

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

**DATE:** April 13, 2021

**TIME:** 10:36 am

**PLACE:** 500 N. Calvert Street (virtual meeting)  
2nd Floor Conference Room  
Baltimore, Maryland 21202

**PRESENT:** Commissioner Anatol Polillo, Chairman  
Commissioner Harold Huggins, Vice-Chair  
Commissioner Jeremiah Hosford  
Commissioner Coleen Courtney-Morrison  
Commissioner Sean Troxell  
Commissioner Gwen Skillern  
Commissioner Michelle Marzullo  
Commissioner James Smith  
Commissioner Steve Feyerick  
Commissioner Bob Hergenroeder  
Commissioner Nathan Cavey  
Commissioner Thomas Owen

**ABSENT:** Commissioner Stacy Harman

**DEPT. OF LABOR STAFF PRESENT:** Greg Morgan, Commissioner, Division of  
Occupational and Professional Licensing  
Todd Blackistone, Executive Director  
Sloane Fried Kinstler, Assistant Attorney General  
Michael Szlachetka, Administrative Specialist

**OTHERS PRESENT:** None identified

**Call to Order**

Commission Chairman, Anatol Polillo, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:36 am.

**Approval of Minutes**

Mr. Troxell raised a concern over the reflection of the Home Inspector Complaint Committee discussion in the minutes of the February 9, 2021 meeting. The Commission discussed a

correction to the Home Inspector Complaint Committee Report on page 6, the Commission determined that the minutes should reflect that the Commission determined that it may grant retroactive course approval to a home inspection course provided it meets Maryland standards.

By Motion made by Commissioner Hergenroeder, seconded by Commissioner Skillern, and carried by a unanimous vote, the minutes of the February 9, 2021 business meeting were approved.

### **Real Estate Appraiser Complaint Committee Report**

Executive Director, Todd Blackistone, reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed 14 items of business placed before the Committee. The disposition of which was as follows:

Complaints	-	20- REA - 15	Precharge
		20- REA - 33	Remedial Education
		20- REA - 59	Technical review
		21- REA - 12	Settlement Discussions
		21- REA - 16	Civil Penalty/Reprimanded
		21- REA - 21	Technical review
		21- REA - 23	Technical review
		21- REA - 26	Investigation
		21- REA - 35	Settlement Discussions
		21- REA - 45	Dismissed
		21- REA - 46	Tabled
		21- REA - 47	Dismissed
		21- REA - 51	Dismissed
		21- REA - 56	Civil Penalty/Reprimanded

A Motion was made by Commissioner Courtney-Morrison and seconded by Commissioner Nathan Cavey, that the Commission accept the report and recommendations of the Appraiser Complaint Committee. This motion passed by a unanimous vote.

### **Home Inspector Complaint Committee Report**

Commissioner Troxell reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 6 items of business placed before the Committee. The disposition of which was as follows:

Complaints	-	21- INSP - 13	Closed
		21- INSP - 28	New report
		21- INSP - 31	New report
		21- INSP - 34	Dismissed
		21- INSP - 49	Dismissed
		21- INSP - 53	Dismissed

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

### **Education Committee Report**

Commission Chair Polillo reported that the Appraiser and Home Inspection Education Committees met on this date and approved 48 courses. The Appraiser Education Committee reviewed 14 courses and, of those, approved 11 courses. The Home Inspection Education Committee reviewed 44 courses and, of those, approved 37 courses.

A Motion was made by Commissioner Huggins, seconded by Commissioner Smith, and unanimously carried that the Commission accept the recommendations of the Education Committees.

### **Old Business**

No report offered.

### **Chairman's Report**

No report offered.

### **Assistant Attorney General's Report**

Assistant Attorney General, Sloane Fried Kinstler, addressed the Commission reminding them about the action previously taken to update the Uniform Standards of Professional Appraisal Practice (USPAP) to the most current edition by repealing and reproposing COMAR 09.19.05.01. Counsel explained that the Commission's proposed action taken at the February 9, 2021 meeting was not published in the Maryland Register until April 9, 2021. Accordingly, Counsel explained that final action cannot be considered by the Commission until after consideration of any comments received during the public comment period. The Commission expects to consider final action at the June 8, 2021 meeting.

### **New Business**

Commission Chairman, Anatol Polillo, addressed the Commission with a concern raised alleging an education provider is currently offering pre-license home inspector course content denied by the Commission in August 2020, and maintaining that it has been approved by the Commission toward home inspector licensing credit. The provider previously submitted 2 courses for review. One was a home inspection onsite course, and the other was consisted or remote instruction. The virtual course was denied credit toward home inspector licensure by the Commission in August 2020. It has been alleged that the provider has continued to offer the course. The course provider indicates on its website that the course has been approved by the Commission.

The Commission asked that Executive Director, Todd Blackistone, draft a letter to the course provider asking that they immediately cease and desist from offering and conducting the denied course content; provide a written explanation to the Commission explain the reason for continuing to offer the denied course content; and that it provide documentation to the Commission that the provider has ceased offering the course. The Commission asked that its website be updated to clarify the provider's course approval status.

A Motion was made by Commissioner Huggins, seconded by Commissioner Hergenroeder, and unanimously carried that the Commission instructs Mr. Blackistone to contact the course provider by letter, advising them that the Commission has asked that the company cease and desist from offering the denied course content; provide the requested explanation; verification that it has ceased offering the course; and that the course provider respond in writing to the Commission to verify its compliance within 15 days of the Commission meeting; and that the Commission's the website be updated to reflect that the course is not approved.

Commissioner Troxell addressed the Commission following up the earlier discussion regarding retroactive course approvals and the associated timeline with the review process. Commissioner Troxell explained to the Commission how the current review process could be misinterpreted and potentially cause confusion when a provider submits a course for review. Executive Director, Todd Blackistone, explained to the Commission the procedure for course submission and the review process. The Commission concluded that the Home Inspector Education Committee could allow retroactive course approval for home inspector education under certain circumstances as it deems appropriate.

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Marxullo, and unanimously carried that the Commission will allow the Home Inspector Education Committee to grant retroactive course approvals as it deems appropriate, provided the course follows the Maryland Standards of Practice and Code of Ethics.

#### License Applicants and Requests:

##### # 1 - Appraiser License Reinstatement

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who contacted the Commission to reinstate a license. The individual's Certified Residential license expired in 2016. Maryland law allows the Commission to reinstate an expired appraiser license or certificate if the individual applies for reinstatement within 3 years of expiration. Md. Ann. Code, Bus. Occ. & Prof. §§16-310 and 16-512. Due to the combined 15 years of experience as being licensed in Maryland, DC, and Virginia, the Commission will allow reinstatement of the expired license.

A Motion was made by Commissioner Huggins, seconded by Commissioner Courtney-Morrison, and unanimously carried that the Commission allow the reinstatement of the expired license.

##### # 2 - Appraiser License Reinstatement

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who has asked the Commission to reinstate the license. The individual's license expired in 2009 when they returned to New York to assist with the family business. Upon consideration of the time in which the individual has not worked in the appraisal field, the request was denied.

A Motion was made by Commissioner Huggins, seconded by Commissioner Hergenroeder, and unanimously carried that the Commission deny the reinstatement of the expired license.

### # 3 - Home Inspector Application

Executive Director, Todd Blackistone, addressed the Commission regarding a home inspector license applicant who reported a criminal history, all of which were misdemeanor, non-violent offenses. In 2001, the individual was found guilty for possession of marijuana. In 2017 they were found to be in violation of probation. In 2019, the applicant was found guilty for violating an *ex parte* order. In consideration of Maryland law that encourages licensing agencies to allow individuals supervision for non-violent offenses, to become licenses, the Commission will not bar the applicant from licensure due to the applicant's criminal history.

A Motion was made by Commissioner Troxell and seconded by Commissioner Owen. All Commissioners voted in favor of the motion that the Commission would not automatically bar this individual from licensure based on the applicant's conviction history, with the exception of Mr. Huggins, who abstained.

### # 4 - Home Inspector Application

Executive Director, Todd Blackistone, addressed the Commission regarding home inspector license applicant who has multiple misdemeanor convictions to be reviewed by the Commission. Between 2001-2007, the applicant was convicted of destruction of property, possession of a controlled, dangerous substance, DWI, and resisting arrest. Upon consideration of the applicant's non-violent criminal history, and that the most recent conviction occurred 14 years ago, the Commission concluded that the individual's criminal history would not bar them from licensure.

A Motion was made by Commissioner Troxell, seconded by Commissioner Owen, and unanimously carried that the criminal conviction history would not automatically bar the applicant from licensure.

### #5 - Appraiser Trainee Application

Executive Director, Todd Blackistone, addressed the Commission about a real estate appraiser trainee applicant who had reported a 20-year-old criminal conviction, for possession with intent to distribute a controlled, dangerous substance, a felony. Due to the length of time since this conviction, the Commission concluded that the conviction, alone, would not bar the applicant from licensure.

A Motion was made by Commissioner Hosford, seconded by Commissioner Courtney-Morrison,

and unanimously carried that the Commission would not automatically bar this applicant from licensure based on the age of the felony drug conviction.

#### #6 - Home Inspector Applicant

Executive Director, Todd Blackistone, addressed the Commission regarding home inspector license applicant who in 1999 was convicted of two felonies. The applicant was found guilty of possession of a controlled drug with intent to distribute and possession of a firearm. The applicant was sentenced to incarceration for 6 years, of which 4 years were suspended. Since that time, the applicant has been working as a HVAC service mechanic and is married with a family.

A Motion was made by Commissioner Hosford, seconded by Commissioner Troxell, and unanimously carried that the Commission would not automatically bar this individual from licensure based on the conviction history.

#### #7 - Home Inspector Applicant

Executive Director, Todd Blackistone, addressed the Commission regarding home inspector license applicant who reported multiple criminal convictions for review by the Commission. In 2004, the applicant was convicted of 1<sup>st</sup> and 2<sup>nd</sup> degree assault with a firearm. In 2006, the individual was convicted for fishing without a license. In 2011, the applicant was convicted of possession of a controlled dangerous substance and transporting a firearm, for which the applicant was sentenced to incarceration for 20 years, with all but 18 months suspended, and was sentenced to home detention. Upon consideration of the age of the convictions, the Commission concluded that they would not constitute disqualifying offenses.

A Motion was made by Commissioner Marzullo, seconded by Commissioner Troxell, and carried by majority, with Mr. Hergenroeder abstaining, that the Commission would not automatically bar this individual from licensure based on the applicant's conviction history.

#### #8 - Appraiser License Reinstatement

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who has sought reinstatement of an appraisal license. This license expired in 2012 and the individual left the field due to industry requirements and fee schedules at the time.

A Motion was made by Commissioner Huggins, seconded by Commissioner Courtney-Morrison, and unanimously carried that the Commission deny the reinstatement of the expired license.

#### #9 - Appraiser License Reinstatement

Executive Director, Todd Blackistone, addressed the Commission about a former real estate appraiser who contacted the Commission to reinstate their license. This individual held a real estate appraiser license for 12 years. The license was revoked in 2012 and the individual was fined \$4000 for multiple infractions including failure to respond to the Maryland Commission. The Commission discussed the matter and will not approve license reinstatement at this time.

The individual may request a hearing on the matter.

A Motion was made by Commissioner Hergenroeder, seconded by Commissioner Cavey, and unanimously carried that the Commission deny reinstatement of the previously-revoked license. The individual will be advised that they can request a hearing on the matter.

**Adjournment**

There being no further business to discuss, a Motion was made by Commissioner Huggins, seconded by Commissioner Skillern, and unanimously carried that the meeting adjourn. The meeting adjourned at 12:31 p.m.

Approved without corrections

Approved with corrections

Signature on File  
Commissioner Anatol Polillo, Chair

6/14/2021  
Date