

**REAL ESTATE APPRAISER LICENSURE
AND CERTIFICATION BOARD
FRIDAY, FEBRUARY 12, 2021
8:00 a.m.
*WEBEX***

I. CALL TO ORDER & ESTABLISH QUORUM

Mark Ratterman called the meeting to order at 8:06 a.m. Via WebEx, and declared a quorum, in accordance with Ind. Code § 25-34.1-8-4.

Members Present:

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

Members Absent:

State Officials Present:

Amy Hall, Board Director
Erin Sutton, Compliance Officer
James Harry, Attorney General’s Office

Court Reporter:

Margie Addington, Accurate Reporting of Indiana
Heather Orbaugh – started with the Gibson hearing

ALL VOTES ARE ROLL CALL VOTES

II. ADOPTION OF THE AGENDA

Motion was made by Wayne Johnson and seconded by Matthew Kruse to approve the agenda.

Wayne Johnson and Ron Kohart to amend the agenda to add the rule making issues to the agenda

Kohart/Kruse

Motion Passes 4/0

The following members voted Aye Nay

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

III. ADOPTION OF THE MINUTES FROM THE DECEMBER 18, 2020 MEETING OF THE BOARD

Motion was made by Ron Kohart and seconded by Matthew Kruse to approve the minutes of the October meeting.

Kohart/Kruse

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

IV. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

Keily Keesler appeared electronically and introduced Derek Peterson, the new Deputy Director of the Consumer Protection Section.

V. ADMINISTRATIVE HEARING

A. Michael Johnson 8:17
 REAB 06-116
 RE: Request to be reinstated

Michael Johnson appeared before the board electronically for his license reinstatement petition. He would have to complete 196 hours continuing education in order for his license to be reinstated from suspension.

Motion was made by Matt Kruse and seconded by Wayne Johnson on the petition for reinstatement. Complete the required continuing education and submit to staff. Once all has been received and approved Michael Johnson will be issued his active LR license.

Kohart/Johnson

Motion Passes 4/0

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

B. Tamara Hatfield

REAB 07-67

RE: Request to be removed from Probation

Tamara Hatfield appeared before the board electronically to discuss her petition to be removed from probation.

She has not submitted her logs, nor has she paid the fine in full. She did not follow the requirements of her probation order.

Motion was made by Matt Kruse and seconded by Ron Kohart to approve the petition and place conditions on her prior to approve her petition. The costs must be paid, 7475.00 and she must submit 6 months’ worth of logs for review. If the logs are satisfactory, she is current on her continuing education and costs paid in full, license status would be changed to active after these requirements have been met.

Kruse/Kohart

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

C. Elliott Gibson

2020 REAB 0002

RE: Administrative Complaint

Elliot Gibson appeared before the board electronically in regard to the consumer complaint.

Board has agreed to dismiss various charges and the board voted and agreed unanimously to dismiss the various charges.

Motion was made by Mark Ratterman and seconded by Matt Kruse to place Mr. Elliot on indefinite probation for a minimum of two years, provide monthly appraisal reports for review, board appearances on request and a 2-day USPAP 15-hour course that he must pass which does NOT count towards continuing education.

Kruse/Johnson

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

Ron Kohart left the meeting at 11:08

Count 3/5/7/9/11

Board found him in violation

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

Count 5

Board found him in violation

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

Count 7

Board found him in violation

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

Count 9

Board found him in violation

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

Count 11

Board found him in violation

Motion Passes 3/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	

D. Bryan Richards

2019 REAB 0007

RE: Administrative Complaint

Mark Ratterman Recused himself

This is an ALJ hearing, for recommendation for the next full board hearing.

Brian Richards appeared before the board electronically to discuss the.

Motion was made by Wayne Johnson and seconded by Matt Kruse to recommend not to dismiss the complaint as requested by Brian Richard’s attorney.

Kohart/Johnson

Recommendation by the ALJ 2/0

A Letter of Reprimand

Count 4 in violation based on the charges that were presented.

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

Mark Ratterman returned

Ron Kohart returned

E. Kerry Lakin

2020 REAB 0001

RE: Default Hearing

Did not appear before the board electronically.

Motion was made by Ron Kohart and seconded by Matt Kruse to hold in default

Kohart/Kruse

Motion Passes 4/0

The following members voted Aye Nay

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

State presented its case.

In Violation of Count 1

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

In Violation of Count 2

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

In Violation of Count 3

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

Motion was made by Matt Kruse and seconded by Ron Kohart to indefinitely suspend his license.

Kruse/Kohart

Motion Passes 4/0

The following members voted Aye Nay

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

F. Giovanni Provenzano

2019 REAB 0009

RE: Motion to Dismiss Complaint

Sean Koller appeared on behalf of Giovanni Provenzano before the board electronically to discuss the.

Motion was made by Ron Kohart and seconded by Wayne Johnson to dismiss.

Kohart/Johnson

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

G. David Glauber

2020 REAB 0006

RE: Proposed Settlement Agreement –
Hearing notice was not sent - continued

Did not appear before the board electronically to discuss the proposed settlement agreement.

Motion was made by Wayne Johnson and seconded by Ron Kohart to approve his reinstatement.

Kohart/Johnson

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

H. John Edge

2020 REAB 0009

RE: Proposed Settlement Agreement

John Edge appeared before the board electronically.

Motion was made by Matt Kruse and seconded by Ron Kohart to approve his reinstatement.

Kruse/Kohart

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

VI. APPLICATION REVIEW

No applications to review

VII. DISCUSSION

A. Rule Change Discussion/Review

The board reviewed the proposed rule changes and made a few modifications on the proposed draft. Once cleaned up, the rules will be submitted for review.

Motion made by Ron Kohart and seconded by Matt Kruse to approve the proposed rule changes.

Kohart/Kruse

Motion Passes 4/0

The following members voted	Aye	Nay
Mark Ratterman	✓	
Dennis “Matthew” Kruse	✓	
Wayne Johnson	✓	
Ron Kohart	✓	

VIII. ADJOURNMENT - 3:18 p.m.

Adjourn at 3:18

