

Scott Bethan ([00:00:02](#)):

... You were able to join us.

Sandy Bauer ([00:00:16](#)):

All right. It's 10 o'clock. Chair Bethan, if you would like to get started.

Scott Bethan ([00:00:22](#)):

Okay. Well, with trepidation having two previous chairs monitoring me, we'll go ahead and call the meeting in order. So good morning. I'm Scott Bethan. I'm the chair of the Real Estate Commission. It's now 10:00 AM on Thursday, January 12th. So we'll call the meeting to order. And so this is an open public meeting and we will take some time at the end of the meeting to address public comments. And so we ask the commentary to be at three minutes or less, and then we'll do a reminder.

([00:00:58](#)):

When we do this, when we do have public commentary, the thing to kind of keep in mind is that, as Commissioners, we can ask for clarification of a comment, but we're asked not to comment back or engage in discussion because that has not been approved on the agenda here to four. So just as kind of a reminder, and we'll do that reminder before the public commentary.

([00:01:20](#)):

So as a courtesy, we ask everyone to mute their mics when you're not speaking, and remember to unmute yourself, I'm sure that'll happen to me or anyone else. And also if you could state your name when you make the comments, that helps us. And that includes the commissioners when you're making a commentary. So that's easier for folks to go back and look at the minutes.

([00:01:45](#)):

I'm going to just take a quick moment before we do the roll call. And many of us know or knew Bill King, and Bill was somebody I met several years ago. I didn't know him early in my career because he did more residential. At that time I was not doing any residential. But when I got to know him, what I discovered is somebody who was absolutely nice, nice, nice person. But more than that, he had a passion for the profession and those around him. And he passed unexpectedly, at least to some of us unexpectedly I believe, either earlier this week or later last week, whenever it happened, he just passed. And I was asked, and I actually was planning on as well, if we could just take a moment to remember Bill King. And there's many of us who can have that opportunity. So we'll just take a quick second.

([00:02:42](#)):

So moving on, the other thing that we'll just make a brief announcement and we'll, more to come, is that Heather Sullivan has been appointed to the appraisal standards board and as a consequence is not able to serve on a state appraiser commission. So she has resigned. I think that the staff might be able to speak briefly. There'll be a process to fill that vacancy. Maybe I'll let staff address that because I'll just say it poorly.

Sandy Bauer ([00:03:15](#)):

Yeah. I can go ahead and address that. We are going to be opening a recruitment to fill her position. When we are ready to do so, we will send out a message on the listserv and keep an eye out for that. It will list all the qualifications that we're looking for. And then anyone can submit their applications and then we'll review them, have a quick discussion, and then hopefully we'll find a perfect replacement for her.

Scott Bethan ([00:03:53](#)):

Great. Great. Well, we have valued Heather's contributions and we appreciate that and wish her well. All right, I think if I could turn it over to Sandra Schaeffer, if you could do a roll call, we would appreciate that.

Sandra Shaeffer ([00:04:07](#)):

Yeah. Can everybody hear me?

Scott Bethan ([00:04:09](#)):

Yes.

Sandra Shaeffer ([00:04:09](#)):

Okay, thank you. So I will first call order, or excuse me, call roll for the board. So I have Chair Scott Bethan.

Scott Bethan ([00:04:21](#)):

Present.

Sandra Shaeffer ([00:04:22](#)):

Vice chair Claire Elston.

Claire Elston ([00:04:27](#)):

Here.

Sandra Shaeffer ([00:04:29](#)):

Commissioner Dean Potter.

Scott Bethan ([00:04:36](#)):

Probably muted, Dean.

Sandra Shaeffer ([00:04:45](#)):

Okay. Commissioner Cheryl Nittle.

Cheryl Nittle ([00:04:47](#)):

Here.

Sandra Shaeffer ([00:04:49](#)):

Commissioner Stan Sedor.

Sandy Bauer ([00:04:59](#)):

I don't see him in the attendance, Sandra.

Sandra Shaeffer ([00:05:01](#)):

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Okay. Commissioner. Excuse me. Commissioner Brent Palmer.

Brent Palmer ([00:05:06](#)):

Here.

Sandra Shaeffer ([00:05:07](#)):

Thank you. Now for staff, I have Sandy Bauer.

Sandy Bauer ([00:05:12](#)):

Present.

Sandra Shaeffer ([00:05:13](#)):

Thank you. Deborah Alanbaugh.

Deborah Alanbaugh ([00:05:17](#)):

Present.

Sandra Shaeffer ([00:05:19](#)):

Mike George.

Mike George ([00:05:22](#)):

Here.

Sandra Shaeffer ([00:05:25](#)):

Thank you. And I will go ahead and turn it back over to Scott. Excuse me, to Chair Bethan. I apologize.

Scott Bethan ([00:05:32](#)):

That's fine. Just for the record, Dean Potter is in attendance. He was on mute, but I saw he voiced, "Here," and we can see him on the screen, so make sure we record that. Can you hear me?

Dean Potter ([00:05:42](#)):

Can you hear me now, Scott?

Sandra Shaeffer ([00:05:43](#)):

I can, yes.

Dean Potter ([00:05:45](#)):

Okay. All right, good. Okay.

Scott Bethan ([00:05:47](#)):

Good. Good. Okay. So the minutes from the previous meeting have been distributed and I would ask if there are any changes or corrections to the previous minutes?

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Sandy Bauer ([00:06:04](#)):

Shall we do the agenda first? Chair Bethan?

Scott Bethan ([00:06:09](#)):

Yes, we should. I just jumped one. See? Brent and Dean are already taking notes. Move for approval of the agenda as published.

Brent Palmer ([00:06:21](#)):

There's a correction on the agenda under new business. It says, desktop, driveway, and full appraiser disparity. It should be drive by.

Sandy Bauer ([00:06:33](#)):

We'll make that correction. Thank you so much.

Scott Bethan ([00:06:36](#)):

Thank you Commissioner Palmer. Any other changes or corrections to the agenda?

Brent Palmer ([00:06:43](#)):

No, second the motion.

Scott Bethan ([00:06:45](#)):

Okay. Brent Palmer... And the motion. Is there a second?

Dean Potter ([00:06:51](#)):

Second.

Scott Bethan ([00:06:52](#)):

All in favor?

Brent Palmer ([00:06:54](#)):

Aye.

Dean Potter ([00:06:54](#)):

Aye.

Scott Bethan ([00:06:54](#)):

Aye. Okay, the motion carries. Okay, the approval. Now the minutes have been distributed. And are there any changes or corrections to the minutes from the previous meeting? Seeing none would look for a motion to approve.

Mike George ([00:07:16](#)):

So moved.

Brent Palmer ([00:07:18](#)):

Second.

Scott Bethan ([00:07:20](#)):

All in favor?

Brent Palmer ([00:07:21](#)):

Aye.

Dean Potter ([00:07:22](#)):

Aye.

Scott Bethan ([00:07:23](#)):

Motion carries. At this moment, and we'll have something probably later, we have no awards or recognitions as of this meeting. And so we'll move into old business. And I think I'm going to turn it over to Sandy Bauer.

Sandy Bauer ([00:07:43](#)):

Yes, I do have a PERA and a QB update. So we are in the process of drafting the language for the CR 102, and we have also published two surveys. One for current appraisers and one for trainees and students, so that we can receive some feedback from the stakeholders in our rulemaking process. The deadlines to complete both of those surveys are January 17th.

([00:08:16](#)):

Once we have completed the language and are ready to submit it, we will forward that language, as well as the results to both of those surveys, to the members of the board so we can get your feedback on that. We will send that out via email. And I would like to remind everyone, please submit your comments by just replying to the center of the email. Don't hit reply all. And then once we have feedback on the language, we'll be ready to submit it. And we're just going to keep on trucking. We're ready to go.

Scott Bethan ([00:08:56](#)):

A quick question on that, if I may, and I know the time frame sometimes change. In the last meeting, I think that it was mentioned that the target was to have, if there are no issues raised in the public hearing and the surveying that's happening, that the rules were targeted to be completed in the end of March, and then the adoption is early as September of 2023. Is that timeframe still kind of on track?

Sandy Bauer ([00:09:26](#)):

Yes. We're still on track for September-ish adoption if everything continues to go well.

Scott Bethan ([00:09:34](#)):

Okay, great. Thank you. I don't believe we have any, first of all, I guess, are there any questions on that besides the one I just asked from the Commissioners?

Brent Palmer ([00:09:47](#)):

Nope.

Scott Bethan ([00:09:48](#)):

Seeing none, we'll move into... I don't believe we have any other old business I'm confirming, but it's not on the agenda. So that's, I think, a pretty good confirmation.

Sandy Bauer ([00:09:58](#)):

That's correct.

Scott Bethan ([00:09:58](#)):

So yep, we'll move into new business. And the first thing on the new business agenda is the education and experience work group. And really what that is that kind of goes, oh, do you have your hand up, Commissioner? Oh, Commissioner Sedor.

Stan Sedor ([00:10:19](#)):

Thank you, Mr. Chairperson. I just wanted to let everybody know that I was now on the meeting. I don't know what happened. I was having a problem logging in.

Scott Bethan ([00:10:27](#)):

No worries. It's good to have you here. Thank you very much for, I looked up, "Wait, there's a hand in the air." Thank you. Okay, good, good, good.

([00:10:35](#)):

All right, so the education and experience work group. And just for clarification, this is a group that Heather and I were running with, Commissioner Sullivan and I were running with, and it really kind of deals with looking at a variety of things, including, most notably, looking at the requirements for the credentials provided by the Department of Revenue for Mass Appraisers compared, to the DOL requirements for certified and basically for appraisal licensure through DOL.

([00:11:12](#)):

And so right now, I will say, at the current moment, I'm the only person who has expressed an interest. If anybody in the commission would like to be part of that, feel free to let us know. And we also will have a vacancy. We have a vacancy, we'll be hopefully filling that vacancy. And depending on who fills that vacancy, there may be an opportunity to continue in that work area. So if somebody has an interest in being on that, please let us know. And I don't know that we're going to take a nominations and close for right now for this committee, because I think it's kind of an open committee. If anybody in the commission has a different course that they would suggest, let me know. Otherwise, I'm going to continue on to the DEI work group. Okay. Seeing none.

([00:12:07](#)):

So for the DEI work group, Commissioner Sedor has been involved with that, and I'd like to also nominate Commissioner Potter to assist in that process. And again, if anyone else would like to be part of that, feel free to let us know. I think we can have no more than three, actually. Otherwise, we violate Open Meetings Act and-

Sandy Bauer ([00:12:26](#)):

Correct.

Scott Bethan ([00:12:27](#)):

Yep. Yep. So I guess seeing at the current moment, and by the way, anybody can join at any time. We can just include you in the work and then gratify that at the next meeting. So we're going to go ahead, and I'd like to entertain a motion to approve the two nominations.

Stan Sedor ([00:12:46](#)):

So moved.

Dean Potter ([00:12:48](#)):

Second. I second on the provision that Stan is still the Chairman of the work group.

Scott Bethan ([00:12:57](#)):

Well, no, yeah, we're not amending the motion. We'll talk later. We're just staffing the committee right now. All right. Looking for a motion to approve? Oh yeah, it already has been. Sorry. All in favor?

Brent Palmer ([00:13:14](#)):

Aye.

Dean Potter ([00:13:14](#)):

Aye.

Stan Sedor ([00:13:14](#)):

Aye.

Claire Elston ([00:13:14](#)):

Aye.

Scott Bethan ([00:13:17](#)):

Aye. And besides Commissioner Potter, anyone else opposed? I'm joking with you. Okay. Motion carries. All right. Commissioner Nittle. I'm sorry?

Stan Sedor ([00:13:29](#)):

Chair Bethan?

Scott Bethan ([00:13:30](#)):

Yes.

Stan Sedor ([00:13:31](#)):

So I thought I would give a quick update on that.

Scott Bethan ([00:13:35](#)):

Could we do that in the reports, if that's okay?

Stan Sedor ([00:13:37](#)):

Oh, I thought we were doing that now. Sorry.

Scott Bethan ([00:13:40](#)):

Yeah, no, we're just getting the committee staffed under new business.

Stan Sedor ([00:13:44](#)):

All right.

Scott Bethan ([00:13:45](#)):

Yep, yep. You were on, later on in the agenda. Okay-

Stan Sedor ([00:13:52](#)):

I see now. Thank you.

Scott Bethan ([00:13:53](#)):

Yeah, no worries. No worries. I'm going to turn it over to Commissioner Nittle to talk about desktop, drive-by, and full appraiser disparity.

Cheryl Nittle ([00:14:04](#)):

Okay. Yes. During the last REAC meeting, questions were raised regarding a maximum number of experience hours appraiser trainees are allowed for the various types of work assignments specified in WAC 3 0 8 1 2 5 0 7 5. And of particular concern was a possible disparity between some of the assignment classifications. So I looked into it, into the origin of the allotment of experience hours and found that the WAC was created in 2006 in response to the Appraisal Qualifications Board implementing changes that required real estate appraiser trainees to work with supervisory appraisers. And the DOL was in charge of rewriting the WAC to satisfy the new trainee licensing requirements. And that included the maximum hours assigned to the various types of work products. And the commission worked... Excuse me, I've written this down and lost my place.

([00:15:10](#)):

At that time, the REAC was tasked with drafting the new WAC requirements. So over the course of 2005, the commissioners held robust and lengthy discussions addressing the types of appraisal assignment products that were in use at the time and a length of time each assignment type typically required. And then in 2006, the RAC was adopted.

([00:15:31](#)):

However, in the 17 years that followed, there have been many changes that have occurred in the appraisal industry. And these were due primarily to advances in technology, regulatory changes, and client needs. Many of the appraisal work products currently being produced were not widely used or in existence at the time the WAC is created.

([00:15:49](#)):

So my research has led me to the conclusion that the appraisal work experience portion of the WAC is not as current as it should be. A recalibration in terms of the types of appraisals and the number of hours merited by the various types appears to be in order. Therefore, I suggest that a work group be

formed to study the WAC regarding the contemporary appraisal work products and the allowable work experience hours.

Scott Bethan ([00:16:16](#)):

Okay.

Dean Potter ([00:16:17](#)):

Was that a motion, Cheryl?

Cheryl Nittle ([00:16:18](#)):

Yes, it's a motion.

Dean Potter ([00:16:18](#)):

Okay. I'll second it.

Cheryl Nittle ([00:16:22](#)):

Thank you.

Scott Bethan ([00:16:25](#)):

Any discussion around this?

Dean Potter ([00:16:28](#)):

Yeah, I'll weigh in here on a little discussion. I think it probably is a good time to look at that because appraisal products have changed so much since then. And I think a good place to start is at the DOL, and find out what types of experience has been routinely awarded for different types of appraisal products. And from that starting point, group things into relevant categories of similar work products, and then develop an equitable amount of hours to be put toward each group of a particular appraisal type. Like a full 10 0 4, or drive-by, or a desktop, or different appraisals like that.

([00:17:28](#)):

So I think it has a pretty clear pathway forward, but I think we ought to start with what the DOL has been awarding presently for different report types, because they may have had to make their own pathway a little bit with all the new different appraisal products. So I think we need to start there first, but I think that would be a good way to go forward on this.

Scott Bethan ([00:17:58](#)):

Okay. And first of all, are there any other comments before we go to a vote to at least set up this committee?

Claire Elston ([00:18:10](#)):

This is Commissioner Elston. I was thinking another approach. I like what Dean said, but another approach at some point could be to merely open up some sort of a survey to our constituents and have them give us feedback on their typical times for the different products as well.

Dean Potter ([00:18:29](#)):

I like that idea, Claire. That's a great idea.

Scott Bethan ([00:18:38](#)):

Okay, good. So I guess, any other comments before we move to a vote? And I'm trying to rush it because this is a good topic.

Brent Palmer ([00:18:45](#)):

No, this is Commissioner Palmer. Is it desktop, drive-by, and full appraiser, or appraisal, disparity update?

Scott Bethan ([00:18:56](#)):

I believe it's appraisal.

Sandy Bauer ([00:18:57](#)):

Appraisal.

Brent Palmer ([00:18:58](#)):

Yeah.

Sandy Bauer ([00:19:00](#)):

I'll make those changes in the notes too. I really apologize.

Brent Palmer ([00:19:04](#)):

Oh, not to worry.

Dean Potter ([00:19:05](#)):

Oh, that's all. You're learning the lingo.

Sandy Bauer ([00:19:08](#)):

I'm getting there. I'm getting there.

Scott Bethan ([00:19:11](#)):

Yeah. Welcome to our world. We deal with reviewers all the time.

Stan Sedor ([00:19:18](#)):

I have a question for Commissioner Elston. This is Commissioner Sedor. Are you thinking in the survey to ask just what appraisers in the state feel should be the appropriate number of hours for each option? Or are you proposing to maybe send them a suggested number of hours and get their input if they think that's reasonable for each option?

Claire Elston ([00:19:49](#)):

I don't know that I had a strong feeling one way or the other. I just thought if it comes down to how many hours does it take to do a specific product, the best people to ask would probably be appraisers that are actually doing that product.

Dean Potter ([00:20:11](#)):

I think it would be good background information. Commissioner Potter. I think it'd be good background information, even if it's 18 hours and 34 hours on two different types of appraisals, we could at least get an idea that [inaudible 00:20:25] full appraisal takes twice as much time as a desktop appraisal, or get some feel for that from the industry. It doesn't necessarily mean the actual hours per se, I think, but that will be a good basis for us to look at in terms of developing a ratio between the different products.

Scott Bethan ([00:20:50](#)):

And also, I would also suggest that some of this discussion would be appropriate for whatever work group gets put together to then discern. Because once we turn it over to the work group, they'll come up with recommendations and implementation. These are all really good ideas and, we establish a work group and then they can lay out a task they need to do to accomplish that. Does that make sense to everybody?

Brent Palmer ([00:21:18](#)):

Agreed.

Dean Potter ([00:21:19](#)):

Yeah.

Scott Bethan ([00:21:20](#)):

Good.

Dean Potter ([00:21:20](#)):

Yeah. And one other thing, Commissioner Potter here. Another thing, Chair Bethan, is that my review of our current Commissioners is that I'm not sure any of us do a lot of residential appraisal. And I might be wrong on that, but I think I'm right on that. So in that case, I think the work group is going to have to go reach out to residential appraisers and gather information, and that's going to be part of it. I'm not saying appraisers would be part of the work group, but the work group would be reaching out to residential appraisers to gather this information.

Cheryl Nittle ([00:22:13](#)):

I think that's where, this is Commissioner Nittle. I think that's where Claire's suggestion of a survey of working appraisers in the state, how many hours does this typical type of job take you, would be also extremely useful getting some input from residential appraisers.

Dean Potter ([00:22:29](#)):

Yeah, I agree.

Scott Bethan ([00:22:32](#)):

I have a question, and it really kind of goes, I think, back to staff or maybe order commission. Does the work group necessarily have to only be Commissioners, or if we have a work group, can we involve non-commissioned members as participants in that work group? Is there a regulatory thing that we need to be aware of? Is my question.

Deborah Alanbaugh (00:22:56):

I can answer that question for you, Sandy. No, there's no requirements on who can participate in a work group. The only thing is, we want to make sure that we don't have a quorum of our-

Scott Bethan (00:23:07):

Agreed.

Deborah Alanbaugh (00:23:08):

... Commissioners. And that's really all we're looking at. So we can pull in DOL staff, we can pull in members of the industry and commissioners as you see fit. So all allowable.

Scott Bethan (00:23:23):

You know something? That may be something to consider. And that would also help us to expose folks to the work of the commission. And it's a great opportunity for us to interact with stakeholders, but also stakeholders to interact with the commission. To say, "Oh, that's an interesting thing to do. Maybe I should be on the commission." So, all right. Any other discussion on forming the work group? Okay, seeing none. Look for a motion to approve.

Brent Palmer (00:23:57):

[inaudible 00:23:55]. Seconded.

Scott Bethan (00:23:59):

Okay. All in favor?

Stan Sedor (00:24:01):

Aye.

Brent Palmer (00:24:02):

Aye.

Claire Elston (00:24:02):

Aye.

Scott Bethan (00:24:03):

Any opposed? Seeing none. The motion carries. I am going to say this, then. I believe that we have established this, but now I think we probably need to staff that. I don't mean to be too formal on Robert's rules of orders. Not knowing if you would be willing to do this, I'm going to ask Commissioner Nittle, would you be willing to be on this? And if you want to talk offline, we can do that too.

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Cheryl Nittle ([00:24:34](#)):

Yes. I think I'd be willing to be on this, but we can talk about it more online. Certainly.

Scott Bethan ([00:24:38](#)):

Okay. Okay.

Brent Palmer ([00:24:40](#)):

This is Commissioner Palmer. I'll be honored if Cheryl's going to be the chair.

Scott Bethan ([00:24:47](#)):

Well, I'm not going to amend the motion, so unless you want to formally... It seems like we have a work group start. And then the more I'm thinking about this, so this might go back to some of the other DEI and the Mass Appraiser, a way to get some traction on getting work done, to add other stakeholders, and that we can do with the next meeting, kind of a thing. But is there anyone else who would like to be on it? We can only have one more so we don't violate Open Meetings. Seeing none. I would entertain a motion that Commissioners Palmer and Nittle be appointed to this work group.

Brent Palmer ([00:25:29](#)):

And she as a chair.

Cheryl Nittle ([00:25:32](#)):

I'll be chair. Go for it. Why not?

Brent Palmer ([00:25:36](#)):

So moved.

Stan Sedor ([00:25:37](#)):

Moved.

Scott Bethan ([00:25:37](#)):

Okay.

Dean Potter ([00:25:37](#)):

Second. Second.

Scott Bethan ([00:25:41](#)):

Okay. Any other discussion? All in favor?

Brent Palmer ([00:25:45](#)):

Aye.

Cheryl Nittle ([00:25:45](#)):

Aye.

Scott Bethan ([00:25:46](#)):

Motion... Any opposed? Motion carries. And I will say technically we didn't have an amendment to that motion, but you guys can figure that out, right?

Cheryl Nittle ([00:25:59](#)):

Yes, we can.

Scott Bethan ([00:26:02](#)):

Okay, good. Thank you everybody. All right. Moving on to trainee demonstration reports. Tanya Hessler.

Tanya Hessler ([00:26:17](#)):

Hello. Good morning. So the background is that the appraiser licensing laws requires trainees to provide a log identifying required number of appraisal experience hours with a licensed certified supervisor. The rule states that all reports or experience must meet the requirements of the Uniform Standards of Appraisal Practice, or USPAP, current rules, identify examples of qualifying experience in their document in WAC 308, trainees and supervisors are certifying that experience meets the standard of use path. So we would need additional research and information to determine how demonstration reports would meet the requirements of USPAP.

Scott Bethan ([00:27:02](#)):

I'm going to ask a question here. When you say additional research and information will be needed to determine how the demonstration reports meet all requirements of USPAP, is that something that staff then would continue with that? Is that kind of like an action item that we put onto the action item list?

Deborah Alanbaugh ([00:27:50](#)):

I'm going to help Tanya out here, and I would say that this is something we want to put on as an action item, Chair Bethan, so that we could start to look for resources to do this research.

Scott Bethan ([00:28:03](#)):

Okay.

Deborah Alanbaugh ([00:28:03](#)):

Yeah.

Brent Palmer ([00:28:03](#)):

So yeah, this is Commissioner Palmer. If appraisal reports have to meet the requirements of USPAP, what difference does it make whether it is a demonstration report or a working report?

Deborah Alanbaugh ([00:28:29](#)):

That's a great question. I don't have an answer for that.

Brent Palmer ([00:28:32](#)):

I don't think there's any difference, candidly.

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Deborah Alanbaugh (00:28:36):

So that might be the answer. So the research might be very simple.

Brent Palmer (00:28:41):

Yeah.

Stan Sedor (00:28:44):

This is Commissioner Sedor. Are the demonstration reports being overseen by a supervisor? Is that the intent? Then it would be the responsibility of the supervisor to ensure that they comply with USPAP.

And like Commissioner Palmer said, regardless of whether it's an actual appraisal of an actual property, or a demonstration appraisal of a fictitious, theoretical property.

Dean Potter (00:29:15):

Yeah, I don't think it's a theoretical property. I think it's a theoretical client.

Brent Palmer (00:29:18):

That's correct. Either way.

Stan Sedor (00:29:20):

That's correct. Yeah.

Brent Palmer (00:29:23):

So. Yeah.

Dean Potter (00:29:25):

Yeah. I fully agree with Brent and Stan that if someone is writing a demonstration report, all that, the only difference between that and a regular routine report they would do for a bank or client is that they don't have a client. But they still have it reviewed by a supervisory appraiser to make sure that that supervisory appraiser is willing to put his or her neck in the noose that that's a USPAP qualified appraisal. And if that's the case, then I see no reason why they shouldn't. I mean, I don't see the difference. I'm not sure I understand the nature of our discussion here. There's no difference in what the experience requirement should be.

Deborah Alanbaugh (00:30:18):

And I think that that's the question that we're getting to from the department's side, Dean, is, do they all count?

Dean Potter (00:30:27):

Yeah. Is there's somebody in the DOL that's saying they don't?

Deborah Alanbaugh (00:30:34):

Tanya, can you clarify on that? Are we having questions from our licensing staff?

Tanya Hessler (00:30:42):

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We have not had any of these... I believe we had one come through a couple of months ago that we did deny. It was not clear if there was actually a supervisor that had signed off on that, I would need to check into that. But that was my understanding.

Scott Bethan ([00:31:02](#)):

Commissioner Sedor, you've got your hand up.

Stan Sedor ([00:31:03](#)):

This is Commissioner Sedor again. So all that USPAP requires is that you identify the client in your appraisal report, and if you can say the client is, I don't know, you make up the name or even use the name of your supervisor as the client. This was done for purposes of demonstration of qualifying experience. I guess that would be the intended use, and the intended user would be the DOL and the supervisory appraiser, or whatever. And otherwise, I don't see why it wouldn't qualify.

Dean Potter ([00:31:45](#)):

I mean, the one situation where you had somebody questioning it was where they had no supervisory appraiser, right?

Deborah Alanbaugh ([00:31:58](#)):

Correct.

Scott Bethan ([00:31:58](#)):

Well, it wasn't clear, is what they said.

Dean Potter ([00:32:01](#)):

Okay. Well, obviously they would need a supervisor...

PART 1 OF 4 ENDS [00:32:04]

Dean Potter ([00:32:03](#)):

Okay. Well, obviously they would need a supervisory appraiser, but if they had that and the supervisory appraiser said it's a USPAP compliant report, they ought to be getting experience credit for it. I'm not clear on why this is becoming such an issue.

Scott Bethan ([00:32:18](#)):

Looks like Mike George might have some commentaries that are stand up.

Speaker 1 ([00:32:22](#)):

Yeah. Just for purposes of moving it forward a little bit, perhaps one of the things that the work group could do is review some of the Washington administrative code and see if we may need to add some language in there to add some clarity about demonstration reports. And I feel like that work would fall within, if we're creating a work group around what we just talked about. So that's a potential step forward.

Scott Bethan ([00:32:50](#)):

I would ask, I don't know if we need a work group because really, is this a question that staff could just do a little bit of additional research on around the code rather than have a separate work group and go through the motion to set it up, all that kind of process? It's really a question.

Speaker 1 ([00:33:07](#)):

No, that sounds great.

Scott Bethan ([00:33:08](#)):

Yeah, yeah.

Dean Potter ([00:33:12](#)):

I think that would require a rule change to put new wording in the WAC. And the structure is already there in our rules. If you submit, if you write as a trainee, if you write a USPAP compliant report, put it on your log and your supervisory appraiser says it's USPAP compliant, you get credit for it. I mean, it seems to me to be just that simple, but maybe it's me that's simple. I don't know.

Scott Bethan ([00:33:48](#)):

Well, and then the-

Claire Elston ([00:33:49](#)):

This is Commissioner Elston. I agree with Commissioner Potter. I mean, this doesn't really even sound like an issue to me. When I do an appraisal report, I state whether or not it conforms with USPAP. If you have a demo report and they haven't stated that it complies and the supervisor isn't attesting that it complies, then you've got an issue. It seems simple to me.

Deborah Alanbaugh ([00:34:13](#)):

So I'm going to play devil's advocate. So if we have a trainee log that's submitted that is only demonstration appraisals, and it's within USPAP compliance, is this commission okay with that?

Scott Bethan ([00:34:32](#)):

But I ask a clarifying question. The supervisor has signed that logs attesting that they have supervised that.

Deborah Alanbaugh ([00:34:38](#)):

Absolutely.

Scott Bethan ([00:34:39](#)):

And the appraiser, the trainee appraiser has prepared that appraisal. I mean it sounds like, was that the situation in the denial that you mentioned earlier?

Speaker 2 ([00:34:52](#)):

No, it was just a portion.

Scott Bethan ([00:34:54](#)):

Okay. I don't need to go into specifics. Probably not appropriate for public discussion, but I guess I'm going to restate. If an appraisal trainee prepares an appraisal and they put it in their log, the supervisor attest that they oversaw that and is USPAP compliant. And you're asking, "Is the Commissioner okay?" I mean, personally, I am, but I will defer to the rest of the commissioners.

Dean Potter ([00:35:20](#)):

I would be, I'm good.

Speaker 5 ([00:35:22](#)):

I would be.

Stan Sedor ([00:35:23](#)):

That sounds fine to me.

Cheryl Nittle ([00:35:25](#)):

Yep. Cheryl as well.

Sandy Bauer ([00:35:31](#)):

Okay, thank you.

Scott Bethan ([00:35:34](#)):

Okay. I see that we have a guest, she's got a hand raised. What I would ask, if you could provide those comments in the public comment period, we would appreciate that. I apologize and I know that it would be good to have that feedback, but if you could do that in the public commentary, we would appreciate that. Okay. So I think it sounds like we're okay with it and it sounds like maybe staff, you might want to confirm. I'm looking back to staff and I think we keep it as an open action item, but it seems like a small item, but I'm not certain. Maybe there's some things that I'm not aware of, we're not aware of. I mean, you all are more experts on the code than we are.

Sandy Bauer ([00:36:15](#)):

I think this discussion gave us a lot of guidance and a lot of clarity to what we were looking for, so this is great. Thank you very much. We'll just keep an eye on this.

Scott Bethan ([00:36:31](#)):

Okay, thank you. Okay. Any other questions? Are we okay to move on? Okay, moving on. Okay, Commissioner [inaudible 00:36:37], we're under committee reports and you are up on DEI.

Stan Sedor ([00:36:41](#)):

Finally. All right. Hey, I don't have a lot to report. The appraisal foundation has issued its fourth draft exposure for an update to USPAP, which expands on and provides a lot of additional information relative to in the ethics section regarding diversity, equity, and inclusion, and fair housing laws and the like, compliance with. Don't have much to report on anything else in terms of what Congress has been

looking at. With the current expected or anticipated dysfunction in Congress for the next couple of years, I kind of expect not much is going to get done for the next few years. So that's about it for now.

Scott Bethan ([00:37:29](#)):

And I appreciate the report and I would say the AARO conference really opened my eyes to the breadth of potential discussion areas around this. And I think it's good for us to keep this on our radar in terms of what we're paying attention to because especially, if this gets adopted into ethics, I mean, and if you violate anything around that topic, that's a serious violation in USPAP. I mean, an ethical violation... I mean, all violations are of merit. That ethical ones rise to a fairly stringent standard. So I think it's good for us to be paying attention to what's happening around this.

Stan Sedor ([00:38:11](#)):

Good. Thank you.

Scott Bethan ([00:38:13](#)):

Hey, I'm going to turn it over to Sandy Bauer to the next item, 8.2.1. BOSS organization changes. I like that.

Sandy Bauer ([00:38:27](#)):

Right. So we have expanded our unit just a little bit and we have taken on the outreach component. So we are more than just the boards and commission support services now. We are the boards and outreach support services. So we are the BOSS. And speaking of bosses, we also have a new administrator. We are so excited to announce that Mike George has moved over from the licensing division and he is now our new administrator. I'm really excited to announce that.

([00:39:04](#)):

So this is just what the basic breakdown of our organization looks like. Alyssa is our administrative assistant still. Ms. Deborah Allen [inaudible 00:39:18] is our assistant administrator. And then Sydney Muley and Susan Nieves support the regulatory boards. And then me, Sandy Bauer, and Sandra Schaeffer support the advisory board. So we are your direct support. So I just wanted to let everyone know what our new structure looks like and that we have taken on the outreach piece as well. Do I have any questions on this?

Stan Sedor ([00:39:49](#)):

Commissioner Sedor, a quick question. What is outreach?

Sandy Bauer ([00:40:01](#)):

Outreach will be stakeholder outreach. Oh, go ahead Mike.

Speaker 1 ([00:40:07](#)):

I got to get myself off mute. Hi everybody. Mike George here. Most of you have probably interacted with me somewhat within my licensing functionality. Really excited to be the new administrator here with our boards and outreach support services. So when we talk about outreach, we're really talking about ways to engage all of the professions, all the stakeholders, how do we capture their voice so that way we're able to understand how to better serve?

(00:40:37):

When we think of all the professions that we serve. We serve a lot of professions that don't have a board or a commission to speak on their behalf, such as security guards, such as notary public, on and on. And so the outreach functionality is not just going to serve those that don't have a board or a commission, but rather ways to engage the public to really understand, how can we better serve you? How can we get better than the day before? That's the outreach component. The other thing I wanted to talk about a little bit is that we're not going to expect to take on that additional effort with the resources we currently have, the people we have. But rather, we're going to build out that program and add additional people to help us with those efforts. So I just wanted to kind of add that clarity in there.

Sandy Bauer (00:41:26):

Thanks, Mike. Does that answer your question?

Stan Sedor (00:41:30):

Yes.

Scott Bethan (00:41:31):

I think it does. Oh, sorry. Yeah, I had the same question.

Sandy Bauer (00:41:37):

Are there any other questions? Okay, thank you.

Scott Bethan (00:41:44):

Good. And I will say I think this is great to see. I don't know if you all remember, my very first meeting, they put up the staffing and it was right in the middle of the pandemic and there were so many vacant positions that were not being able to be filled because of budgetary cuts, budgetary restraints at the time, not cuts. And so this graph, when I was looking at earlier, was going, "This is really great. Congratulations, Mike. I think it's going to be great to be working with you." So I'm going to move on. Complaint case counts. Sandy, you got the next couple of things in licensee counts effect and review master action items list. So I'm just going to turn it over to you.

Sandy Bauer (00:42:24):

Perfect. All right, first things up then. This is actually the complaint case graph rather than the licensee count graph. And this is just a compilation of 2022 as a whole because it has been only, what? About seven weeks since our last meeting. There hasn't been a whole lot of movement in the complaint case department. So I wanted to just give you a brief overview of the complaint cases over 2022. We had a grand total of 117 cases and these are the current statuses of each of those 117 cases as of the end of December. Do I have any questions about the complaint case count?

Stan Sedor (00:43:20):

Sandy, this is Commissioner Sedor. This is for 2022. Are there cases from prior years still lagging out there and still on pending status or investigation or legal?

Sandy Bauer (00:43:33):

That's a great question. So there may be a few cases that were opened in 2021 that have not closed yet and I have captured those in these counts.

Stan Sedor ([00:43:44](#)):

Oh, they are included in those counts. Okay.

Sandy Bauer ([00:43:47](#)):

Yes. So if there is still a case that is open, whether it's open with complaint intake or open with investigation status or open with legal status, no matter when it was opened, if it's still open as of December 31st, I have captured it in this graph. Does that answer your question?

Stan Sedor ([00:44:06](#)):

Yes. Thank you very much.

Sandy Bauer ([00:44:07](#)):

Great.

Claire Elston ([00:44:08](#)):

This is Commissioner Elston, especially given D E I issues. I would just like to know historically, our complaints increased over year, over year, or about the same?

Sandy Bauer ([00:44:21](#)):

That's a great question and actually I don't have an answer for you for that. The only data that I have is for 2022. If this is something that you would like for me to report on, I can definitely see if I can get that data over prior years.

Claire Elston ([00:44:48](#)):

It's not my decision. So I'll leave it to the rest of the Commission to weigh in on it. But I happen to think that's valuable information as we move ahead with DEI and other issues to know if we have more problems coming up in the state or not.

Dean Potter ([00:45:05](#)):

Yeah, I agree. This Commissioner Potter. I agree, Commissioner Elston. And one way we could do that is this information, year over year, has been provided to us in the past and by the state of the program when D-Sharp was running it. So we could look back in some of those prior meetings and I think probably get a good idea of what the past counts were.

Brent Palmer ([00:45:36](#)):

Yeah, this is Commissioner Palmer.

Sandy Bauer ([00:45:37](#)):

That's great. And I can just pop in right now. I got a message from our audit unit that the numbers have been relatively the same over the last couple of years, so it's about the same as it was last year.

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Brent Palmer ([00:45:52](#)):

So this is Commissioner Palmer. Commissioner Potter, how many years back do we want to go?

Dean Potter ([00:46:06](#)):

I don't know. I suppose three, at least. Two or three.

Brent Palmer ([00:46:11](#)):

Sounds good.

Dean Potter ([00:46:12](#)):

Yeah, I mean I don't think one year would make sense, but current year and the previous two years.

Brent Palmer ([00:46:21](#)):

Sure.

Dean Potter ([00:46:22](#)):

Yeah.

Sandy Bauer ([00:46:23](#)):

I can get those numbers together and I can present them with the complaint case report next month or next meeting.

Dean Potter ([00:46:28](#)):

Okay, thank you.

Sandy Bauer ([00:46:33](#)):

You're welcome. Okay, moving on to the actual licensee count. Excuse me. So here's a graph of all of our current licensees and this is for Washington State only. I don't have the numbers yet that we normally report. We normally report everyone that is reciprocal with Washington and just Washington only. But all right, now, I just have the Washington only numbers and then I also have the licensees counts over time. Over time, it is effective as is December 31st. So do I have any questions about the licensee count?

Stan Sedor ([00:47:20](#)):

This is Commissioner Sedor, am I looking at this right? Under certified general, it's the gray bar? Peaked in '19, but it's been going down, what looked, very dramatically, every year.

Sandy Bauer ([00:47:38](#)):

That's correct. Yeah, these are the numbers that I've had. I did some research, I went back through each of the year-end reports that were given to the board and then I documented all those in an Excel spreadsheet and converted them into a graph. So it makes it easier to see what the numbers kind of look like over time rather than just seeing the numbers. Visuals help me, so I thought this might help the board a little.

Stan Sedor ([00:48:11](#)):

Well, I guess I'm a little bit confused because in the license count chart up on the top part of this page, under certified general, it shows a total of 1,001. And yet when it says license counts over time, is that the licenses you've issued or the number of who hold the license?

Sandy Bauer ([00:48:37](#)):

I think these are just the numbers that were issued. I'll have to go back and I can input that data again and make sure that it goes to total numbered. Yeah, total number licensed.

Stan Sedor ([00:48:52](#)):

Okay, thank you.

Sandy Bauer ([00:48:55](#)):

Cheryl, did you have a question?

Cheryl Nittle ([00:48:57](#)):

Yes, I do. Along the same lines, is it possible on the appraiser trainees to break out the certified general appraisers from the various categories of residential? I mean, if your graph is correct that the certified general appraisers are declining steeply, it'd be good to have a heads-up on how many trainees are coming up in the ranks.

Sandy Bauer ([00:49:27](#)):

That's a good question, and I will check with our licensing department to see if we can break out that data.

Cheryl Nittle ([00:49:34](#)):

Thank you.

Sandy Bauer ([00:49:35](#)):

Thank you Commissioner Nittle. Are there any other questions?

Deborah Alanbaugh ([00:49:41](#)):

I think I can answer that right away and I appreciate the question, Commissioner Nittle. But unfortunately, I don't think that we break it out by the different categories for our trainees. We can check, but I do not think that the system goes to that level of specificity for trainees. When they get into the licensing, then we have it. But I could be wrong. So we'll double check.

Scott Bethan ([00:50:09](#)):

I'm really glad to hear you say that because I was thinking to myself, I didn't realize that a trainee had to specify what track now, because they just get a trainee license, right? And then they pursue their license. Am I right or wrong on that?

Deborah Alanbaugh ([00:50:22](#)):

I believe that's correct.

Sandy Bauer ([00:50:25](#)):

When I received the appraiser trainee counts, it did not specify what category they were going to pursue for their license. But I don't know if that's something that's captured or even if they are required to make that type of decision.

Speaker 1 ([00:50:45](#)):

Yeah, Mike George here, I can speak to that a little bit. You're correct, Chair [inaudible 00:50:49], in that. That person gets their trainee license but doesn't specify where they're going to be heading with their career path.

Stan Sedor ([00:51:00](#)):

This is Commissioner Sedor. However, each trainee has to have a supervisor and a supervisor is either going to be certified general or certified residential. Now, that doesn't necessarily mean if they're certified residential, that the trainee is also working for a certified general. But that might be a pretty good indication.

Scott Bethan ([00:51:18](#)):

[inaudible 00:51:25]?

Speaker 3 ([00:51:26](#)):

I was just going to say, you're right. With that supervisory connection, we may be able to pull something out of the system to at least show that, who their supervisor is. But we will need to do a little research to make sure we've got the report built correctly.

Brent Palmer ([00:51:45](#)):

Yeah, this is Commissioner Palmer. I just wonder how relevant that is when they're in a trainee assignment.

Speaker 3 ([00:51:54](#)):

I think that's up to you guys to decide, if it's information that you find valuable.

Brent Palmer ([00:52:01](#)):

Well, I've never had it before.

Scott Bethan ([00:52:06](#)):

If I could push back a little bit, Commissioner Palmer, the only reason why it might be valuable is the appraisal population is dwindling and I think, at least, knowing where we have holes so we can support for our fiduciary to the stakeholders. And if we discovered that out of all the trainees, 95% had a residential supervisor, residentially-certified or licensed supervisor, then that would tell us, "Oh boy, that's something at least we would want to be aware of." Potentially. I mean, and if it's a matter of just a little bit of work to get those numbers, it might be useful to see. I'm not trying to create work for no reason. If the rest of the commission says, "No, Mr. Palmer's right. We don't really need to see it." I don't have a heavy knee. But when that was said, I was like "Oh, that might make sense. It might be good to see." But that's just me.

Brent Palmer ([00:53:06](#)):

Yeah. But Commissioner [inaudible 00:53:07], you've got a number of certified general supervisors who are functioning in a residential role as a supervisor.

Scott Bethan ([00:53:17](#)):

Would be or will be. Yeah, I don't know that. That I don't know.

Brent Palmer ([00:53:20](#)):

I don't know either.

Sandy Bauer ([00:53:25](#)):

All right. Are there any more questions? Okay, I'll see what I can do for the next report and see if I can dig in a little deeper in the data.

Scott Bethan ([00:53:37](#)):

Thanks.

Sandy Bauer ([00:53:37](#)):

All right, moving on to our master action item list. So we have moved this agenda item further down on the agenda because, well, I'll cover that in your board training. But one of the main reasons is so that we have already discussed most of these agenda items so then we can actually say that we have and we can hold ourselves accountable a little bit better. So we are still in the process of researching the ASC grants. We have presented the trainee demonstration reports. We are still in the process, me, of researching DOL and the DOR mass appraiser licensure and how the hours can translate. I have reached out to California, to Oregon, and to Idaho to see how their licensees are impacted.

([00:54:40](#)):

I've gotten quite a few out of office replies, but I'm expecting that I should be hearing back towards the end of the month when people are coming back from their vacations. I've also reached out to several different county assessors about the pathway for DOR and I think it might be worth visiting, that the education and experience work group might want to bring in a county assessor so that we can see what similar experiences there are and how we can get the DOR education to be approved by the DOL. But that's all in progress. But that's all the progress that I have made so far.

([00:55:31](#)):

I did not have enough information for an actual report out. We have already created experienced work groups and Commissioner Nittle already gave her report on the desktop drive by and full appraisers and a work group was formed on that. Do I have any questions about the master action items? Okay, I'll turn it back over to you, Chair [inaudible 00:56:06].

Scott Bethan ([00:56:08](#)):

Thank you. All right.

Stan Sedor ([00:56:08](#)):

A question.

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Scott Bethan ([00:56:11](#)):

Yes.

Stan Sedor ([00:56:12](#)):

Before we get into public comments, because I came in late to the meeting, I apologize again, was the memorial action that I had emailed you about a couple of days ago covered in the first opening of the meeting or not?

Scott Bethan ([00:56:26](#)):

Yes, we did. We took a moment to recognize the light work of Bill King and we stopped the meeting for 15, 20 seconds.

Stan Sedor ([00:56:36](#)):

Thank you.

Scott Bethan ([00:56:36](#)):

A full minute. Yep. Nope. I'm glad you brought that up and I agree wholeheartedly.

Stan Sedor ([00:56:42](#)):

Thank you.

Brent Palmer ([00:56:44](#)):

Commissioner [inaudible 00:56:45].

Scott Bethan ([00:56:45](#)):

Yes.

Brent Palmer ([00:56:47](#)):

Just make a motion to accept the reports.

Dean Potter ([00:56:50](#)):

So moved. Or second.

Scott Bethan ([00:56:56](#)):

Any discussion? All in favor?

Stan Sedor ([00:56:59](#)):

Aye.

Sandy Bauer ([00:56:59](#)):

Aye.

Scott Bethan ([00:57:01](#)):

Any opposed? The motion carries. Thanks Commissioner Palmer. All right. Seeing no other items, I think it's fine to move into public commentary, public comments. And again, just as a reminder, we can ask clarifying questions but we won't engage in any discussion. And we ask that you unmute your line, state your name, and then please sort of keep it to three minutes. And I think if it goes past that, we'll probably say, "Hey, your time's almost up." If that's okay. And we certainly understand the need for public comment. And then when you're done, please remember to my unmute your mic. So I think if you either raise your hand or you can drop something in the chat saying you'd like to speak, that would be great. And it looks like we already have one and it says Dallas, guest. I'm presuming that's [inaudible 00:58:05]. And we'll go ahead and turn it over to Dallas.

Dallas ([00:58:11](#)):

Oh, thank you so much, Scott. And just thank you for the opportunity to speak. Just wanted to say thank you to all the commission members and all the members from the DOL, all the great work you guys are doing. Awesome to hear all the stuff's happening, especially around a trainee, me as a current trainee, a lot of discussion around experience and stuff like that. So very awesome to hear all that kind of stuff. And one of the questions I have was are around that experience blog, the drive-by desktop full, what should I be putting on my log now? So I'm really happy you guys are kind of addressing that. So I want to be in compliance when I'm doing those with what the DOL kind of expects there.

([00:58:48](#)):

And as a rural appraiser, I also wanted to kind of bring up the topic of on you guys when you guys are doing this experience kind of survey that as a rural appraiser, I typically do less volume than say appraiser in a metro area. But I would say we probably do the same amount of work in a week. We're both working 40 hours a week, but I probably show less work on the log just because I have less volume. So maybe just something to consider when you guys are doing those surveys.

([00:59:16](#)):

And then also wanting to get clarification on, there's a lot of discussion about the experience hours, and do those hours only apply to residential or is that for commercial training as well? And also kind of on the PAREA program, there's not been a lot of discussion about that for commercial. So for example, if I was a certified residential appraiser and I wanted to become a certified general, could I do that through the PAREA program in the future? I think that'd be really great and there's not really been any clarification on that.

([00:59:49](#)):

And hearing about this BOSS program, that sounds awesome. Great job on that, guys. I think the outreach is amazing, it sounds great. And then I also wanted to just throw out, there's been a lot of discussion about trainee and trainee experience and having the perspective of trainees, that kind of thing might be a good thing to consider. I think the RCW allows for the commission to have a member of the general public on the commission, so that might be something for the commission to consider as well. Thank you so much for the time and I really appreciate all the work that you guys are doing. Thanks again.

Scott Bethan ([01:00:24](#)):

I'm going to ask a clarifying question Dallas, if you don't mind.

Dallas ([01:00:28](#)):

Of course.

Scott Bethan ([01:00:28](#)):

Because I want to make sure if these questions are pertaining to the appraiser logs and the experience hours and whatnot. Obviously, I heard the question of is there a path in resi to commercial through PAREA and noting that the folks that come up with recommendations on experience hours recognize rural versus non-rural and volume. I didn't understand the question of, what should be in the log now? Would you mind clarifying that?

Dallas ([01:00:59](#)):

Yes, Scott. So we're doing, first is basically drive-by desktop and full appraisals. I think right now, it does clarify full appraisals are 12 hours and I think drive-bys are six hours, but it doesn't really list desktop. And I think I've been using six hours for desktop just kind of in the same category as drive-by if you will. But there's not really clarification on that. And so that would be great. It sounds like you guys are working on that to get that clarified. I just wanted to... That's awesome because I wanted to be in compliance with that as well.

Scott Bethan ([01:01:31](#)):

Thanks. I just wanted to capture that. Okay.

Dallas ([01:01:34](#)):

Thank you so much.

Scott Bethan ([01:01:35](#)):

Any other clarifications? Okay. Are there any other public comments?

Speaker 4 ([01:01:45](#)):

This is Bob Masudo. I'd like to speak if I could.

Scott Bethan ([01:01:48](#)):

Yep, yep. Great. Thanks.

Speaker 4 ([01:01:51](#)):

Good morning, commissioners. Bob Masudo, president of the Appraisers Coalition in Washington and I also sit on the Board of Governors for the National Association of Appraisers. So I'm hoping that I can get all of this out in three minutes and if I can't, please indulge me. Currently, the Appraisers Coalition of Washington has two bills in session this year. One is for the evaluations, which appraisers currently cannot do in the state of Washington because it's illegal. The other is a statutes of limitations bill, hopefully getting a statute down to five years for anything appraisers do.

([01:02:42](#)):

Another thing that I'm contemplating is writing a bill concerning blacklisting so that we can get that into the RCW because as of today, blacklisting has gone absolutely nowhere and it's still happening. I've tried at the state level and I've tried at the national level and nobody listens. So I think that if ACAL submits a bill, maybe some people will start paying more attention to blacklisting.

([01:03:11](#)):

One more thing that I want to cover here and I wrote in prior to this meeting, I think two days ago, that would be the USPAP update course and the letter that was provided by the AQB stating that states were not required to have appraisers complete a seven hour USPAP update course based on the current USPAP that we're using because they found the ethics rule in that USPAP to be misleading. And I've asked this question before when Commissioner Potter was chair and we, ACAL, has never received an answer to the question as to what the DOL is going to require in regards to-

PART 2 OF 4 ENDS [01:04:04]

Speaker 4 ([01:04:03](#)):

... well is going to require in regards to renewal of their license. Excuse me, I'm ill today so anyway. We would like to have that update provided at some point and personally myself as well because I have to renew this year.

([01:04:26](#)):

The last thing I'm going to comment on is the ACOW conference coming up in May in Spokane, Washington. That conference will be DEI heavy with a number of speakers that are going to address the biased issues. With that, I have nothing further. And bang, I got 12 seconds left.

Scott ([01:04:50](#)):

Thank you. All right, I think I've got one item.

Sandy Bauer ([01:04:55](#)):

Chair Bethan, I do have that email and at the end of the public comments I can read it for Mr. Masuto.

Scott ([01:05:01](#)):

Yeah, let's do that and then we can decide how to handle the follow-up on that.

Sandy Bauer ([01:05:01](#)):

Right.

Scott ([01:05:01](#)):

Okay, great. Thanks very much. Next it looks like I've got Dave Town.

Dave Town ([01:05:15](#)):

Good morning Commissioners and thank you for the time. Let me see if I can get this camera adjusted here. Can you hear me okay on this microphone that I use?

Scott ([01:05:22](#)):

Yes.

Dave Town ([01:05:24](#)):

To speak to Bob's comment just a minute ago, I'm going to hold this up. I don't know if you can see this, but this is the latest 31 page update to the USPAP update that has to do with bias and discrimination. That doesn't focus very well, but this is now been distributed by TAF to be included in these update

classes. This replaces the one that they came out with last year, which was judged to be not very compliant.

[\(01:05:57\)](#):

I wanted to make a mention for your agenda today that you began discussing the replacement for Heather Sullivan. So I put on my agenda here, my printed one that I printed out item number 7.4, a note here that you're going to be working on finding a replacement for Heather Sullivan. So I would suggest to you that would be an appropriate place to put that under new business.

[\(01:06:27\)](#):

I wanted to publicly thank Mike George for assisting me. I had a personal situation that happened that involved appraisers in Washington state and the DOL staff who I was working with was not able to assist me with that. So I asked if Mr. George and I could have a conversation. We did and he understood the situation and solved the problem for me. So thank you very much, Mike George.

[\(01:06:57\)](#):

I do want to ask, because I couldn't understand the conversation earlier, since Mike is being promoted to a new position, could somebody right here while I'm on the line here, say who will now become the appraisers and AMC administrator for us that we could contact directly if we needed to? Is there anybody that could do that?

Scott [\(01:07:20\)](#):

That would be follow-up at the end of the public comments.

Dave Town [\(01:07:23\)](#):

Very good, sir. Thank you very much.

[\(01:07:25\)](#):

Okay, and the last thing I wanted to mention, and I don't even know what the time is because I can't see that little thing here. I wanted to talk a little bit about these complaints that we've been hearing about from Fannie Mae. About a year ago at the React meeting we... Oh darn it, that's my phone ringing. Sorry about that. We asked the question during the React meeting, how many incoming complaints are you receiving from Fannie Mae? What we know has been happening is that Fannie Mae has been sending automatically generated complaint letters into the state regulatory bodies. And I now have in my possession knowledge of six appraisers in Washington state who have received these kinds of letters from Fannie Mae.

[\(01:08:17\)](#):

And I really want to... Maybe somebody at the end of the meeting can address this. You have your state complaint form here and at the bottom is a certification where the complainant signs and dates it. The incoming complaints are coming in unsigned. Let me say that again. They're coming in not signed by anybody at Fannie Mae. And I would really like to know whether that is considered to be constitutionally correct in the state of Washington when if I as a private citizen am going to file a complaint against somebody, I've got to sign this thing if I'm using your form.

[\(01:09:01\)](#):

But I would also assume that if I just write a letter of complaint, I've also got to sign and date it. But for whatever reason the states in the United States, and I know two, Washington and another state in upper Midwest are accepting these incoming Fannie Mae automatically generated complaints that really

have very limited basis on what they're asking for. And one example is failure to adjust comparables. Well, I can tell you from the appraiser that I talked with that that's bogus because he did adjust the comparables. So meanwhile, these incoming complaints are disruptive to appraisers in the state. It throws a wrench into their psyche. They don't sleep well. They probably hit the bottle too much when this happens. And it also can affect our ENO insurance. So I want to ask that the DOL take a very strong look at these incoming unsigned complaints from Fannie Mae especially, and perhaps turn them away at the door before they even get past your desk.

Scott ([01:10:13](#)):

Thanks Dave. Dave, I'm going to ask you a favor. And this is an important topic and you're a minute and a half over.

Dave Town ([01:10:18](#)):

Sorry.

Scott ([01:10:19](#)):

And do you have anything? And respectfully because I think I've got four things that we'll talk about at the end of the public comments.

Dave Town ([01:10:24](#)):

Thank you, sir.

Scott ([01:10:25](#)):

And you've got three of them. Is there anything else that you want to add? Any new topic? But I think that I would ask, you're now closing in on five and I don't want to be heavy-handed, but I just also want to be fair to everyone else.

Dave Town ([01:10:40](#)):

No. Thank you very much. I appreciate the time extension. Thank you.

Scott ([01:10:44](#)):

And thanks for your work. We appreciate everybody who provides comments. So Michelle, I think you're up next.

Michelle ([01:10:52](#)):

Yeah, I just wanted to make a comment about the demonstration reports being the only source of work on the log that you had. And many of you said that that would be fine with you, but as an appraiser and a supervisory appraiser, there is no practical real world experience in doing a demonstration report. They're not going into the field, they're not looking at actual homes, seeing the things that are needed to be seen.

([01:11:20](#)):

It's my understanding that they're just being handed an address by their supervisory appraiser and doing the appraisal basically on a desktop. So I want to impress upon you guys as much as I can that real world experience has to happen in order to be able to do this job. Whether or not that's half of the amount of

hours or whatever, that's obviously not for appraisers to decide. You guys get to decide that, but it's important that they have real world experience.

(01:11:59):

The other comment I needed to make was that earlier today in this meeting somebody referred to a supervisor signing an appraisal as being willing to put their neck in a noose and that's completely and totally inappropriate. Thank you.

Scott (01:12:21):

Thank you for your feedback. I have got a question, I guess to... Okay, good. I was not certain if some of the folks who have already spoken their hands are still raised. Okay, great, thanks. Do we allow folks to go a couple of times typically? I guess I don't recall the history. I'm kind of looking to past chairs for...

Ben (01:12:52):

Chair [inaudible 01:12:53] with ACAP. I just wanted to take the 12 seconds.

Scott (01:12:55):

I guess that's a yes. Go ahead, Ben.

Ben (01:12:57):

I just wanted to use my 12 seconds and tell you that Dave Town and I have discussed the last conversation regarding the complaints being turned in and he and I are going to have a further conversation. He's going to present me with his proof and I'm going to go to the ACOW board with this. So ACOW is very likely going to support this cause. That's all I have.

Scott (01:13:28):

Okay. Thank you. Dallas, is it short?

Dallas (01:13:33):

Super short, Scott. I just wanted to address the demo appraisal thing. As a trainee I think the demo appraisal thing comes in a lot of times where lenders will not allow the trainee to be mentioned in the report. So you're actually doing a lot of the work on the report, but you're not getting any credit because the lender has a restriction on you being mentioned in the report. But we would like to get hours for those and so that's one of those situations. Just wanted to throw that out there. Thank you so much.

Scott (01:13:57):

No, thanks much. I appreciate it. Okay, any other public comment?

Sandy Bauer (01:14:02):

Lastly, Chair Bethan, was the emailed comment from-

Scott (01:14:07):

Oh, yes. Thank you.

Sandy Bauer (01:14:08):

You're welcome. From Mr. Bob Masuto. He states, "Good morning React. As stated in the January 12th React agenda I received this morning, I am submitting prior meeting comments. I would like to know where the React and the DOL are on this requirement. Are appraisers still being required to submit CE for the seven-hour USPAP update, which is based on the 2020 to 2021 USPAP as the ASC has declared the ethics section inadequate and misleading? If they are, I would like to know why? This is not the first time I have addressed this and I have yet to be provided an answer. Thank you for your time. Respectfully, Robert Bob Masuto Jr."

Scott ([01:15:08](#)):

Okay, thank you. All right. So that ends the public comment unless there's any others?

Sandy Bauer ([01:15:15](#)):

Yep.

Scott ([01:15:15](#)):

Okay.

Sandy Bauer ([01:15:17](#)):

So based on all those public comments, now's the time, Chair Bethan, if you would like us to document any action items based on those public comments, now's the time to let us know.

Scott ([01:15:28](#)):

Right. Now I'm going to list four things that I heard as questions from the public and I'm going to run through that, but I'm opening it up to the commission too because I think this is... We're trying not to have a public dialogue on the issue.

Sandy Bauer ([01:15:47](#)):

Correct.

Scott ([01:15:48](#)):

But the question is whether or not we should continue this as a further action item?

Sandy Bauer ([01:15:52](#)):

Right. And you can also opt to have this as an agenda item for the next meeting or if you would just like it documented as an action item, either/or. Your preference.

Scott ([01:16:01](#)):

And either way we're asking should we take further action on this one way or another-

Sandy Bauer ([01:16:04](#)):

Correct.

Scott ([01:16:04](#)):

... either through the agenda or as an action item, which is technically on the agenda.

Sandy Bauer ([01:16:08](#)):

Correct.

Scott ([01:16:09](#)):

And the first one is the use USPAP update course. What I heard was that there was some correspondence, I'm going to ask a clarifying question to staff first. Has the AQB suspended the requirement for a seven-hour USPAP update?

Sandy Bauer ([01:16:30](#)):

That's a good question and I don't have that answer.

Scott ([01:16:33](#)):

Because even if the appraisal subcommittee has issue with it, we are bound by the appraisal qualifications board requirements. Am I correct on that? But really it's a question of if the AQB has come in and made any changes to that because we can't do anything outside of AQB minimum requirements.

Speaker 4 ([01:16:55](#)):

That's a good question.

Sandy Bauer ([01:16:57](#)):

Yes it is. And that's something I can definitely document for the next meeting.

Stan Sedor ([01:17:00](#)):

But Chair Bethan, this is Commissioner Sedor. I may misunderstand this. Doesn't the AQB set the initial minimum qualifying requirements or standards for becoming an appraiser or a trainee, but once you are a licensed or certified appraiser, then the appraisal standards board sets the standards, which includes the education you require? So isn't it the ASC that we need to be working with? And this is the first time I've heard that the ASC has come out and said that USPAP is not in compliance or whatever, is inadequate.

Scott ([01:17:40](#)):

Well, yeah. And I don't know that to be a fact. I mean, I've heard this and I would love to see the documentation. But at the moment, the appraisal qualification board, they set the minimum requirements for licensure and relicensure and that would be education for continuing ed. And there's minimum standards that call out USPAP. It's the appraisal, what I heard from Bob Masuto was the appraisal subcommittee has taken issue with some of the content in the current version of the seven-hour USPAP update. And then the question is that they're in an extra cycle because they've added, it's every two year cycle. Then they've added and they've said, "Okay, we're going to extend. We're not going to issue a new standards board I'm putting under USPAP update."

Sandy Bauer ([01:18:28](#)):

I have a question, Chair Bethan, would this be an item that the education and experience work group, is this something that would fall under their purview? To do some further research on about what type of continuing education is required and what the USPAP seven hour course is, et cetera.

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Scott ([01:18:54](#)):

My inclination is to ask staff to follow up on that.

Sandy Bauer ([01:18:58](#)):

Okay.

Scott ([01:19:02](#)):

I'm looking to the Commission too, and I know some hands have gone back up. We want to be careful, we don't want to have a public debate.

Sandy Bauer ([01:19:09](#)):

Correct.

Scott ([01:19:14](#)):

On the topics at hand. I am going to say isn't it also correct that if somebody drops something into the chat that gets captured into the record?

Sandy Bauer ([01:19:23](#)):

We are not capturing the chat, which is why we have disabled it. It is-

Scott ([01:19:32](#)):

Oh, I didn't know that.

Sandy Bauer ([01:19:32](#)):

Yeah. It is not capturable in our technology. So if people have discussions in the chat, it's not able to be public after the end of the meeting. So we have disabled the chat and I'll cover that in our board training.

Scott ([01:19:54](#)):

Okay.

Sandy Bauer ([01:19:55](#)):

So okay, I've captured this as an action item.

Scott ([01:19:59](#)):

But is it also safe to say as a follow-up after the meeting if someone sends us an email and says, this topic was discussed at the commission meeting, what I'm looking to do is I'm looking to follow open meetings protocol and not doing anything that violates.

Sandy Bauer ([01:20:11](#)):

Correct.

Scott ([01:20:11](#)):

And I'm kind of in uncharted territory, I'm the brand new chair, so I'm kind of learning my way through. So Sandy, you're looking at me going, "Hey, what are you doing, Scott?" I'm trying to wind the way or navigate what's an important conversation, not have a public debate, keep it to the Commission, but at the same time allow for a way for folks to then add additional commentary, I would say after the meeting. So if somebody sends an email to the Commission or to you all as staff, that thing gets captured for consideration going forward. Is that a correct statement?

Sandy Bauer ([01:20:47](#)):

Yes.

Scott ([01:20:48](#)):

Okay.

Sandy Bauer ([01:20:49](#)):

So once we receive that email, it becomes part of the public record and we can add that for the public comments for the next meeting. And this is definitely something that we would discuss in the agenda setting meeting, et cetera.

Scott ([01:21:06](#)):

But there's work that happens even before the agenda setting meeting for the different work groups and for staff, correct?

Sandy Bauer ([01:21:10](#)):

Right. Yes. It would be taken to the different work groups or whichever one it belongs to.

Scott ([01:21:16](#)):

Okay. And Justin and Bob, I see you have your hands up. I'm going to ask if you would email that and it's a judgment call on my part, but I'm going to look back to staff and also to the previous chairs, if I'm missing something you all I'm open to listening to making sure that we're navigating this properly.

Speaker 6 ([01:21:36](#)):

And to add to what Ms. Bauer said earlier, if there is an email that is sent to the entire Commission, do not reply all.

Scott ([01:21:45](#)):

Yeah.

Speaker 6 ([01:21:46](#)):

It's better to forward that to staff because you may actually create an accidental quorum. Even meeting via email is considered a meeting. So keep that in mind.

Scott ([01:21:56](#)):

No, yeah, I think we're hopefully all aware of that.

Speaker 6 ([01:21:59](#)):

Yeah.

Scott ([01:22:01](#)):

Okay. So those of you have your hands up, this is not the last bite of the apple and information that comes in goes into the hopper of the work that goes on between the meetings anyway.

Sandy Bauer ([01:22:13](#)):

Correct.

Scott ([01:22:15](#)):

And I'm to trying to... So I think I'm going to continue on to the other issues if that's all right with everybody.

Sandy Bauer ([01:22:20](#)):

Correct.

Scott ([01:22:20](#)):

Look into the commission. Yep.

Sandy Bauer ([01:22:22](#)):

Yep.

Speaker 7 ([01:22:23](#)):

Hey Scott, I know you asked me not to lower or raise my hand, but can I just point out one thing? There's several, so I'm a USPAP instructor and I'm teaching USPAP soon. There's several USPAP offerings by several organizations in the next week to four weeks in our state. And so if this goes to a work group that's not going to be dealt with until the next commission meeting, I think there's going to be, this is the first time I'm hearing of it too as a USPAP instructor that it's not being accepted, but I think it rises to a level that a work group that's going to wait until the second quarter of your meeting, I just would respectfully ask that if that's the case, that it happened sooner. Just for all the people that are potentially taking those classes right now is just what I would say.

Scott ([01:23:13](#)):

To me, it's a simple question to staff that they don't have the answer right now, but they'll answer shortly and that is-

Sandy Bauer ([01:23:19](#)):

Correct.

Scott ([01:23:20](#)):

- has the AQB changed the requirements? And if you're a USPAP, if someone's a USPAP instructor, I would presume that they would also know if that has changed. Again, hands are going up and I really

don't want to engage in a bunch of debate. Bob had his hand up. Dave, you got your hand up and you guys were all great thought leaders and I really appreciate it. And-

Dave Town ([01:23:44](#)):

I'm sorry to interrupt. I think I can answer that. The ASB does not control course content for appraisers.

Scott ([01:23:52](#)):

Oh, we know that. Yeah. Thank you.

Dave Town ([01:23:54](#)):

Yeah, and it was the ASB, and I respect Bob's mention of this to you folks, but the ASB were the ones that came out and complained about it. But what's happened is this new document has been circulated by the AQB, Appraisers Qualifications Board, to be a supplement to the update course. And I have one that I'm presenting tomorrow. I'm not the instructor, but it's going to be tomorrow. And then I hear Justin Slack is going to be teaching over there in Eastern Washington probably pretty soon too. So this is really the answer to what has been complained about. So that's how they've handled it. So I don't really think we have to go into this much more than this. So I'll log off again. Thank you.

Scott ([01:24:40](#)):

Thanks and I appreciate it. All right. All right. Thanks Dave. Thanks Bob. Thanks Justin and everybody else. The next one is asking if the replacement of [inaudible 01:24:56], be put on the agenda. I think that's a staff function. I mean, I think that would be handled in the reports unless I'm missing something.

Sandy Bauer ([01:25:06](#)):

Correct. Once we're ready to conduct a recruitment for Ms. Sullivan's position, we will send a message out on Listserv. It won't be an actual agenda item until a new member has been selected and then we'll put it on the agenda to to introduce them.

Scott ([01:25:30](#)):

And let's just put this on follow-up action items, to follow up on just a report on the progress. That way at least keep it on.

Sandy Bauer ([01:25:36](#)):

Sure.

Scott ([01:25:37](#)):

And I would say, unless you have got an announcement to make, I know that Mike George just got moved out of his position into his current position. Unless you're ready to make an announcement of who's replaced that maybe we could put that on action items, who's replacing that and what's the process?

Sandy Bauer ([01:25:53](#)):

Sure thing, there isn't a replacement just yet.

Speaker 8 ([01:25:58](#)):

Right. Yeah. Scott, at this time, there is a interim position in, Tanya Hessler is the program manager over the appraiser program and she has not changed. So she would be the first contact for any licensing issues.

Scott ([01:26:14](#)):

Okay. Okay. Thanks.

Speaker 8 ([01:26:17](#)):

And she could thank me later too.

Scott ([01:26:21](#)):

Okay. The last one is the Fannie Mae issue and complaints going into Washington State through Fannie Mae. I'm personally interested in understanding more about that. Commissioners, is there anything, but I don't want to listen to the Commission on this and I know I just said what I thought maybe I should have waited and I apologize.

Commissioner Palmer ([01:26:50](#)):

Well, this is Commissioner Palmer, is there a requirement that a complaint be signed?

Scott ([01:27:02](#)):

I thought-

Dave Town ([01:27:04](#)):

This is Dave again. Dave Town. That's a very good question, Commissioner Palmer. Last night I spent hours going through the [inaudible 01:27:13] and the RCWs and I cannot find any reference in those that says that the complaint has to be signed and yet.

Sandy Bauer ([01:27:24](#)):

Yes, that's correct. There's no requirement for a complaint to be signed and we will write-

Dave Town ([01:27:33](#)):

There's information at the bottom to sign it. See, we've got to be consistent in government, okay? If you put out your own state document that I'm holding in my hand here that says you signed this thing and it says complaint at the top, then that should be consistent in the [inaudible 01:27:53]. That's all I'm getting to.

Scott ([01:27:54](#)):

So what I'm going to ask, I'm not asking, first of all, it's a question.

Sandy Bauer ([01:27:58](#)):

So is this something that we need to move?

Scott ([01:28:00](#)):

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Yes.

Sandy Bauer ([01:28:02](#)):

Okay. It's been added for the next meeting as an action item.

Scott ([01:28:08](#)):

And I know we need a resolution sooner rather than later.

Sandy Bauer ([01:28:11](#)):

Yep.

Scott ([01:28:12](#)):

But I believe it to be, we don't have the answer right now. And again, I'm really trying hard to keep [inaudible 01:28:18].

Sandy Bauer ([01:28:18](#)):

Exactly.

Scott ([01:28:19](#)):

Yep.

Sandy Bauer ([01:28:20](#)):

Well done.

Scott ([01:28:22](#)):

Are there any other items that we heard from public comments that need to go on an action item? I kept kind of my own list of what I thought. Is there anything that I missed?

Claire Elston ([01:28:32](#)):

This is Commissioner Elston. I heard one thing that concerned me, I would like to verify, which is the statement someone made that you can get a hundred percent of your experience hours and a hundred percent of your demo reports as desktop only without doing any actual inspections of property. I would like to have that clarified if in fact we are accepting 100% of demo reports and 100% of experience hours for desktop only products.

Sandy Bauer ([01:29:07](#)):

That's definitely something I can add to the action items as well. We can do some research. I don't have that answer for you right now.

Scott ([01:29:17](#)):

Yeah.

Claire Elston ([01:29:18](#)):

Thank you.

Stan Sedor ([01:29:24](#)):

Doesn't that fall under USPAP does not require any inspection?

Sandy Bauer ([01:29:29](#)):

I think so, but I don't have that type of information and I can't say for sure right now. So I would rather say I will take that for an action item and do that research and get back to you.

Scott ([01:29:42](#)):

Okay.

Commissioner Palmer ([01:29:43](#)):

Commissioner Sedor is correct. USPAP does not require inspection.

Scott ([01:29:52](#)):

Okay. All right. That's an action item.

Sandy Bauer ([01:29:55](#)):

Okay.

Scott ([01:29:55](#)):

Good. All right, anything else the Commissioners on coming from the public comments? Great. I'm going to say again, I really do appreciate it. I know I've kind of tapped some people down and for that I apologize, but we're just trying to make sure we follow the protocol here and I do really value the input of everybody.

([01:30:17](#)):

All right. Let's see. So I think we are moved past public comments and Sandy, back to you for announcements, which is the annual board training.

Sandy Bauer ([01:30:30](#)):

Yes. So at, yes, at our last meeting, then Chair Potter requested that we move the annual board training to after the public comments so that way if any members of the public wanted to go ahead and leave the meeting now, they could do so without missing any part of the meeting. So this is your introduction to open public meeting [inaudible 01:31:02] or OPMA. So OPMA is when the legislature finds and declares that all public meetings with commissions, with boards, with councils, with committees, subcommittees, all of these, they are open to the public and it is to aid and conduct the people's business. It is the intent of this chapter, which is RCW4230010 to be taken openly and that their deliberations be conducted openly.

([01:31:37](#)):

So OPMA exists for the public to maintain their sovereignty, to delegate authority while retaining their individual rights, to keep control over the instruments that they have created. And by instruments I mean committees, boards, councils, et cetera. And then also to keep informed of the government

operations of those functions and the impacts that they have on everyone's days, personal and real lives.

[\(01:32:06\)](#):

So what does OPMA actually apply to? It applies to every single meeting of the governing body of a public agency. And public agencies are encouraged to provide for an increased stability for the public to observe and participate in these meetings. But meetings don't have to happen just in person. They can happen telephonically, electronically over the internet or any other types of access. And one thing that the pandemic brought on was these virtual meetings. And we have seen a huge uptake in attendance to having these virtual meetings.

[\(01:32:53\)](#):

So what is a governing body? A governing body means a multi-member board or commission, committee, council, or any other type of rulemaking or public agency. It also applies to committees within those governing bodies. So like the work groups or the subcommittees you guys just formed today, that is included in a governing body and they're subject to OPMA.

[\(01:33:27\)](#):

So what exactly is a meeting? A meeting is any type of gathering where action is taken. It doesn't have to be titled meeting for it to be called a meeting or be defined as a meeting. It could also be labeled as a retreat, a workshop, a study session. Any type of title that you could think of where a quorum of your members would be gathering would be considered a meeting.

[\(01:34:04\)](#):

So what types of meetings are there? There are regular meetings and there are special meetings. So the regular meetings are your reoccurring meetings that are held in a accordance with the periodic schedule by statute or by rule. And a special meeting is anything that is scheduled outside of what the statute or rule has said about how you're going to be scheduling your meeting. So for regular meetings, the public agency must file a yearly schedule with our code reviser, and then publish any changes to the regular meeting schedule at least 20 days prior to the schedule. Now that's something that we at DOL do, we submit, and that's why we vote on your yearly schedule at the last meeting. That gives us time to submit everything to the code reviser and get it published within the timeframe allotted within the RCW4230070.

[\(01:35:10\)](#):

Now as far as the notice and agenda, an agenda must be posted on the website at least 24 hours in advance of the meeting. And by the website we mean the DOL website, but we try to get that agenda posted at least a week prior to the meeting. That gives the general public enough time to figure out what is going to be talked about and if they want to attend. So for special meetings, notice must be given 24 hours before the meeting. The notice must specify the time and the date of that meeting, the location of the meeting, and the agenda. So the location of the meeting, not only could it be the address or the room number, but it also could be what is the meeting link? How can people join and attend this meeting?

PART 3 OF 4 ENDS [01:36:04]

Sandy Bauer [\(01:36:03\)](#):

... link, how can people join and attend this meeting? And then it has to have the agenda. And notice is not required when you're dealing with something that is considered emergency and it is involving injuries or damage to persons or the likelihood of injury or damage.

(01:36:23):

So let's talk a little bit more about the definition of a meeting. What is a quorum? We have mentioned that a couple times already in the meeting today. A quorum is defined as the majority of members of a public body. And vacancies in your board do not reduce the number of people and members required for a quorum.

(01:36:48):

Yes, commissioner Palmer, you have a question?

Comissioner Palmer (01:36:49):

I have a question. Currently we have a commissioner of six members, right?

Sandy Bauer (01:36:56):

Correct.

Comissioner Palmer (01:36:58):

Is three of those a majority or a minority?

Sandy Bauer (01:37:01):

Negative. That would be a minority. Your board consists of seven members. Even though you have a vacancy and now have six, a quorum is still required of four.

Comissioner Palmer (01:37:17):

Okay.

Sandy Bauer (01:37:17):

Because that is the quorum for your seven member board. So vacancies do not reduce the number required to meet a quorum.

Comissioner Palmer (01:37:26):

Okay.

Sandy Bauer (01:37:26):

Does that answer your question?

Comissioner Palmer (01:37:27):

It does, thanks.

Sandy Bauer (01:37:28):

Awesome. Great. So like I said before, meetings don't have to occur in person to be subject to OPMA. They can occur through the telephone, through email, or any other type of electronic media. An

exchange of emails could constitute a meeting. If a quorum of the members are involved in that email chain and you're discussing business, that is subject to Open Public Meeting Act, to OPMA. So it's really risky when you reply all. So please use caution when you're emailing fellow board members and you're discussing actual business that the board has because that could rise to an action item.

[\(01:38:17\)](#):

An action item is our very next, well it is two slides away. So we'll talk about action items in a minute. So we're going to talk about splintering or separating the quorum. So separate or offline business discussions often happen between members and not in a quorum. And this could be considered splintering the quorum and it could be considered a circumvention of OPMA. This type of discussion deprives the public of its right to listen to the deliberations on any topic, and it must be presented to the public for a decision. It removes discussions and decisions from public view, and it undermines the confidence in the decision making of that governing body.

[\(01:39:10\)](#):

What does OPMA not apply to? It does not apply to formal issuances of order granting, suspending, or revoking or denying licenses or permits, or certificates that engage in business or application or a profession or any disciplinary proceedings involving a member of such business. It doesn't apply to quasi-judicial matters named parties as opposed to general effect of the public. It also doesn't apply to matters that are governed by the Washington Administrative Code or the WAC. And it does not apply to collective bargaining.

[\(01:39:55\)](#):

So what are meeting actions? We talked about email discussing business could rise to an action. So what are actions? Actions are the transaction of actually the official business of that public agency. And it includes things like public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. These requirements of the OPMA are triggered whether or not final actions are taken. So you can discuss something, you can consider something, you can deliberate something. And even if you don't have a final action or a final decision, it is still triggered by OPMA.

[\(01:40:45\)](#):

A final action is a collective positive or negative decision by an actual vote or by the majority governing body or by its committee. Voting must be taken in public even if the deliberations were in an executive session. And voting by secret ballot is not permitted.

[\(01:41:11\)](#):

So meeting minutes, these are very valuable. Meeting minutes of the public meetings must be promptly recorded and open to the public inspection. Meetings are not required for an executive session, and there's no specific format that's required. Which is why at every meeting we submit the meetings for the minutes for you to approve, so then we can get them published so the public can see them.

[\(01:41:42\)](#):

So in summary, OPMA exists to ensure that the public's business is conducted publicly. It applies to any meeting of the public body and its committees or subcommittees where deliberations and actions occur. This includes serial discussions, electronic communications among a quorum of the body.

[\(01:42:04\)](#):

The bottom line is always err on the side of conducting business as openly and publicly as possible. And along those lines, the meeting chats are not captured in a public way and therefore the staff has disabled the chat feature for meetings going forward. Are there any questions?

Scott ([01:42:27](#)):

I do. I want to just go back to the splintering question. When I look at what the definition of a meeting is, where action is taken, correct?

Sandy Bauer ([01:42:38](#)):

Mm-hmm.

Scott ([01:42:38](#)):

So when I look at the-

Sandy Bauer ([01:42:44](#)):

So we'll go back to the action slide.

Scott ([01:42:47](#)):

Actually, I think you're fine right here. I'm just going to say this. I mean, I know the staff will have conversations from time to time around a subject matter. And if I have a conversation with one of the commission members, like, "I'm not understanding something. What do you think about this?" If we're not taking action, I don't think that violates the Open Meetings Act. Am I correct on that?

Sandy Bauer ([01:43:06](#)):

That's correct.

Scott ([01:43:07](#)):

Because otherwise ... Okay, good. I just wanted to make sure that we're kind of clear on, yeah.

Sandy Bauer ([01:43:13](#)):

So let me set this up as a scenario. So something like considering the offline or the splintering of the quorum is I think this way and I want to talk to just this person and try and get them to think the way I think. The quorum isn't involved, but I'm trying to influence something offline without the public knowing it. But having an offline conversation so you can get more information, that is not a violation of OPMA. You just want to be very careful about how you're talking-

Scott ([01:43:50](#)):

Not taking any actions or influencing actions.

Sandy Bauer ([01:43:52](#)):

Correct.

Scott ([01:43:53](#)):

Okay. Thank you.

Sandy Bauer ([01:43:55](#)):

Great. That's a fantastic question. Thank you. Are there any other questions? Okay. Well, let's move on to ethics and public service. And I'll try to make these as quick as possible.

[\(01:44:11\)](#):

So the general expectations are that you as a board or commission member should not have any financial interests or any other type of interests or engage in any business or professional activities that will conflict with the performance of your official duties.

[\(01:44:29\)](#):

It's also expected that you shouldn't use your state position to secure special privileges or favors or exemptions for yourself or any other person associated with you. Or receive compensation from other sources other than the state of Washington for the performance or non-performance of your official duties. And you should not receive a gift if it could be reasonably expected to influence or reward the performance of your official duties. So what is conflict of interest? Conflict of interest involves the concept of benefit and bias. So a couple of questions that you might want to ask yourself is, will your interests benefit as a result of your official action? And would a reasonable person conclude that a private or personal interest impairs your independent and impartial judgment in the exercise of your duties? Some conflict of interests are clearly defined. Acquiring a benefit or financial interest in a contract or a transaction that is under your authority or supervision as a board or commission member, that's a conflict of interest. Accepting compensation from someone else who has benefited from your action as a board or commission member, that is also a conflict of interest.

[\(01:45:56\)](#):

But there's other types of conflicts of interest that aren't quite so obvious and they're determined on a case by case basis. Some of these might include a non-financial interest, a professional or business activity boost, obligations that would conflict with your performance of your overall duties. And also the use of your position to secure or convey special privileges or exemptions for yourself or others.

[\(01:46:28\)](#):

Now, let's talk about gifts for a minute. Gifts especially during the holiday season is something that can get a little bit touchy. You may not accept a gift, gratuity or favor if it could be reasonably expected to be a payment of your performance or non-performance of your duty. It could not be accepted if it is expected to influence your judgment, your performance, or your non-performance of your duty.

[\(01:47:05\)](#):

But you can accept gifts under certain circumstances. You can accept one single gift up to \$50 per calendar year from one single source. And a quick example of that is someone with no affiliation to your profession gives everyone on your work group a holiday gift every year, and the value is less than \$50. You can accept that. You can also accept a single gift with the value up to \$50 from multiple sources. For instance, you just moved into a new house and to welcome you all your neighbors pitch in and get you a \$50 gift card to your local home improvement store. Yes, you can accept that gift. Neither one of those types of situations has anything to do with your position as a board member or commission member. It is \$ 50 a year or less, one time.

[\(01:48:06\)](#):

The same basic rules apply to your family members gifts. Gifts given to family members are also subject to that \$50 limit unless your family member has an independent connection or association with that donor, with that gift donor.

[\(01:48:24\)](#):

So how do you actually deal with conflict of interest? It relies heavily on your own-

Stan Sedor ([01:48:32](#)):

[inaudible 01:48:34].

Sandy Bauer ([01:48:34](#)):

Question? I'm sorry.

Stan Sedor ([01:48:36](#)):

I'd like some clarification on the gift limit of \$50. So I assume that if a family member goes out and buys me something for my birthday, that's worth \$100, that's not a conflict issue, right?

Sandy Bauer ([01:48:56](#)):

No, that is not. So we're talking with someone with no affiliation to your profession. You already, you have a connection with them that is outside of your profession and is outside of your role as a board or commission member. Does that clarify just a little bit?

Stan Sedor ([01:49:18](#)):

So the \$50 limit only applies to those who do have that kind of a connection?

Sandy Bauer ([01:49:25](#)):

Well, we'll go back to one more slide. So if someone is going to give you a gift or gratuity, can it be reasonably deduced that gift or that favor or gratuity or whatever that has given you, could it be reasonably deduced that it is to influence you and your decision on board business?

Stan Sedor ([01:49:54](#)):

Right. I guess the question I'm really asking is are any gift from anyone limited to \$50 or less?

Sandy Bauer ([01:50:03](#)):

No. No.

Stan Sedor ([01:50:04](#)):

Okay.

Sandy Bauer ([01:50:05](#)):

We're talking about sources from people within your work group, within your industry. This is for gifts or favors or gratuities that could be rationally thought of by anybody else that it is meant to sway your opinion on something. So this isn't like gifts in general, this isn't gifts from your family or close friends. Does that answer your question?

Stan Sedor ([01:50:50](#)):

Yes. Thank you.

Sandy Bauer ([01:50:51](#)):

That's a really good question though. It's really hard. So let's talk about what happens when you do have those conflict of interest things. So it comes down to disclosure and recusal. If you have a private or personal interest that could benefit from your official actions or might bias your judgment, it's your responsibility to disclose that issue at the public meeting of your board or commission. Once you disclose that interest, recuse yourself and abstain from participating in discussions or voting on that matter. So that might give a little bit more clarity to the gift issue.

[\(01:51:39\)](#):

Another thing is using state resources, and I don't think that's something that we really have to worry about right now. So state ethics law protects and limits the use of state resources such as computers, printers, office spaces, vehicles, postage, time, et cetera.

[\(01:51:59\)](#):

So moving on to the de minimus rule. If you do use state resources, it is allowable if there is little or no cost to the state, the use is brief, it occurs infrequently, and it doesn't interfere with the performance of anyone else's official duties.

[\(01:52:21\)](#):

So personnel using that equipment, you shouldn't be using it to conduct outside business. For instance, if each of you had a tablet to attend a future board meeting with and you wanted to use that tablet to create a flyer for your business, that's something that you probably shouldn't do.

[\(01:52:48\)](#):

Maintaining confidential information. Some board and commission members may have served in positions where they have access to confidential information. If you do have access to that information, please be aware that you need to keep it confidential and you cannot use it for your own personal benefit or the benefit of others.

[\(01:53:10\)](#):

Okay, are there any questions about ethics? All right, let's go ahead.

Scott [\(01:53:19\)](#):

I've got a question. When are we going to get our tablets? That sounds like a great deal.

Sandy Bauer [\(01:53:20\)](#):

Well-

Scott [\(01:53:20\)](#):

Okay. Nevermind.

Sandy Bauer [\(01:53:25\)](#):

That was just an example, but who knows what the future may bring, but it was just an example.

[\(01:53:35\)](#):

All right, let's move on to public records disclosures. Goodness, I can't talk today. Why should boards and commissions care about public records? State agencies and boards are required to have available for public inspection and copying their public records such as procedural rules, statements of general

policy and other records written or electronic pertaining to board business. So this is about when we're getting into the OPMA part.

[\(01:54:08\)](#):

Any writing that is prepared, owned or used or retained by the state or at local government agency which the boards are included on, are required to keep their documentation such as traditional written records, emails, audio recording, including voicemails, text messages, photographs, and any online web content. For instance, social media accounts, tweets, Facebook, anything like that.

[\(01:54:42\)](#):

Is everything disclosable? This could get crazy. What are some of the exemptions of disclosable information? Anything that is personal identifying information, AKA, PII such as your birthdate, your social security number, driver's license number, your residential address, financial information, things like that that could compromise you or make you a target. That is not a public disclosure.

[\(01:55:17\)](#):

So what happens if records are requested? First, the records are submitted and then it must be in writing to the department of licensing. Then the staff coordinates all those records, they consolidate them, they get them into one type of format and then they review them. They redact any type of PII that would be on that type of information and then they fulfill that request.

[\(01:55:49\)](#):

So media disclosures, what do you do if King 5 calls you for some type of a comment on an issue that's going on with your board or commission? You must recommunicate those requests with the board and commission support service staff and coordinate with the communications team for input and tracking. Anticipate a lot of community interest in some of the things that you are discussing, your industry, at different types of public events. And keep your focus on the business of the board or the commission.

[\(01:56:25\)](#):

What you shouldn't do is share your personal opinion or express grievances, lobby for any legislative action. Let me caveat that. You can lobby as a private citizen but not as a board member. So you can't go to one of those public hearings and say, "I am a board member and I'm using my position to lobby for or against something." But as a private citizen, you can. Does that clarify that really quick? Make sure you-

Dean Potter [\(01:56:59\)](#):

Hey, Sandy?

Sandy Bauer [\(01:57:00\)](#):

Yes.

Dean Potter [\(01:57:01\)](#):

In connection with that, if you went to a public meeting about real estate appraisal or something like that, and I'm a commissioner right now, am I to ignore in my comments the fact that I'm commissioner? Or should I say upfront, I am a commissioner, but these are my personal views, which is the way to do it?

Sandy Bauer [\(01:57:28\)](#):

So the way to do it is to not mention that you are a board or commission member. If you are at that public meeting, you are there because you are Dean Potter, real estate appraiser. You are not there because you are Commissioner Dean Potter.

Dean Potter ([01:57:46](#)):

Right.

Sandy Bauer ([01:57:46](#)):

So just say, "Hello, my name is Dean Potter. I am a real estate appraiser out of such and such county, and this is what I would like to be known as what my views are," the end.

Dean Potter ([01:58:00](#)):

Okay, thanks.

Sandy Bauer ([01:58:01](#)):

Does that answer your question?

Dean Potter ([01:58:03](#)):

Yeah.

Sandy Bauer ([01:58:03](#)):

Awesome.

Stan Sedor ([01:58:04](#)):

Sandy?

Sandy Bauer ([01:58:05](#)):

Yes.

Stan Sedor ([01:58:06](#)):

So what if during a legislative hearing, I show up and represent myself as an appraiser and I have a particular view on an issue. And one of the legislators knows me and says, "Well, aren't you on the real estate appraiser commission?" Do I acknowledge it?

Sandy Bauer ([01:58:24](#)):

You can absolutely say, "I am not here as a commissioner. I am not here to represent the board in any way, shape, or fashion. I am here to represent myself and my business."

Stan Sedor ([01:58:36](#)):

Thank you.

Speaker 8 ([01:58:39](#)):

Those are all really good questions. I just want to clarify also that from our a AAG's opinion, if you are talking to any of your outside lobbying groups about issues and something that's coming through the legislative session, you still want to be really cautious. It could be that you may want to have us help you fill out a public disclosure form to submit to the Public Disclosure Commission so that you don't run into any sort of hot water or run afoul. So that is something that we can help you with if you're going to be doing ... Not that you're going to be doing any lobbying, but even talking to some of these associations that are doing lobbying, you just want to make sure that you don't come afoul of the Open Public Meetings Act or any of the ethics violations.

Sandy Bauer ([01:59:35](#)):

That's a great point. Thank you very much. And the very last thing that you don't want to do is you don't want to risk your personal integrity, the integrity of others or the integrity of your border commission. So just you want to keep that in mind. And don't hesitate to reach out to us if you need any help in drafting a communication of that sort. All right. Are there any questions?

Stan Sedor ([02:00:04](#)):

Another comment. I had an opportunity like September of last year where a question came up of are we as commission members required to file financial disclosure records with the Public Disclosure Commission? And I found out that we are not. We do not have to file those financial forms with the PDC.

Sandy Bauer ([02:00:30](#)):

Correct. Good point. All right. If there aren't any other questions, let's go ahead and move on to parliamentary procedures.

([02:00:44](#)):

So we are following basic Robert's Rules. So what are parliamentary procedures? Well, there are a set of rules to conduct your meeting so that everyone can be heard and decisions can be made without confusion. Parliamentary procedures are very important because it is a time-tested method to conduct business at meetings and in the public gathering, and it can be adapted to fit the need of any organization. And with that said, we are following Robert's Rules.

([02:01:19](#)):

So let's go ahead and move on to what a typical agenda is going to be looking like in 2023. As you can tell, we kind of changed up the agenda a little bit for this first meeting. I had intended on being able to give this training at the last meeting of last year. But moving forward in 2023, we've rearranged the agenda just a little bit to make it a little bit easier and to make it to the point where we could follow OPMA rules and regulations a little bit better.

([02:01:53](#)):

So first, we'll have the call to order, the roll call, approval of the agenda and the minutes just like we've always done. Then we're going to move into awards and recognitions if it's applicable, which we will probably have something in this agenda item at our next meeting. Then we'll move on to old business, new business and then reports. And then the reports are going to be the reports out from both the staff and from the subcommittees. So this will be the section where we do those reports.

([02:02:27](#)):

Then we're going to have public comments. Then after public comments, we're going to move on to conclusion, which is announcements, request for future agenda items and review of action items. That

way we can capture these public comments without having to have a big discussion about them. It's so much easier if the board members can say, "Yeah, let's add this to the next agenda." So this is the conclusion, and we can capture that for action items without moving into any OPMA violations. And then after the conclusion, we'll go ahead and move into the adjournment.

(02:03:07):

So let's talk about making a motion.

Speaker 9 (02:03:11):

Just a quick clarification. I realized we've ran past the 12:00 PM ending time scheduled for the meeting. Is there a lot more material on this-

Sandy Bauer (02:03:22):

No.

Speaker 9 (02:03:22):

... where it might make sense to include it on the next meeting?

Sandy Bauer (02:03:26):

No, we're nearly done. We're nearly done.

Speaker 9 (02:03:28):

Okay. Thank you.

Sandy Bauer (02:03:30):

So we'll talk about making a motion.

Scott (02:03:32):

Yeah, I looked at the agenda too. That was a question of mine. I want to make sure we cover this. I think this is the last big report that will be happening in our meetings, right?

Sandy Bauer (02:03:39):

This is.

Scott (02:03:39):

Yeah. Okay.

Sandy Bauer (02:03:40):

Yes. And this commission has no problems making agendas, making motions, seconding them, or discussion and then voting. So let's go ahead and move on to other motions.

(02:03:57):

So sometimes a motion is not able to be voted on right then and there. You can also motion to table it. That means you can move it to a future agenda at another meeting, or you can motion to postpone it indefinitely. And that just kind of kills it without saying you're killing it.

[\(02:04:24\)](#):

Okay. In summary, parliamentary procedures is the best way to get things done at your meeting, but only if it works and you use it properly. Allow motions that are only within the order within the purview of your board or commission. Have members obtain the floor properly. Speak clearly and concisely and obey the rules of debate, but most importantly, be courteous.

[\(02:04:48\)](#):

All right. Are there any questions? Okay. That concludes your annual board training at this time.

Comissioner Palmer [\(02:04:57\)](#):

Cool. So I look for a motion to adjourn?

Speaker 8 [\(02:05:02\)](#):

Thank you, Sandy.

Scott [\(02:05:04\)](#):

I think before we do that, commissioner Palmer, just a quick review of the action items, right? That's on the agenda.

Sandy Bauer [\(02:05:12\)](#):

Yes. So, yep. The final thing was to have a review of the action items and also to request agenda items for the next meeting from other commission members.

[\(02:05:25\)](#):

So the first thing I have is the Fannie Mae complaints agenda action item. The USEPA update, has the AQB made any changes? Follow up and announce the recruitment progress. And to further research the 100% desktop and demo reports. Have I missed any of the action items?

Scott [\(02:06:01\)](#):

Not that I can think of.

Sandy Bauer [\(02:06:03\)](#):

Are there any agenda items that any of the commissioners would like to be added for the next meeting?

Dean Potter [\(02:06:10\)](#):

Is this our one bite of the apple or can we make them between now and the next meeting?

Scott [\(02:06:14\)](#):

Now and the next meeting.

Sandy Bauer [\(02:06:15\)](#):

Make them between now and the next meeting.

Dean Potter [\(02:06:17\)](#):

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Okay.

Sandy Bauer ([02:06:18](#)):

You can just shoot me an email.

Dean Potter ([02:06:20](#)):

I'm looking forward to the adjournment then.

Sandy Bauer ([02:06:23](#)):

Okay.

Scott ([02:06:23](#)):

So moved.

Sandy Bauer ([02:06:26](#)):

Thank you. Thank you for sticking with me for that training. I know it can get a little bit boring. I appreciate it. Thank you so much.

Scott ([02:06:33](#)):

No, thank you.

Dean Potter ([02:06:33](#)):

Thank you.

Scott ([02:06:35](#)):

And we can request our two-hour CE certificate, right?

Sandy Bauer ([02:06:39](#)):

Yes.

Speaker 10 ([02:06:42](#)):

I will also be sending you an email with an attestation form to sign, just saying that you did in fact attend this training.

Dean Potter ([02:06:51](#)):

Okay. Okay.

Sandy Bauer ([02:06:52](#)):

All right.

Scott ([02:06:52](#)):

Good.

Sandy Bauer ([02:06:53](#)):

Thank you so much.

Scott ([02:06:54](#)):

First of all, thank you so much. I know that's never fun to run through with any board or commission and I've been through before as many of us have. So thank you. Thank you. You were good. All right. No other business in front of the commission that I'm aware of? Okay. Now looking for motion to adjourn.

Comissioner Palmer ([02:07:11](#)):

Moved.

Dean Potter ([02:07:12](#)):

Second.

Scott ([02:07:14](#)):

All in favor?

Sandy Bauer ([02:07:14](#)):

Aye.

Dean Potter ([02:07:16](#)):

Aye.

Scott ([02:07:16](#)):

I presume the motion carries. Thank you everyone.

Comissioner Palmer ([02:07:20](#)):

Thanks, Scott.

Dean Potter ([02:07:21](#)):

Thank you.

Speaker 8 ([02:07:22](#)):

Next time.

Sandy Bauer ([02:07:22](#)):

Thank you.

Scott ([02:07:22](#)):

Take care.

Dean Potter ([02:07:22](#)):

Good meeting, Scott.

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Comissioner Palmer ([02:07:25](#)):

See you. Bye.

Sandy Bauer ([02:07:27](#)):

Thanks, Scott.

PART 4 OF 4 ENDS [02:07:28]