when there is an allegation or indication of fraud or a pattern or practice of negligent or intentional violation of standards. During the investigation, documents are gathered, appraisals are looked at and witnesses are interviewed. A trip is made to the area where the subject property is located in order to obtain tax cards, sales data and to view the property. The investigator and legal counsel meet frequently to discuss each case during the investigation process.

The results of the investigation are presented to the Board at a regularly scheduled meeting for a determination as to whether probable cause exists that the appraiser has violated the Appraiser Act. The Board's attorney prepares a summary

of the facts, possible violations and a recommended decision that is presented to the full Board at a Probable Cause hearing. The facts are sanitized so that the names of the parties and area of the state involved are kept anonymous. If it appears that a Board member may have some knowledge or bias concerning the case, that Board member may be asked to recuse himself from the discussion and vote on the matter. At the Probable Cause stage, the Board can dismiss the case, dismiss with a letter of warning, dismiss with the condition that the Respondent take further education, ask the attorney to do more investigation or find probable cause and request a hearing. The appraiser and complainant are notified of the outcome.

If a hearing will be held, additional investigation takes place, records are subpoenaed and witnesses interviewed. Depositions may be taken. Board counsel attempts to settle each case, often meeting with respondent (and counsel). A Notice of Hearing, outlining the facts and charges, is sent to the respondent at least fifteen days before the hearing. The only issues that may be considered at the hearing are those listed in the Notice of Hearing.

If the matter is settled, the consent order is presented to the Board at its next meeting. The Board has the option of accepting or rejecting the consent order. Board members are given a summary of the case, and do not see any of the documents or evidence. Companion cases may be presented to the Board as a package or as separate cases. Companion cases are those that involve one appraisal signed by two or more trainees and/or appraisers. If one consent order is rejected, the other may be accepted. The cases will be heard together or in separate hearings.

All final decisions which result in at least a reprimand are published in the *Appraisereport*; those which involve suspension or revocation are also sent to newspapers and trade journals, and are recorded in Superior Court.

If the respondent is not satisfied with the Board's decision, an appeal may be made to the Superior Court of Wake County or in the county where the respondent resides. □

Anonymous Complaints

The Appraisal Board receives many anonymous complaints against appraisers each year. Anonymous complaints will be accepted if there is evidence of significant wrongdoing. No complaints, anonymous or not, will be considered unless they are in writing. A telephone call will not suffice. A copy of an appraisal report or other document that contains clear errors may be treated as a written complaint. The complaint must allege independently verifiable allegations of a violation of standards or the Appraisers Act, or those violations must be clear on the face of the documents submitted. "Independently verifiable" means that evidence such as tax records, listing service data, court records, etc. would verify the allegations. General allegations such as "you should investigate this appraiser; everyone knows she always hits the number" or "this appraiser is a crook" will not result in the opening of a case against the appraiser. Anonymous complaints which are not independently verifiable or which are unable to be verified by legal counsel will not be opened. If the identity of the complainant is known, the case cannot be opened as anonymous. Under no circumstances will the name of a complainant, if known to the staff, be kept confidential. Once the decision is made to open a case, it will be treated as any other case in which a signed complaint has been received. □

General Guidelines for Providing a Copy of an Appraisal Report

An appraiser is contacted by a lender and asked to appraise a property for loan purposes. The homeowner pays the appraisal fee directly to the appraiser at the door on the date of inspection. After the appraisal is completed, the appraiser sends it to the lender. The homeowner then asks the appraiser for a copy of the report, stating that since the homeowner paid for the report, he/she is entitled to a copy.

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General Guidelines

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According to Statement on Appraisal Standards No. 9 (SMT9) and the Definitions section of USPAP, the person who engages the appraiser's services is the client.

The determining factor is NOT who pays for the appraisal or how it is paid, but who contacted the appraiser in the first place and placed the appraisal order. For a federally-related transaction, federal law requires the lender to be the one to engage the appraiser's services. In many, if not most cases, the homeowner pays for the appraisal either directly to the appraiser or indirectly through the lender, thus payment for services is not the determin-

ing factor. In the above scenario, it is the lender who is the client, not the homeowner, and the appraiser cannot give a copy of the report to the homeowner without the lender's consent.

Lenders are required by federal law (the Equal Credit Opportunity Act) to furnish a copy of the appraisal to the borrower if the borrower requests a copy in writing. This applies to both consumer and business loans for which real estate will be collateral. If the homeowner wants a copy of the appraisal they can be told to contact the lender directly or the appraiser can ask the client for permission to send a copy. □

Upgrades to Appraisal Board Web Site

The Board has added two features to its website. Appraisers can view their individual licensing information on the Board's website including address, status, renewal date, expiration date, continuing education hours and if they have joined the National Registry. The other feature is a directory search for current licensees.

To view your information go to the Board's website at www.ncappraisal-board.org. Click on "appraisers only" at the homepage and then enter your license number. Your PIN number is the last four digits of your social security number. Enter your PIN number, and then click "login" to view your information. If you need to change any of your information please email the Board at ncab@ncab.org.

To search the directory, go to the homepage and click on "directory". Enter either a license number or an appraiser's first and last names, then click submit to view the search results. □

Investigator - Job Posting

DUTIES:

Assist in processing complaints against licensees, including reviewing complaints and responses, developing investigation plans, gathering information, data and exhibits, inspecting and measuring properties and testifying at administrative hearings. Also assist the Executive Director and Deputy Director by responding to inquiries from licensees and the public and reviewing sample appraisals from applicants. Assist in the audit of appraisers and education providers.

QUALIFICATIONS:

Graduation from a four year college; be a North Carolina Certified Real Estate Appraiser (General Appraiser preferred) or eligible; minimum five years experience in real estate appraising; significant review appraisal experience; or an equivalent combination of education and experience.

OTHER REQUIREMENTS:

Must have a thorough knowledge of real estate appraisal laws, principles and practices and superior written and verbal communication skills. Must reside in or be willing to relocate to the Raleigh area. No moving expenses or allowances will be paid by the Board. Must be able and willing to travel statewide, including overnight, on a regular basis.

APPLICATION FORMAT:

The Board will accept applications immediately and position is open until filled. Salary based on experience but not to exceed \$50,000. Individuals must apply using forms PD-107 and PD-107 A. These forms can be downloaded from the Office of State Personnel's website at: <http://www.osp.state.nc.us/jobs/gnrlinfo.htm>

EQUAL OPPORTUNITY EMPLOYER

Continuing Education NEW REQUIREMENTS

Beginning July 1, 2003, each trainee, licensee and certificate holder who is required to complete continuing education must, within the time period from July 1, 2003 to June 30, 2005, complete 28 hours of Board-approved education with 7 of the 28 hours being the National USPAP Update course or its equivalent. Renewal of your designation will remain on a yearly basis, but the continuing education requirement is on a two-year cycle with 28 hours required before June 30 of every odd numbered year. Annual renewal notices will continue to be sent each year. No carryover education credits beyond the 28-hour requirement will be allowed. □

Approved Continuing Education Courses

(As of December 5, 2003)

Listed below are the courses approved for appraiser continuing education credit as of date shown above. Course sponsors are listed alphabetically with their approved courses. Shown parenthetically beside each course title are sets of numbers [for example: (15/10)]. The first number indicates the number of actual classroom hours and the second number indicates the number of approved continuing education credit hours. You must contact the course sponsor at the address or telephone number provided to obtain information regarding course schedules and locations.

ALAMANCE COMMUNITY COLLEGE

P.O. Box 8000
Graham, NC 27253 (336)578-2002

Appraising Small Residential Income Properties (10/10)
Intro to Commercial Real Estate (4/4)
New Exstg Residential Codes Affecting RE Appr (10/10)
Real Estate Finance (4/4)

ALLEN TATE SCHOOL OF REAL ESTATE

1400 Battleground Avenue, Suite 150
Greensboro, NC 27408-8028 (336)274-9994

National USPAP Update (7/7)

ALLSTATE HOME INSPECTION TRAINING INSTITUTE

Route 1, Box 130
Randolph Center, VT 05061 (800)245-9932

Environmental Awareness Seminar (8/8)
FHA Test Preparation (8/8)
Introduction to Home Inspection (8/8)
USPAP Refresher (8/8)

AMERICAN SCHOOL OF REAL ESTATE APPRAISERS

P.O. Box 275
Cherryville, NC 28021 (704)435-1111

National USPAP Update (15/15)

AM SOC FARM MANAGRS & RURAL APPRAISERS

950 S. Cherry Street, Suite 508
Denver, CO 80222 (303)758-3513

A-12 Part 1 ASFMRA Code of Ethics (7/7)
Eminent Domain A-25 (19/19)
Advanced Appraisal Review A-35 (49/30)
Advanced Resource Appraisal A-34 (30/30)
Appraising Agricultural Land in Transition (8/8)
Appraising Rural Residential Properties (15/15)
ASFMRA 74th Annual Convention (7.25/7.25)
Eminent Domain (19/19)
Highest & Best Use A-29 (15/15)
Mineral Appraisal Symposium (14/14)
National USPAP Update (7/7)
Rural Business Valuation (16/16)

AM SOCIETY OF APPRAISERS

535 Herndon Parkway, Suite 125
Herndon, VA 20170 (703)733-2123

A Perspective on the Profession, Pro Standards,
Emerging Markets & Market Opportunities (3.5/3.5)
Eminent Domain Appraisal Problems (3.5/3.5)
Faulty Appraisals, An Object Lesson (3.5/3.5)
Appraiser Opportunities and Challenges in the
Secondary Market (3.5/3.5)

AM SOCIETY OF APPRAISERS NC CHAPTER

125 Kingston Drive #206
Chapel Hill, NC 27514 (919)929-9539

National USPAP Update (7/7)
The Appraisal of Small Subdivisions (7/7)
Using Marshall & Swift/Res Prop (7/7)

APPRAISAL INSTITUTE

550 W. Van Buren Street, Suite 1000
Chicago, IL 60607 (312)335-4236

320 General Applications (39/30)
Apartment Appr: Cncpts & (14/14)
400 National USPAP Update (7/7)
410 National USPAP (15/16)
420 Business Practice and Ethic (7/7)
500 Adv Res Form & Narrative (40/30)
520 High & Best Use & Mkt Anal (40/30)
530 Adv Sales Comp & Cost Appr (40/30)
600 Inc Val of Sm Mixed-Use Prop (15/15)
610 Cst Val of Sm Mixed-Use Prop (15/15)
620 Sls Comp Val Sm Mixed-Use (15/15)
700 Appraisers as Expert Witness (15/15)
705 Litigation Appr: Splcld Topics & (16/16)
710 Condemnation Appr: Basic Prin & (15/15)
720 Condemnation Appr: Adv Topics & (15/15)

800 Separating Real & Personal (15/15)
810 Computer-Enhanced Cash F (15/15)
Gen Demo Appr Rpt Writing Sem (7/7)
Intro to Income Capitalization (7/7)
O/L 320: General Applications (7/7)
O/L Analyzing Distressed RE (4/4)
O/L Analyzing Operating Expen (7/7)
O/L Appraisal of Nursing Facilities (7/7)
O/L Appraising from Blueprints (7/7)
O/L Appraising Mfg Housing (7/7)
O/L Feasibility, Mkt Value, Investment (7/7)
O/L Internet Search Strategies for R (7/7)
O/L Intro to GIS Apps for RE App (7/7)
O/L Overview of RE Appr Princip (7/7)
O/L Res Design & Functional Uti (7/7)
O/L Res Property Construction & In (7/7)
O/L Sm Hotel/Motel Val: Lmtd S (7/7)
O/L The FHA and the Appr Proce (7/7)
O/L Using Your HP12C Financial (7/7)
O/L Val of Detrimental Conditions (7/7)

APPRAISAL INSTITUTE, NC CHAPTER

2306 W. Meadowview Road, Suite 101
Greensboro, NC 27407 (336)297-9511

400 National USPAP Update (7/7)
420 Business Practices & Ethics (7/7)
710 Condemnation Appraising (15/15)
Analyzing Distressed Real Estate (4/4)
Effective Appraisal Writing (7/7)

APPRAISAL INSTITUTE, SC CHAPTER

609 Sims Avenue
Columbia, SC 29205 (803)256-1985

Land Val Adjustment Procedure (7/7)
Land Valuation Assignments (7/7)

APPRAISAL INSTITUTE, REGION V

P.O. Box 801807
Dallas, TX 75380-1807

Analyzing Distressed Real Estate (4/4)

APPRAISAL.COM

334 Harris Hill Road
Buffalo, NY 14221 9716)633-2428

NOVA for Appraisers (7/7)

ASHEVILLE-BUNCOMBE TECH CC

340 Victoria Road
Asheville, NC 28801 (828)254-1921

PDH RE - Basic Surveying (5/5)
The UDO: Regulating RE Use & Dev (4/4)
USPAP 2001 (15/15)

BILL GALLAGHER SCHOOL OF REAL ESTATE

380 Knollwood Street, Suite 420
Winston-Salem, NC 28103 (888)778-1245

Intro to Residential RE Investment (7/7)
The Appraiser As An Expert Witness (7/7)

BOB IPOCK & ASSOCIATES, INC.

1218 Heatherloch
Gastonia, NC 28054 (704)807-1985

National USPAP Update (8/8)

BRUNSWICK COMMUNITY COLLEGE

P.O. Box 30
Supply, NC 28462 (910)754-6900

I've Got This House (7/7)

CARTERET COMMUNITY COLLEGE

3505 Arendell Street
Morehead City, NC 28557 (252)222-6127

Mold Inspectionas & Remediation (4/4)

CCIM INSTITUTE

430 N Michigan Avenue, 8th Floor
Chicago, IL 60611-4092 (312)321-4473

C1101 Fin Analysis Comm Invest (30/30)
C1102 Market Analysis Comm In (30/30)
C1103 User Decision Analysis Comm (30/30)
C1104 Invest Analysis Comm Inv (30/30)
Introduction to Com Investment RE An (12/12)

CLE INTERNATIONAL

1620 Gaylord Street
Denver, CO 80206 (303)377-6600

Eminent Domain (13/13)

DAN MOHR RE SCHOOLS

1400 Battleground Avenue, Suite 150
Greensboro, NC 27408 (800)639-9813

Depreciation Workshop (7/7)
Environmental Hazards-Residential Prop (7/7)
Extraction of Data from Market Res (7/7)
HP 12C Course (7/7)
Intro to Residential Construction (30/30)
Mfg/Modular Homes & Real Property Appr Review (7/7)
National USPAP Update (7/7)
Res Appr & Conventional Underwriting Guide (7/7)
Residential Construction Seminar (7/7)
Residential Construction Seminar (14/14)
Rules & Regs FHA/HUD Requirements (14/14)
The Narrative Appraisal Report (7/7)
Using Streamlined Appraisal Report Forms (7/7)

DUKE UNIVERSITY

A108B LSR/Box 90328
Durham, NC 27708 (919)684-2135

What's it Worth - Forest Appraisal (36/30)

EDGEcombe CC

225 Tarboro Street
Rocky Mount, NC 27801 (252)613-8082

Appraising Manufactured, Modular & Mobile (A) (7/7)
Appraising Manufactured, Modular & Mobile (B) (7/7)
Income Capitalization (14/14)
Income Capitalization (A) (7/7)
Income Capitalization (B) (7/7)
Manufactured, Modular & Mobile (4/4)
Narrative Appraisal Report Writing (14/14)
Pricing Small Income Properties (4/4)
Principles & Techniques Val 2-4 Units Res Prop (14/14)
Real Estate Finance for Appraisers (14/14)
Rural Valuation Seminar (14/14)
Single Family Residential Appraisal (14/14)
Standards of Professional Practice (15/15)
USPAP & NC Board Rules & Regs Fo (15/15)

ELLIOTT & COMPANY APPRAISERS

3316-A Battleground Avenue
Greensboro, NC 27410 (336)854-3075

Standards and Beyond (6/6)

EMPLOYEE RELOCATION COUNCIL

1717 Pennsylvania Avenue NW #800
Washington, DC 20006-4665 (202)862-4236

Relocation Appr Training Prog (6/6)

ENVIROSAFETY GROUP, INC.

3764 Candler Mountain Road
Lynchburg, VA 24502 (434)846-4960

Mold Inspection & Remediation (4/4)

FREDDIE F STELL APPRAISAL SCHOOL

2121 Guess Road
Durham, NC 27705 (919)416-1117

Measuring Homes & Appraising (7/7)

HIGNITE TRAINING SERVICE

208 Gloria Street
Greenville, NC 27858 (252)756-7288

The Review and The Reviewer (7/7)
National USPAP Update (7/7)

Approved Continuing Education Courses

Continued from page 5

HISTORIC PRESERVATION CONSULTING

22 Pan Will Road
Mineral Bluff, GA 30559 (706)492-7234

Marketing & Appraising Historic Property (14/14)

INSTITUTE OF GOVERNMENT

223 Knapp Building, CB#3330
Chapel Hill, NC 27599-3330 (919)966-4372

Appraisal of Land (30/30)
Fundamentals of Assessment Ratio Studies (16/16)
Fundamentals of Mass Appraisals (30/30)
IAAO 101: Fundamentals of Real Prop (30/30)
IAAO 102: Inc Approach to Valuation (30/30)
Marshall & Swift - Commercial (13/13)
Principles & Techniques of Cadestral Mapping (30/30)
Residential Modeling Concepts (30/30)

INTERNATIONAL RIGHT OF WAY ASSOCIATION

19750 S. Vermont Avenue, Suite 220
Torrance, CA 90502-1144 (213)538-0233

103 Ethics & Right of Way Profession (8/8)
402 Introduction to Income Approach to Valuation (8/8)
403 Easement Valuation (8/8)
801 Land Titles (10/10)

INTERNATIONAL RIGHT OF WAY ASSOCIATION, CHAPTER 31

563 Red Maple Drive
Waynesville, NC 28785 (828)734-3987

Easement Valuation (8/8)

JOHNSTON CC

P.O. Box 2350
Smithfield, NC 27577 (919)934-3051

Appraisal 2002 (7/7)
USPAP 2002 (7/7)

LENOIR CC

P.O. Box 188
Kinston, NC 28502-9946 (252)527-6223

Appraising Manufactured, Modular, & Mobile (A) (7/7)
Appraising Manufactured, Modular, & Mobile (B) (7/7)
Challenging the Appraisal (4/4)
Cost Approach Marshall & Swift (7/7)
Income Capitalization (A) (7/7)
Income Capitalization (B) (7/7)
Manufactured, Modular & Mobile (4/4)
Maximizing Value (4/4)
National USPAP Update (7/7)
NC Rules & Regulation Update 97/7)
Pricing Complex Properties (4/4)
Pricing Small Income Properties (4/4)
Principles/Techniques Val 2-4 Unit Residential (14/14)
USPAP & NC Rules & Regulations for App (15/15)

M CURTIS WEST

P.O. Box 947
Zebulon, NC 27597 (919)217-8040

USPAP 2002/2003 (7/7)

MCKISSOCK DATA SYSTEMS

P.O. Box 1673
Warren, PA 26365 (814)723-6979

Appraiser Liability (7/7)
Appraising the Oddball (7/7)
Does My Report Comply with USPAP? (7/7)
Legal Issues for Appraisers (7/7)
National USPAP (15/15)
National USPAP Update (7/7)
O/L Appraiser Liability (7/7)
O/L Construction Details & Trends (7/7)
O/L Factory-Built Housing (7/7)
RE Damages: Assessment & Testi (7/7)
Real Estate Fraud & Appraiser's Role (7/7)
Residential Construction (7/7)
The Appraiser as Expert Witness (7/7)
Vacant Land Appraisal (7/7)

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Trainees & Supervisors (7/7)
Board Rules and Laws (7/7)

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Is This A Commercial Appraisal? (4/4)
NC RE Appr Act & Appraisal Board Rules (4/4)
Role of the Supervisory Appraiser (4/4)

NAIFA

7501 Murdoch Avenue
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1031 Like Kind Exchange (4/4)
11.8 Calculating Gross Living Area Using (7/7)
2.0 Financial Analysis Inc Property (15/15)
4.0 Marshall & Swift Valuation Guides (15/15)
4.1 Marshall & Swift Residential Cost M (8/8)
5.0A Standards Review (8/8)
Appraisal of Foreclosure (4/4)
Analyzing & Handling Litigation (4/4)
Blue Print Reading Seminar (4/4)
Bridging the Gap Between Lend & (4/4)
Calc Gross Living Area Using ANSI (4/4)
Commercial Report Writing (15/15)
Environmental Concerns Seminar (4/4)
Ethics (4/4)
Historic Appraising (8/8)
Fannie Mae Update (4/4)
Fannie Mae Updated Prop & A (8/8)
HUD Review Update (4/4)
Internet & Appraisal Practice Seminar (4/4)
Intro to Automated Valuation Model Tech Seminar (4/4)
Lead-Based Paint & Mold: H (4/4)
Practical Office for Pro Ap (4/4)
Preparing Your Listing for FHA (4/4)
Relocation Seminar (4/4)
Scope of Work (8/8)
Valuing Undivided Interest (4/4)

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Appr Liability-Knowledge to Mnmz (8/8)
Appraiser Liability (15/15)
Environmental Site Assessment (15/15)
HUD Appraisal Standards Update (7/7)
Manufactured Housing Appraisal (15/15)
Principles of Property Inspection (20/20)
Principles of Appraisal Review (15/15)
Real Estate Environmental Screening (7/7)
Residential Cost Approach-Marshall & Swift (15/15)
Residential Environmental Screening (7/7)
Residential Appraisal Review (7/7)
USPAP Update (7/7)

NC RE EDUCATION FOUNDATION (NCAR)

4511 Weybridge Lane
Greensboro, NC 27407 (800)443-9956

Appraising a Single-Unit Condo (7/7)
Fundamentals of HP-12C in Appraisal Work (7/7)
Income Capitalization for Small Com Props (7/7)
Land Use Regs Effect on Market Value (7/7)
Legal Issues in Real Estate (7/7)
Residential Construction (7/7)
Residential Real Estate as an Investment (7/7)
Tax Planning for the Real Estate Agent (7/7)
USPAP (7/7)

NCDOT

1605 Westbrook Plaza Drive, Suite 301
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Appr Board Speaks to You/Ct Rm Eti (7/7)
Appraisal of Residue & Special Use Properties (7/7)
National USPAP Update (7/7)
NC Rules & Regulations - USPAP Update/Avd Ltg (7/7)
Revisiting the Cost Approach & Recurring Errors (7/7)
Sales Comp Grid/Appr of Trans (7/7)

NCSU FORESTRY ED OUTREACH PROGRAM

Campus Box 8003
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Accurate Forest Inventory (16/16)
Applied Intermediate GIS - Foresters (15/15)
Dlntn of Pdmnt & Cstl Pln Jrst (30/30)
Introduction to Applied GIS - Foresters (15/15)
Introduction to Applied GPS - Foresters (13/13)

NCSU SOIL SCIENCE DEPT

Campus Box 7619
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Basics of On-Site Sewage (7/7)
Getting the Dirt on Soils (7/7)
On-Site System Tech Refresh (7/7)
Septic System Options for Diff (14/14)
Wastewater in the Environment (7/7)
Wells & Septic Systems (4/4)

REALETECH.COM

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National USPAP Update (7/7)

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Appraisal Process and Val of Residential Prop (4/4)

SURRY CC

P.O. Box 304
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Home Inspections & Common De (4/4)
Is the Comparable Comparable (8/8)
Mobile Mfg Homes & Types of M (4/4)
Reviewing a Residential Appraisal (8/8)
Testing Highest & Best Use (8/8)

TH HUNTER & ASSOCIATES, INC.

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Appraiser as an Expert Witness (7/7)
Intro to Res RE Investment (7/7)
Land, Res & Com Investment (7/7)
Understanding Appraiser Liability (7/7)

TRIANGLE APPRAISAL & REAL ESTATE SCHOOL

4024 Barrett Drive #204
Raleigh, NC 27609 (919)782-2084

Manufactured Home Construction (7/7)
National USPAP Update (7/7)
North Carolina Rules (7/7)

WENDELL HAHN & ASSOCIATES

P.O. Box 245
Columbia, SC 29250 (803)779-4721

FHA Guidelines 2001(7/7)
New for 2002 (7/7)
Nuts & Bolts (7/7)
The Modern Appraisal Office - Part I (7/7)
The Modern Appraisal Office - Part II (7/7)
USPAP 2001 (14/14)

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Appraising Manufactured, Modular & Mobile (14/14)
Income Capitalization (A) (7/7)
Income Capitalization (B) (7/7)
Maximizing Value (4/4)
Manufactured, Modular & Mobile (4/4)
National USPAP Update Course (7/7)
Pricing Complex Properties (4/4)
USPAP & NC Rules and Regulations for App (15/15)

WILLIAM H. SHARP & ASSOCIATES

1459 Pineview Circle
Douglasville, GA 30134 (678)838-2949

Housework Homework Check List (14/14)

DISCIPLINARY ACTIONS

Albert Yount

By consent, the Board issued a reprimand to Mr. Albert Yount. The Board also ordered Mr. Yount to take and satisfactorily complete the 15-hour National USPAP course and 7 hours of coursework in property inspection prior to May 1, 2004. If he fails to take the coursework as provided, the matter will be reopened and a hearing scheduled before the Board. The Board found that Mr. Yount appraised a home in Hickory, NC on July 27, 2000, finding an appraised value of \$129,000. The property owners sought to refinance the loan in 2003 and the property was re-appraised, the appraiser issued a report placing a value of \$110,500 during 2003. During the investigation, it was learned that Mr. Yount had mismeasured the property. He reported that the unit had 2,165 square feet compared to the actual measurement of 1,589 square feet. He also described the unit as having two elevators, a foyer, hardwood floors, and a disposal when none of the amenities are present in the subject property. The primary reason for the difference in value reported by the Respondent and by the other appraiser was the result of the inaccurate square footage reported by the Respondent.

Gerald Wright

By consent, the Board issued a reprimand to Mr. Wright. The Board also ordered Mr. Wright to take and satisfactorily complete 7 hours of coursework in home and property inspections and 7 hours of coursework dealing with appraiser liability prior to May 1, 2004. If Mr. Wright does not take and satisfactorily complete the courses within the agreed upon time frame, the matter will be reopened and a hearing will be scheduled before the Board. Mr. Wright appraised the subject property on two occasions and for two different clients. His first appraisal had an effective date of October 23, 2002. His second appraisal was issued with an effective date of January 23, 2003. An individual who reviewed Mr. Wright's second appraisal notified him that the square footage was incorrect. Mr. Wright examined his appraisal and work file and realized that he had made an error in entering the measuring data into his computer. He corrected the appraisal and resubmitted it. Realizing that his initial appraisal had the same error, Mr. Wright advised the client of the error made in his initial appraisal. Mr. Wright's second appraisal effective January 23, 2002 indicated that there had been no prior sales within the prior 36 months. In fact, there was a transfer of

ownership of the property on January 22, 2003 that was omitted from Mr. Wright's appraisal. Because he knew that ownership of the property was being transferred, he delayed issuing his second appraisal. When he received a copy of the deed on February 5, 2003, he then issued the appraisal that still indicated there had been no sale of the property within the prior 3 years. Mr. White submitted revisions to both clients that corrected the identified errors.

William J. Carren

By consent, the Board suspended Mr. Carren's residential appraiser certificate A4389 for a period of thirty (30) days commencing on the date which Mr. Carren's certification may be reinstated by the Board, as it is currently expired. Mr. Carren agreed not to hold himself out or act as a real estate appraiser during the time of the suspension. Mr. Carren primarily performs appraisals in the Raleigh, Durham and Chapel Hill area. The violation occurred during 2000 when Mr. Carren engaged another appraiser to perform an appraisal of residential property in Wilmington, NC. The appraisal performed by the other individual was not performed in a manner consistent with the Uniform Standards of Professional Appraisal Practice and the report contained errors and inaccuracies which made it misleading. The report was prepared by the other appraiser. Although the other appraiser was certified and did not require immediate supervision, Mr. Carren's signature and seal were affixed to the report causing his client and foreseeable users of the report to believe that he had reviewed the report in a supervisory capacity.

Robert M. Kenley

By consent, the Board suspended Mr. Kenley's license number A1667 for a period of one year with the suspension to begin on September 1, 2003. It was agreed that the first month of the suspension would be active and the remainder would be stayed until March 1, 2004 if Mr. Kenley completes a 15-hour USPAP course and a course in the role of a supervisor by that date, then the remainder of the suspension shall be inactive. This problem arose when a trainee working under Mr. Kenley's supervision completed an appraisal report and placed it on Mr. Kenley's desk for his review as was the usual practice. The trainee did not sign the report nor was there any mention in the appraisal report that the trainee provided

significant professional assistance. That was also a common practice in that office. Although a signature on the report appears to be that of Mr. Kenley, he denies having signed the report and it appears that someone else in his office affixed his name to the report. The violations primarily involved a failure to properly supervise the trainee and to act appropriately as a supervising appraiser.

Catherine Plummer

By consent, the Board suspended Ms. Plummer's registration number T1203 for a period of 6 months. It was further agreed that the suspension would be stayed until March 1, 2004 and that the suspension would be inactive if Ms. Plummer completes a 15-hour USPAP course and a course in appraiser liability by that date. After completing an appraisal report for a property in Lincoln County in May 2002, Ms. Plummer placed the unsigned report on her supervisor's desk for review and signature, as was the established practice in that office. Ms. Plummer did not sign the report and there was no mention in the report that she had provided any significant professional assistance. That was also a common practice in that office. Someone in the office affixed the name of the supervisor to the report and sent the report to the client.

Donald Welsh

By consent, the Board suspended Mr. Welsh's certificate, number A2661 for a period of sixty (60) days to begin on December 1, 2004. The suspension shall be stayed if Mr. Welsh completes education courses from a provided list totaling at least 15 hours prior to December 1, 2004. Mr. Welsh accepted an appraisal assignment to appraise four (4) undeveloped parcels of real property located in the City of Charlotte, NC which was under threat of condemnation at the time. Portions of the parcels were traversed by a stream and three of the four parcels were located in areas denoted by the local zoning ordinance as floodway or floodway fringe. Under the ordinance, development of land in such areas is severely restricted and requires a special permit. None of the parcels had immediate access to a paved public street. All of the parcels were zoned for residential use only. In his appraisal report, Mr. Welsh failed to fully describe the physical and regulatory impediments to development of the subject parcels. Respondent also failed to fully describe the assumptions upon which his opinion of

Continued on page 8

Disciplinary Actions

Continued from page 7

value was based or to make appropriate adjustments.

William Hogue and Geoffrey Smith

By consent, the Board reprimanded Mr. Hogue and Mr. Smith. In addition, the parties agreed that a 30-day suspension would be imposed unless Mr. Hogue and Mr. Smith successfully completed the 15-hour National USPAP course by October 1, 2003. Mr. Smith filed an application to obtain certification by reciprocity from South Carolina. Mr. Smith was living in North Carolina at the time that his application was filed and did not meet the requirements for reciprocity. He assisted on 64 appraisal reports for Mr. Hogue's appraisal company after he moved to North Carolina when he was not licensed to do so. It was indicated on the reports that Mr. Smith contributed significant professional assistance in the preparation of the reports and indicated that he was not licensed in North Carolina. Both Smith

and Hogue thought that Mr. Smith could perform the duties of a trainee until such time as his application for certification was granted.

John L. Boggess

By consent, the Board reprimanded Mr. Boggess and required him to satisfactorily complete the 15-hour National USPAP and a course in inspection or measurement of properties by April 1, 2003. If he fails to take the course as agreed, a one-month active suspension will be effective as of that date. Mr. Boggess appraised a modular home. He mismeasured the property and reported a gross living area of 2,128 sq. ft., an excess of 297 feet. Mr. Boggess selected his comparable sales and made adjustments for the respective gross living areas of each based upon his inaccurate measurement for the subject property. All errors in the report were related to his error in measuring and reporting the gross living area of the property.

J. Scott Lindsley

By consent the Board accepted Mr. Lindsley's voluntary surrender of his

license and his agreement not to apply for a license for a period of at least one year. Two outstanding complaints against Mr. Lindsley were dismissed with no determination of wrongdoing. □

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**NORTH CAROLINA
APPRAISAL BOARD**
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