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# MESSENGER

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APRIL 2018

## PRESIDENT'S MESSAGE

### Kevin Duman, MAI, SRA, AI-GRS

2018 begins another new year for the chapter and with that came an election and change in chapter leadership. We would like to welcome our new board members Pierce Buchinger, Leah Murphy, MAI, Robert Quam, MAI, and William Dryer, SRA. We would also like to thank our departing board members Curt Kolell, MAI, AI-GRS, Weston Robertson, MAI and Immediate Past President Katie Thompson, MAI, AI-GRS for their service. A list of our 2018 chapter board members is included in this newsletter. You can get to know our new board members by reviewing the attached profiles.



The chapter had a successful legislative year in 2017 with the passage of AMC legislation for the State of Wisconsin. We would like to thank Rick Larkin, SRA and his team for all their hard work to make this a success. Please see the attached article by Rick summarizing this process and the AMC legislation. Our legislative project for 2018 is attempting to get Statute of Repose Legislation passed in Wisconsin. For those unfamiliar with this legislation I will summarize it briefly. The present Wisconsin law does little to limit the liability of appraisers for being sued on past work, leaving appraisers vulnerable to lawsuits on very historic projects where they are unable to defend themselves adequately due to the time that has passed since the work has been completed. This legislation would ideally limit the appraiser's liability for past work to something similar to the record keeping law in USPAP, greatly reducing their exposure and improving their ability to defend themselves. Thank you to Garrett Warner, MAI and Jorge Barreiro, SRA who are heading the team on this project. If anyone is interested in volunteering time to help with the 2018 legislative project please contact Garrett or Jorge.

This is the beginning of a new state licensing cycle and our 2018 education offerings for the year have already begun. In January we had our Year-in-Review at the new Milwaukee Bucks Arena, which was very well attended. Speakers for the event included Rocky Marcoux, Commissioner for the Department of City Development, Blair Williams, President WiRED Properties, and the Managing Director of Real Estate for Milwaukee Bucks, Inc. All the attendees were given a tour of the new Buck's Sales Preview Center. We also had our first offering of the 7-Hour 2018-2019 USPAP Update Seminar in January taught by Steve Stiloski, MAI, CCIM with 62 in attendance for the class. Another offering for USPAP is scheduled in March for those who were unable to take the January class. In April we will be offering the new Uniform Standards for Federal Land Acquisitions (Yellow Book) class being taught by Bruce Closer, MAI. The Chapter is focused on maintaining and growing our residential membership, so we will be offering two days of residential continuing education in October. All the chapter 2018 educational offerings booked as of this point in time can be found on the education schedule included in the newsletter. Also, check out our Facebook page and chapter website for education and industry news.

The chapter is sending three members to Appraisal Institute Leadership Development Advisory Council (LDAC) in Washington, DC May 16-18, 2018. The 2018 Wisconsin Chapter representatives will be Erik Hanson, MAI, Cherie Laffin, MAI, SRA, and Jorge Barreiro, SRA. If anyone is interested in attending 2019 LDAC we will have instructions on how to apply in a future newsletter.

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## 2018 OFFICERS & DIRECTORS

### President

Kevin Dumman, MAI, SRA, AI-GRS .....(920) 487-2345  
Algoma, WI

### Vice President

Garrett Warner, MAI .....(262) 784-7377  
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### Secretary

Cherie Laffin, MAI, .....(715) 842-3311  
Wausau, WI

### Treasurer

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LaCrosse, WI

### Past President

Katie Thompson, MAI .....(262) 744-0070  
Richfield, WI

### Directors

Rick Larkin, SRA .....(262) 785-1313  
Brookfield, WI

Art Sullivan, MAI, SR/WA, R/W-AC .....(920) 410-6657  
Oshkosh, WI

Jorge Barreiro, SRA .....(262) 228-0087  
Waukesha, WI

Hank Schneider, MAI .....(414) 765-7424  
Milwaukee, WI

Ryan Sikorski, MAI, CFA .....(414) 727-9800  
Milwaukee, WI

Leah Dauer Murphy, MAI .....(414) 203-3043  
Milwaukee, WI

Pierce Buchinger .....(920) 487-4299  
Appleton, WI

William Dreyer, SRA .....(262) 784-2988  
New Berlin, WI

Robert Quam, MAI .....(414) 732-2880  
Milwaukee, WI

### Chapter Office / Executive Director

Christopher T. Ruditys .....(414) 271-6858  
11801 W. Silver Spring Dr., Suite 200 .....Fax: (414) 464-0850  
Milwaukee, WI 53225  
[www.wisai.com](http://www.wisai.com)

### Office Hours:

8:00 a.m. - 5:00 p.m. Monday - Friday

The Wisconsin Chapter recently learned from national that it finally surpassed the 150 member limit. With one regional representative spot given for each 50 chapter members, this means that the Wisconsin Chapter will gain a voting representative for Region III in 2019 for a total of three voting representatives. Thank you to all our existing members who continue to recruit new members for our organization.

It appears the Appraisal Institute is not the only professional valuation organization that is concerned about the future viability of its organization and looking for ways to remain sustainable and profitable. American Society of Appraisers (ASA) and National Association of Independent Fee Appraisers (NAIFA) have announced the merger of the two organizations effective July 1, 2018 to create one of the largest networks of U.S. professional real estate appraisers.

2018 looks like it will be another interesting year in the appraisal business as lenders look to eliminate appraisals from the lending process. In the end of 2016 TriStar Bank of Tennessee and City Bank and Trust Co. of Oklahoma submitted requests to the Appraisal Subcommittee seeking waivers from appraisal regulation requirements to use certified appraisers claiming an appraiser shortage in their areas. Thankfully, with the help of AI National, several local AI chapters, and other organizations the lender's claims were discovered as being unsupported and their requests for temporary appraisal waivers were denied. More recently S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act includes a section addressing the concerns of Senators in rural states who have heard complaints from lenders about a shortage of appraisers leading to slow turnaround times. Section 103 of the bill would allow for a waiver of an appraisal on a residential loan held in portfolio for three years or more with a transaction value of below \$400,000, if the lender first contacts three (3) State Licensed or Certified appraisers "within a reasonable amount of time" and is unable to fulfill the appraisal order. S. 2155 has passed out of the Senate Banking Committee and could face a vote by the full Senate later this month. Please monitor this issue and do not hesitate to contact our state senators in Washington, DC to express your concerns if this worries you. Expect to hear liberal use of the terms hybrid appraisals, alternative valuation products, and appraisal waivers by the lending community as the year progresses.

Effective May 1, 2018, the Appraiser Qualifications Board (AQB) adopted revisions to the Real Property Appraiser Qualification Criteria that substantially reduce the requirements to become a Licensed or Certified appraiser. In lieu of a bachelor's degree, the AQB will now allow the following alternatives to meet the requirements for the Certified Residential credential:

1. An associate's degree in business, finance, accounting, economics, or similar programs, or
2. Successful completion of 30 college semester credit hours in specified topics, or
3. Successful completion of College-Level Examination Program (CLEP) exams equivalent to a minimum of 30 semester credit hours in specified subject matter areas; and/or
4. Any combination of #2 and #3 that includes all of the topics identified.

In addition to allowing for alternatives to the bachelor's degree for the Certified Residential credential, the AQB has also completely eliminated all college-level education requirements for the Licensed Residential credential. In addition to the alternative educational tracks outlined above, the AQB has also included a grandfather clause for Licensed Residential appraisers to receive the Certified Residential credential if they have a minimum of five years of experience and meet some additional criteria.

In addition to changing the educational requirements to be an appraiser, the AQB has also decreased the experience hours required and the timeframes for the Licensed Residential and Certified Residential credentials. The updated experience requirements are as follows:

- 1,000 hours of experience for Licensed Residential (6 month minimum)
- 1,500 hours of experience for Certified Residential (12 months minimum)
- 3,000 hours of experience for the Certified General (18 months minimum)

It will ultimately be up to each state to determine if and when it will lower its own requirements for appraisers. The AQB requires states are legally permitted to possess requirements that are greater than, but not less than the AQB Criteria. There will be no future effective date that states must meet to adopt the new AQB Criteria.

We have many good educational offerings this year, which you will find listed in the chapter education schedule. I hope to see you all at a class or chapter event this year.

Best Regards,  
 Kevin Dumman, MAI, SRA, AI-GRS  
 2018 President Wisconsin Chapter of the AI

## TREASURER'S REPORT

The Chapter funds as of 2/28/18 are:

Primary Checking Account:	\$13,601.17
Money Market Account:	\$47,208.01
 Total funds balance:	 \$60,809.18

## BOARD MEETING MINUTES

### January 11, 2018

Kevin Dumman called the meeting to order at 3:23 p.m. at the North Hills Country Club, N73 13430 Appleton Ave., Menomonee Falls, WI 53051.

#### Members Present

Katie Thompson, Kevin Dumman, Garrett Warner, Erik Hanson, Cherie Laffin, Jorge Barreiro, Leah Murphy, Art Sullivan, Robert Quam, and Hank Schneider joined via teleconference. Guests in attendance included Detlef Weiler and Karen Mikalofsky. Staff members present included Doug Stangohr.

#### Approval of Minutes

Minutes from the 10-5-2017 board meeting were approved. Motion made, seconded and passed.

#### Treasurer's Report

Financials were reviewed and approved. Motion made, seconded and passed.

Discussion on budget. Motion made, seconded and passed.  
 Discussion on getting a sponsor for every event to help with costs.

#### Anti-Trust and Harassment Policies

The anti-trust and harassment policies from the Appraisal Institute were discussed and adopted. Motion made, seconded and passed.

#### Education Report

Discussion of 2018 offerings including Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book) set for April, USPAP January and March, and possible residential offerings.

# BOARD MEETING MINUTES CONT.

## January 11, 2018

Discussion about classes to offer for Advanced Education, Designation Education and chapter developed. Suggestion was made to send survey to determine online convenience and/or financial feasibility.

### National/Regional Update

a. 45 Day Notice – International Chapters

b. National is pushing chapters to pass limiting liability for appraisers after completion of job and the record keeping. Lengthy discussion about other chapters who have had success and the means to get passed. Suggestion was made to have a volunteer task force to draft bill and work with lobbying. Kevin would like to see this passed by the end of year. Government relation committee to be the task force and Chris Ruditys and Doug Stangoehr will assist. Looking for individuals who have had problems with needing records for appraisal which have exceeded record keeping timelines. Examples of those affected are beneficial for legislators to confirm need.

### Committee Members

a. Education

• Erik Hanson, Garrett Warner, Kevin Dumman (Advisory to committee) and Curt Kolell.

b. Finance

• Erik Hanson, Garrett Warner, Leah Murphy, and Cherie Laffin.

c. Education

• Erik Hanson, Garrett Warner, Kevin Dumman (Advisory to committee) and Curt Kolell.

d. Nominating

• Katie Thompson (Chair); Garrett Warner and Erik Hanson (President Appointed); Leah Murphy and Curt Kolell (Board Appointed).

e. Candidate Guidance

• Ryan Gieryn (Chair); Ed Potter and Cherie Laffin.

f. Government Relations

• Garrett Warner, Jorge Barreiro and Robert Quam

### New/Old Business

- LDAC

• 2018 LDAC will be attended by Erik Hanson (3rd Year), and Cherie Laffin (2nd Year) Jorge Barreiro (1st Year).  
• National will no longer send code for registration. Participants will have to pay and submit to Chapter for reimbursement.

- General Membership Meetings

• Discussion of dates/locations for meetings and valuation socials.  
• Dates for meeting tentatively set for May 2, August 15 and November 7.

- Year in Review 2017

• Bucks preview center for location in January 2018.  
• State Approval is still pending.

-Donations/Gifts

• Nelson Bowes passed away. Discussion on him and his legacy with the Institute. Suggestion was made to gift \$100 with sympathy card to his wife. Motion made, Seconded and passed.  
• Rick Larkin to be recognized as volunteer of the year for his efforts and dedication in 2017. Suggestion was made to gift \$100 Cabela's gift card. Motion made, Seconded and passed.  
• Discussion of donation to Marquette Law School. 2017 was \$2,000. Condemnation symposium has been widely accepted as successful and discussion was had to if the amount should be increased, based on a percentage of registrations, or increase fee to cover costs. Decision of leaving same for this year and table for discussion on future.

- Year in Review 2018

• Possibility of Lambeau Field with tours of facility, area and training camp. Working on detail and suggestions for time, date and event.  
- Swearing in of new Board Members (Leah Murphy and Robert Quam).

Adjournment

Meeting adjourned at 5:43 p.m.  
Motion made, seconded and passed.

Submitted by Cherie Laffin, Chapter Secretary

## WELCOME TO THE BOARD MEMBERS

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### **Leah Dauer Murphy, MAI**

Leah Murphy is a Senior Director within the Hospitality and Gaming division of Cushman and Wakefield's Valuation and Advisory Practice. Although Ms. Murphy is a member of the Chicago office of Cushman & Wakefield, she works remotely out of the C&W Alliance office with the Boerke Group in Downtown Milwaukee. Prior to joining C&W in June 2016, Ms. Murphy was a hotel consultant and real estate appraiser with HVS Consulting and Valuation offices in San Francisco and Los Angeles between May 2007 and April 2016.

Ms. Murphy's wide array of valuation and advisory experience has covered a variety of property types, including hotels, motels, resorts, casinos, golf courses/clubs, marinas, and mixed-use developments. In addition to her valuation and advisory experience, Ms. Murphy has nearly ten years of operational experience in the hospitality industry. She continues to be an adamant supporter of hospitality education through her involvement with the Washington State Alumni Association, as well as her support of Michigan State University's Hospitality Business Real Estate Investment Club as a guest lecturer at the Collins College of Hospitality Management at Cal Poly Pomona. She currently resides in Whitefish Bay with her husband and two children.



### **Pierce M. Buchinger**

Pierce M. Buchinger is a Wisconsin and Michigan Certified General Appraiser and Candidate for MAI designation with the Appraisal Institute. He is currently the President and Principal Appraiser of Great Lakes Realty Advisors, LLC, which is an independent commercial real estate valuation and advisory firm with office locations in Appleton and Brookfield, WI.

Pierce graduated from St. Norbert College in 2010, where he received a Bachelor of Arts degree in Philosophy. He began his career shortly thereafter, working as a residential appraiser with J.C. Norby & Associates, Inc., in Eau Claire. He then relocated to Appleton in 2011, where he took a position as a commercial appraiser with L.A. Duesterbeck & Associates, Inc. In 2014, he joined two other appraisers in starting Alliance Appraisal Group, Ltd., where he worked up until founding Great Lakes Realty Advisors, LLC, in March of 2017.

Pierce is experienced in a wide-array of complex valuation and consulting assignments and has completed numerous appraisals of all property types for purposes of lending, right-of-way, divorce settlement, estate planning, tax appeal and portfolio evaluation. He specifically enjoys appraising specialized industrial properties such as self-storage, refrigerated warehouse, truck terminals and large-scale distribution centers, among others.

Outside of work, Pierce loves spending time with his wife Michelle and three beautiful daughters - Evangeline (5), Elynn (3) and Esme (1). His other interests/hobbies include playing guitar and writing music as well as homebrewing.



### **Robert W. Quam Jr, MAI- Director**

Robert was born in raised in Racine, and currently reside in Wind Point (Racine County). He works for Lauenstein & Associates in Milwaukee since 2009, and specialize in appraising industrial facilities throughout the state of Wisconsin. Robert graduated from the University of Wisconsin-Madison School of Business with a double major in Real Estate and Urban Land Economics AND Finance, Investments, and Banking. He is an elected official in the Village of Wind Point and serve as Village Trustee. In addition to that, Robert also heads the Architectural Review Board and Plan Commission for the village. In his free time, Robert is an avid hunter and a surprisingly accomplished bowler.

Robert and his wife Samantha, welcomed their first son, Robert III on February 27, 2018.

# A BRIEF SUMMARY OF THE WISCONSIN AMC LEGISLATION

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## **Rick Larkin, SRA**

Author's Note: This was a long process and some details may be a little blurry. I just want to capture the important stuff. I am sure I have missed a few things.

In early 2017, pending AMC legislation appeared on our appraisal radar. The requirement for state regulated AMC's is related to the Dodd-Frank Act as it pertains to a lender's ability to provide Dodd-Frank compliant appraisals for federally insured loan transactions. By early spring of 2017 the vast majority of states had already passed AMC legislation. However, if no AMC legislation was passed, Wisconsin would be out of compliance and "no compliance, no loans". (I realize it's much more complicated than that.)

It became immediately apparent that the lenders and realtors had the greatest concern about the possibility of not being able to get federally insured loans done and WRA and WMBA had already gotten a draft AMC bill started. It was, of course, based on the bills passed in other states. At this point, they reached out for appraiser input. As AMC's have an established presence in the residential appraisal world, I was asked to help out.

I had a series of conference calls with Ken Dickson of the Wisconsin Mortgage Bankers Association (WMBA) and Debi Conrad, legal counsel for the Wisconsin Realtors Association (WRA). Debi was later joined by Tom Larsen who is also an attorney for WRA. WRA and WMBA was seeking appraiser input. After these initial meetings, I was impressed by the recognition of the importance of appraisers in the loan process by our colleagues at WRA and WMBA. I thank them for their efforts on behalf of the appraisers before we got on board.

Later teleconferences included the lobbyist from REEVA which represents the AMC's and Scott DiBiasio, the government relations representative from the national office of the Appraisal Institute.

During this process I then cobbled together an informal committee of WCAI Chapter members whose primary focus was residential appraisal or AMC issues. I cannot thank the following people enough for providing working appraiser input, real-time experience, and insight into this legislation effort. This committee is: Dominic Landretti, MAI, Garth Scott, MAI, SRA, Joel Macht, SRA, Katie Thompson, MAI,

Mary Muth, SRA, Mike Esser, SRA, Tim Martin, SRA, and Bill Dreyer, SRA. I also got non-AI appraiser Jim Tredwell to join in. Thanks again to everyone.

While the draft bill was well along by the time we had a chance to look at it, the committee was still able to offer substantial input. Focus included strengthening the bill's language in areas of "geographic competency", "reasonable and customary fees", "review" as done by an AMC, timely payment, and other areas. These were discussed and proposed by the committee for the now-refined, but still draft bill. We can now say tangible appraiser input was now part of the bill.

As a result of these meetings, I put out some informal surveys asking for residential appraiser input from our Residential Appraiser Practice Group (RAPG) in order to gauge what areas of concern they thought should be addressed in the bill. The RAPG is made up of SRA members of the WCAI, practicing affiliates, WCAI Board Members, and I think most importantly, non-member appraisers who form the vast majority of practicing residential appraisers in the state. I think RAPG should give these folks a peek into what the Appraisal Institute has to offer.

Survey input confirmed the presence of AMC activity which would indicate a real need for the legislation and regulatory enforcement. I won't bore you with the horror stories, but I do have a few good ones. As is the case with any new industry, the activity of a few bad apples tarnishes the rest. As I recall telling the REEVA lobbyist: "If all AMC's behaved like the ones you describe, we wouldn't need this legislation now, would we?" This is probably why appraisers do not typically enter politics.

Our first opportunity to have appraiser input at the legislature was at a spring 2017 event at the capitol which was a "Government Day" meeting with legislators. By then, a draft bill was available. Garth Scott graciously volunteered to go and speak to the various legislators about the AMC bill and was able to provide the appraiser's input at this event which is done before the legislative sessions begin. Thanks again to Garth.

All things legislatively went quiet AMC legislation-wise until fall of 2017. Something about needing to pass a budget and this little thing called Foxconn. By September, however, it was all hands on deck!

During additional teleconferences with WRA, WMBA, REEVA, and both local and national AI people some interesting pushback on some issues along with some other give and take transpired. While both fascinating and troubling at the same time, most of what appraisers wanted remained in the bill. Watching professional lobbyists at work was a study in keeping your friends close and your enemies closer. Nobody got 100% of what they wanted.

After this process, the bill was finalized for introduction in the legislature. In October, Katie Thompson and I went to the capitol offered testimony regarding the bill in front of a Senate Committee along with representatives from WRA, WMBA, our friends from REEVA, and the public. One Senator also testified strongly in its favor. Our testimony was well received. The Senate Committee was surprisingly well versed in this issue and some good questions were asked. It was a great improvement from the experience I had testifying in front of a similar committee in the early 1990's when appraisal licensure was discussed and passed by the legislature.

The AMC Bill passed both houses of the legislature by voice vote. Governor Walker signed it in late November. I got a cool pen.

So, we now have AMC legislation. Now what? Well, hopefully those AMC's which are not in compliance with the regulations present in this law will be properly dealt with. Those whose business relations with appraisers were less than compliant may choose to become better clients. Appraiser's who are treated unfairly now have a means for filing a complaint with DSPS and so on. While the true impact of this bill is at present unclear, it is a step in the right direction. In the future, both residential and commercial appraisers will likely experience greater involvement with AMC's as clients. While the relationship between AMC's and appraisers continues to evolve, I feel our efforts provided some real and tangible direction for this needed legislation.

Thanks to all who participated!

## CONGRATULATIONS TO OUR NEWEST DESIGNATED MEMBERS

### New Designations

Congratulations to all of the newly designated Wisconsin Chapter members:

Mitchell A. Jung, MAI  
Tyson Hall, MAI



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# Wisconsin Chapter 2018 Education



## April 9-10 – Uniform Standards of Federal Land Acquisitions held at the WCAI Office

Ensure that your work for the federal acquisition agencies meets the highest standards. Federal land acquisition programs have unique appraisal needs. This fifteen-hour course will acquaint participants with these needs and provide practical procedures and solutions to insure appraisal reports fulfill them. Any experienced residential or general appraiser interested in expanding their client base to include federal acquisition agencies will learn to apply the Uniform Appraisal Standards for Federal Land Acquisitions.

## April 9 - Valuation Social - Butler Inn - 5pm

## May 23 – Condemnation held at Marquette University

The Condemnation Appraisal Symposium is the go-to event of the year for those real estate and legal professionals who are currently engaged, or who wish to be more involved, in eminent domain matters. This high-level program provides the latest information and open debate on condemnation case law, appraisal techniques and other timely topics presented by attorneys, appraisers, educators, and government officials, while again offering valuable networking opportunities with those practitioners active in this specialty area.

## October 4 - FHA Appraising held at the WCAI Office

FHA Still Matters—Really! Did you attend one of the early FHA update programs in 2015 that was based on drafts of the proposed changes to the 4000.1 Handbook? Are you one of the many appraisers who attended an FHA update seminar in 2015, but still have questions about the latest FHA requirements?

If you are looking for an FHA seminar that offers a thorough perspective and the most current information, FHA Appraising for Valuation Professionals: FHA Single Family Housing Appraisal Requirements is for you! This seminar will help you develop an understanding of the FHA Handbook 4000.1 and the accompanying Appraisal Report and Data Delivery Guide. These two documents provide all of FHA's guidance and requirements when completing an appraisal for a mortgage involving FHA insurance. While many of the requirements are specific to appraisals for FHA insured mortgages, the concepts and guidance are applicable to most if not all residential appraisal assignments.

## October 5 - Valuation Comparison held at the WCAI Office

Residential Analysis and Logic informs appraisers about the issues and procedures used in developing a sales comparison analysis for residential properties. Discussion focuses on the rationale and logic of the residential sales comparison approach through thoughtful debate on topics such as market value of actual sales, pending sales, new construction sales, expired listings, and rejected offers. In addition, the seminar explores the techniques used by appraisers to interpret and then anticipate the actions of buyers and sellers in today's market. Participants will learn about a variety of approaches and resources available for gleaning indications of market value as well as how to consider the logic and appropriate support of adjustments. At the conclusion, participants will better understand which items require adjustment and which items can be ignored.