

**REAL ESTATE APPRAISER LICENSURE  
AND CERTIFICATION BOARD  
May 30, 2019**

**MINUTES**

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**I. CALL TO ORDER & ESTABLISH QUORUM**

Dennis Kruse called the meeting to order at 9:11 a.m. in Room W064, South Government Center, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with Ind. Code § 25-34.1-8-4.

**Members Present:**

Mark Ratterman, Vice Chairman  
Dennis “Matthew” Kruse II, Chairman  
Wayne Johnson  
John Newlin  
Ron Kohart

**Members Absent:**

**State Officials Present:**

Deanna Alexander, Board Director  
Toby Davis, Assistant Director  
Nate Black, Compliance Office  
Jim Schmidt, Deputy Attorney General

**Transcriptionist:**

Sherri Rutledge, Rutledge Court Reporting

**II. REPORT FROM THE INDIANA ATTORNEY GENERAL’S OFFICE**

Attorney General’s Report presented by Jennifer Barth

**III. ADOPTION OF THE MINUTES FROM THE APRIL 4, 2018 MEETING OF THE BOARD**

Motion was first and seconded to **Approve**.

Kohart/Ratterman  
5/0

The following Board Members Voted    “Aye”    “Nay”

Mark Ratterman	✓
Dennis “Matthew” Kruse	✓
Ron Kohart	✓
Wayne Johnson	✓
John Newlin	✓

**IV. LEGISLATIVE CHANGES**

**A. Meredith Lizza**

House Bill 1269 - Meredith discussed the board numbers changing. The Appraiser Board would like to see the Lender Member would be licensed as a Certified Appraiser.

Meredith went over the House Bill 1569.

**B. AMC Proposed Rule Language**

Meredith also address the current language for the AMC Rule fee change.

Motion was first and seconded to approve the Rule language for the AMC fee changes and to move forward with the Rule process.

Ratterman/Kohart  
5/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓
Dennis “Matthew” Kruse	✓
Ron Kohart	✓
Wayne Johnson	✓
John Newlin	✓

**V. ADMINISTRATIVE HEARING**

**A. In the Matter of the License of: Ryan McKinley - CONTINUED**

2018 REAB 0005  
Re: Petition to Withdraw Probation

**B. In the Matter of the License of: Steven Terhesh**

2019 REAB 0002  
Re: Notice of Proposed Default Order

Respondent: Not present  
Attorney: No Attorney

Motion was first and seconded to **hold the Respondent in Default.**

Ratterman/Johnson  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

Motion was first and seconded to Issue a Notice of Non-compliance, and has to make up the 2018 - 2019 USPAP and must be submitted within 6 months and pay a civil penalty of \$250.00 within 21 days of the Final Order.

Ratterman/ Johnson  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**C. In the Matter of the License of: Jason King**  
2018 REAB 0012  
Re: Ruling Regarding Default and Disciplinary Hearing

Leif Johnson, Attorney General’s Office

Respondent: Jason King  
Attorney: Dereck Peterson

Motion was by respondents Attorney to withdraw their motion to dismiss and requests that this matter be set for the July 18<sup>th</sup> Board meeting.

Ratterman/Johnson  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**VI. PERSONAL APPEARANCES**

**A. In the Matter of the License of: Cole Christman**  
Re: Positive Response

Motion was first and seconded to **approve his application.**

Newlin/Ratterman  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**B. In the Matter of the Reinstatement of: Jason King**  
Re: Positive Response

Jason King was present with his attorney Derek Peterson

Motion was first and seconded to Approve reinstatement of the license.

Ratterman/Kohart  
5/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

## VII. REVIEW OF PROBATION

A. Nothing for review

## VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

**A. In the Matter of the Unlicensed Practice of: Daniel Clark**  
2018 REAB 0013  
Re: Proposed Agreed Cease & Desist

Motion was first and seconded to **Approve the Proposed Findings of Fact, Conclusions of Law and Order.**

Johnson/Kohart  
4/0

The following Board Members Voted      “Aye”      “Nay”

Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

Mark Ratterman recused himself from the hearing as he was the Liaison on the Case. The following members continued to take part in the hearing: Matthew Kruse, John Newlin, Wayne Johnson and Ron Kohart.

## IX. APPLICATION FOR REVIEW

A. Nothing for review

**X. REINSTATEMENT APPLICATIONS**

A. Nothing for review

**XI. APPRAISER CE COURSE**

**A. American Society of Farm Managers and Rural Appraisers (CE10600496)**

- 1. Practical Rural Appraisal: Work Problems Using the New Methodology 8 Hours

Motion was first and seconded to **Approve**.

Johnson/Ratterman  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**B. American Society of Farm Managers and Rural Appraisers (CE10600496)**

- 1. Farmland Drainage Tile: Valuation and Usage 8 Hours

Motion was first and seconded to **Approve**.

Johnson/Newlin  
5/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**C. CoreLogic Valuation Solutions, Inc/The Columbia Institute (CE21100051)**

- 1. Appraiser Disaster Readiness, No. 162 8 Hours

Motion was first and seconded to **Approve**.

Johnson/Ratterman  
5/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**D. American Society of Farm Managers and Rural Appraisers (CE10600496)**

1. Farmland Drainage Tile: Valuation and Usage      8 Hours

This course is Omitted

**E. McKissock LLC (CE10700568)**

1. Managing Online Transactions (Demonstrated with dotloop)      3 Hours

This course is Omitted

**F. CoreLogic Valuation Solutions, Inc/The Columbia Institute (CE21100051)**

1. Mobile Appraiser Workflow, powered by a la mode, no 122      7 Hours

Motion was first and seconded to **Approve**.

Johnson/Newlin  
5/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

**XII. OLD/NEW BUSINESS**

**A. In the Matter of the License of: Paul Matthews**

2018 REAB 0010

Re: Consideration of Default and other Pending Motions

Motion was first and seconded to not to default the Respondent.

Ratterman/Kohart  
5/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	
John Newlin	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

### **Motion 1: Subpoenas**

**Motion was first and seconded to Quash**

Ratterman/Johnson  
4/0

The following Board Members Voted      “Aye”      “Nay”

Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

### **Motion 2: Disqualification of Ultimate Authority**

**Motion was first and seconded to Denied**

Ratterman/Kohart  
4/0



The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 3: Verified Motion to Amend Complaint Filed on 12/13/2018 / Verified Petition for Review**

**Motion was first and seconded to Denied**

Ratterman/Kohart  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 4: Verify Petition for disqualification of the Board for Ultimate Authority as Administrative Law Judge / Disqualification of Denise Kruse / Disqualification of the Real Estate Commission. Filed April 5<sup>th</sup>**

**Motion was first and seconded to Denied**

Ratterman/Kohart  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 5: Petition for Intervention filed April 5<sup>th</sup>**

**Motion was first and seconded to Denied**

Ratterman/Kohart  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 6: Interrogatories**

**Motion was first and seconded to Strike**

Ratterman/Kohart  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 7: Motion to Disqualify the Real Estate Licensure and Certification Board and the Real Estate Commission as Ultimate Authority and Administrative Law Judge and Motion for Hearing for Administrative Review of Said Disqualification and Dismissal. Filed April 21<sup>st</sup>**

**Motion was first and seconded to Denied**

Kohart/Ratterman  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 8: Motion to Compel Production of Evidence by Subpoenas Issued on 12/13/2018 & Answers to Interrogatories Issued 4/8/2019 & Motion to Strike Orders Issued by Denis Kruse filed April 21, 2019**

**Motion was first and seconded to Denied**

Ratterman/Kohart  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**Motion 9: Motion to Correct Error**

**Motion was first and seconded to Denied**

Kohart/Ratterman  
4/0

The following Board Members Voted	“Aye”	“Nay”
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Ron Kohart	✓	
Wayne Johnson	✓	

John Newlin recused himself from the vote as he was the Liaison on the Case. The following members continued to take part in the hearing: Mark Ratterman, Wayne Johnson, Dennis “Matthew” Kruse and Ron Kohart.

**B. Appraiser Supervisor/Trainee**

Re: Appraiser Supervisor on Probation

Motion was to take no action today on this subject.

**C. Exam Provider**

Deanna Alexander addressed that Pearson Vue’s contract expired and the State has to put out an RFP for a new exam provider and PSI was the test provider that won the contract.

**D. Discussion about the form 1004D for log review**

This was a discussion the only thing that should count would be the appraisals and not building construction inspection are not appraisal or evaluations and cannot count as experience.

**XIII. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Appraiser Licensure and Certification Board adjourned at **12:35 p.m.**

**Next Scheduled Meeting**

**July 18, 2019**

**9:00 a.m.**

**W064**

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Dennis Kruse II, Chairman