

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

DATE: February 13, 2024

TIME: 10:35 a. m.

PLACE: 1100 N. Eutaw Street (hybrid – both in person and virtual)
Baltimore, Maryland 21201

MEMBERS PRESENT: Commissioner Sean Troxell, Chairman
Commissioner Coleen Courtney-Morrison, Vice-Chair
Commissioner Thomas Owen
Commissioner Jerry Pickholtz
Commissioner Onyemaechi Nweke (arrived late)
Commissioner Todd Warren
Commissioner Bill McCann
Commissioner Karen Trendler
Commissioner Roxanne Alston
Commissioner Rachel Oslund
Commissioner Melanie Gamble

MEMBERS ABSENT: Commissioner Jeremiah Hosford
Commissioner Stacy Harman

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

OTHERS PRESENT: Christa McGee, Maryland Realtors Association
Stephanie Gones, The CE Shop
Maria Brown, Appraisal Subcommittee (ASC)
Tom Louis, Appraisal subcommittee (ASC)
John Brenan, Appraisal subcommittee (ASC)

Call to Order

Commission Chairman, Sean Troxell, called the business meeting of the Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to order at 10:35 a.m.

Approval of Minutes

The minutes of the business meeting held on December 12, 2023, were reviewed and considered.

By a motion by Commissioner Pickholtz, seconded by Commissioner Warren, and, by a unanimous vote of the members then present, the minutes of the December 12, 2023, business meeting were

approved without amendment. Commissioner Nweke (not yet present) did not vote on the matter.

Real Estate Appraiser Complaint Committee Report

Executive Director, Todd Blackistone, reported to the Commission that the Appraiser Complaint Committee met prior to the public meeting and reviewed 3 items of new business. The disposition of which was as follows:

Complaints	-	24- REA - 28	Precharge
		24- REA - 21	Tabled
		24- REA - 24	Dismissed

A motion was made by Commissioner Warren, and seconded by Commissioner Pickholtz, and, by unanimous vote of the members then present, carried that the Commission accept the report and recommendations of the Appraiser Complaint Committee. Commissioner Nweke (not yet present) did not vote on the matter.

Home Inspector Complaint Committee Report

Commissioner Troxell reported that the Home Inspector Complaint Committee met prior to the public meeting and reviewed 4 items of new business. The disposition of which was as follows:

Complaints	-	24- INSP - 23	Dismissed
		24- INSP - 25	Informal Hearing
		24- INSP - 26	Precharge

A motion was made by Commissioner Warren, seconded by Commissioner Pickholtz, and by unanimous vote of the members then present, carried the Commission accepted the recommendations of the Home Inspector Complaint Committee. Commissioner Nweke (not yet present) did not vote on the matter.

Education Committee Report

Executive Director Blackistone reported that the Appraiser and Home Inspection Education Committees met on this date and approved 32 courses. The Appraiser Education Committee reviewed 16 courses, and, of those, all courses were approved; the Home Inspection Education Committee reviewed 16 courses, and, of those, all courses were approved.

A motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and by unanimous vote of the members then present, carried that the Commission accepted the recommendations of the Education Committees. Commissioner Nweke (not yet present) did not vote on the matter.

New Business

Real Estate Appraisers Experience Hours

Executive Director, Todd Blackistone, addressed the Commission regarding real estate appraiser work experience hours. An applicant for a real estate appraiser license or certificate is required to submit a work log of work experience hours required for licensure for review. Appraisals are randomly selected

for review by the Application Review Committee as part of this process. Mr. Blackistone explained to the Commission that, occasionally, an appraisal log will contain an appraisal(s) that suggest the applicant devoted an unusually high amount time to the matter as compared to a typical residential appraisal without any indication that the appraisal was complex or otherwise unusually time-consuming. Mr. Blackistone suggested that the Commission consider whether it was appropriate to set a limit on how many hours can be allocated to a single residential appraisal for work experience credit. The Commission discussed the issue at length. It was decided that AAG Kinstler will research how neighboring states handle excessive real estate appraiser experience hours in submitted work logs.

Final Action 09.36.08.02

Commissioner Troxell, Chairman, reminded the Commission that it had taken proposed action to amend COMAR 09.36.08.02C pertaining to requirement that a licensed home inspector complete 30 hours of continuing professional competency education (CPC). Assistant Attorney General Kinstler reminded the Commission that proposed regulation was voted on and approved at the December 12, 2023, meeting and published in the December 23, 2023 Maryland Register requiring that a license renewal candidate must complete two (2) hours of home inspection report writing education and two (2) hours education on the Home Inspector Standards of Practice as part of the 30 total hours of CPC required for license renewal. Counsel advised that the Commission was authorized to take final action on the regulation.

Chairman Troxell requested a motion on the matter.

A motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and, unanimously carried, that the Commission take final action to amend COMAR 09.36.08.02C to require that a licensed home inspector to complete two (2) hours of continuing professional competency education in home inspection report writing; and two (2) hours of continuing professional competency education on the Home Inspector Standards of Practice to qualify for license renewal.

Proposed Action COMAR 09.36.08.02C

AAG Kinstler, reminded the Commission that, as part of its ongoing re-evaluation of the Maryland Standards of Practice for home inspectors, they had previously recommended amending COMAR 09.36.08.02C. The Maryland Home Inspector Standards of Practice Review Committee, consisting of Chairman Troxell and Commissioners Pickholtz, Owen, and Polillo (who has since aged off the Commission) met on multiple occasions to discuss revisions to the Home Inspector Standards of Practice. The Committee recommended that the Commission adopt a restriction of a maximum period of time for CPC hours in a single subject matter area set forth in COMAR 09.36.08.03F.

The Committee had recommended that a license renewal candidate could complete a maximum of eight (8) hours of continuing professional competency education (CPC) in any single subject area set forth in COMAR 09.36.08.03F as a condition of license renewal. Draft language was prepared by Counsel Kinstler and shared with the Commission.

A motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and, by majority carried, the Commission voted to amend COMAR 09.36.08.02 to limit a licensed home inspector to complete no more than 8 hours in any subject matter of the 30 hours of continuing professional competency education upon license renewal. All voted in favor except Commissioner Nweke, who did not vote on the matter.

Counsel advised the Commission that proposed action in this regulation could be proposed only after

the pending amendment to that regulation became effective.

Proposed Action COMAR 09.36.06.01G

AAG Kinstler reminded the Commission of its discussion to amend the Home Inspector Code of Ethics set forth in COMAR 09.36.06.01G to require that a licensed home inspector follow all federal and state laws; regulations; and local ordinances. The Commission discussed instances where federal law may have been violated and the need for a home inspector to follow the law. Counsel reminded the Commission that it should be mindful of the potential difficulty in enforcing an alleged violation and that the Commission could need support from a federal or state law enforcement agency to prove a related regulatory charge. Draft language was prepared by Counsel Kinstler and shared with the Commission.

A motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and by majority carried, that the Commission amend COMAR 09.36.06.01G for all home inspectors to follow federal laws, codes, and regulations. Commissioner Nweke did not vote on the matter.

Chairman’s Report

Chairman Troxell welcomed Commissioners Oslund and Gamble to the Commission and thanked them for their future service.

Assistant Attorney General’s Report

AAG Kinstler addressed the Commission, welcoming Commissioners Oslund and Gamble to the Commission and stated that she looked forward to working with them.

AAG Kinstler reviewed the final decision of the Home Inspector Hearing Board in Case No.: 24-INSP-11 pertaining to the denial of a home inspector license application if an applicant with a prior criminal conviction. The decision will be signed by Chairman Troxell and issued by Mr. Blackistone.

Executive Director Report

Executive Director, Todd Blackistone, addressed the Commission to welcome Commissioners Oslund and Gamble and thanked Marie Brown, Tom Louis, and John Brenan of the Appraisal subcommittee for joining the Commission meeting.

Adjournment

There being no further business to discuss, a motion was made by Commissioner Warren, seconded by Commissioner Pickholtz and unanimously carried that the meeting adjourn at 11:40 a.m.

_____ Approved without corrections

_____ Approved with corrections

Commissioner Sean Troxell, Chair

Date