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# Connections

Official Publication of the  
**Association of Texas Appraisers, Inc.**



Ken Pruett, ATA-R  
ATA President

'Tis the season for family, friends, food, and reflection.

To say that 2019 has brought a lot to reflect upon is an understatement. Personally, we are awaiting the arrival of our first grand-baby. This is a

joyous time, as I think back to absent friends and family, reminisce, and find a deep sense of contentment. All are irreplaceable memories. My journey has had plenty of wild turns, but I wouldn't change a thing. All the paths chosen have led me to this point, and provided the basis for the "why" in my life. Our "why" is our core being, the reason we laugh, smile, pause, and love. It is our loved ones. It is the framework of our ethics, the moral compass that guides us. We will not fail the conviction of our beliefs. In the more abstract, we apply these "whys" to our professional practice, as we are the providers of the public trust.

As Appraisers, our contribution to the mortgage process is subject to an ongoing debate. The need for an objective valuation, from a skilled and reliable source, with professional standing, should be a short argument. The lending industry is interested in the streamlining of the mortgage process, but appear to be more interested in steam-rolling the process. It is here that I find my professional "why."

I know what my appraisal core beliefs are. I have always found solace in what I

do. Every day we use our "why" and apply it to our work product. We provide our clients with the benefit of peace of mind. We provide the confidence. It is the epitome of professionalism to rise above the fray, and provide a quality, reliable, appraisal product. It is what I expect from other professionals. As the valuation professionals, we "do what we do," assemble the data, inspect, review, analyze, and make determinations that will result in sound educated decisions. In the end, as a residential appraiser, I am appraising someone's home. I do not think it is unreasonable to expect a professional opinion regarding the most expensive asset in my portfolio.

So, to attempt and bring my wandering mind back to the point, take some time over this holiday season and gather some information about the state of our industry. For starters, read the recent article by Michael Ford in the Appraiserblogs (<http://appraisersblogs.com/georgia-fines-appraiser-4-Clear-Capital-Clear-Value-bifurcated-hybrids>). Read the VA's forward focused solution (VA Circular 26-19-31 AAPP). It is time to define your professional why. It is time to become part of a solution, and not the precipitate.

Have a Merry Christmas, Happy New Year, and see you in New Braunfels!

--Ken

## Upcoming Industry Meetings:

- ATA Mid-Year Meeting, Feb. 21-22, New Braunfels
- AQB Public Meeting, Feb. 7, San Diego, CA
- ASB Public Meeting, Apr. 3, San Antonio, TX
- AARO Spring Conference, Apr. 3-5, San Antonio, TX
- Appraiser's Conference and Trade Show (ACTS), April 22-24, Bay St. Louis, MS
- TAF Board of Trustees Meeting, Apr. 30-May. 2, San Diego, CA
- AARO Fall Conference, Oct. 16-19, Washington, DC
- Appraisal Summit, Nov. 3-6, Las Vegas, NV

## Inside this issue:

New Members	2
ATA Upcoming Meetings	2
2019-2020 Dues	2
Turn and Face the Strain	3
Conservation Easements	4
New ACE Provider Rules	5
Small Questions—Big Responsibility	6
Tips for Downsizing	7
Office Help Needed	9
Awards and Scholarships	9
TALCB Corner	9



# New Members

The ATA President and Board of Directors would like to welcome our newest members:

**Salvador Cavaliere**, Little Elm  
**Matthew Cornwall**, Austin  
**Charlen Glidden**, Abilene  
**Tammy Kister**, Abilene

**Humberto Martinez**, Hebronville  
**James Schleicher**, Austin  
**Coy Smith**, Abilene  
**Hayley Underwood**, Abilene  
**Loral Villanueva**, Abilene  
**Shelly Woods**, Abilene

Welcome!

## ATA Upcoming Meeting

### ATA MID YEAR MEETING

The 14th Annual ATA Mid-Year Meeting February 21-22 at the Courtyard New Braunfels River Village, 750 IH 35 North, New Braunfels, TX 78130. The following events will be held at this mid-year meeting:

- Friday morning - 8:00 a.m. - Noon - TREC Legal I\*\* (Separate Registration Fee)
- Friday afternoon - 12:30 p.m. - 1:00 p.m. - Welcome and Association Update
- Friday afternoon - 1:00 p.m. - 5:00 p.m. - **An Appraiser's Guide to the Income Approach** (Residential and Commercial Concepts)
- Friday evening - 5:00 p.m. - 6:30 p.m. - Networking Reception
- Saturday - 8:00 a.m. - 4:00 p.m. - **2020-21 7 Hour USPAP Update Course. (Each attendee must have their own copy of the 2020-2021 USPAP Document—no sharing allowed).**

The ATA Board of Directors will meet Friday morning from 9:00 a.m. to 11:00 a.m.

Attendees will have the opportunity to network with fellow appraisal professionals at the continental breakfast, breaks, lunch, and at the networking reception Friday evening.

### Hotel Accommodations:

A block of rooms has been reserved for meeting attendees at the Courtyard by Marriott River Village. Sleeping rooms are \$129 (plus tax) per night for single/double rooms. Reservations must be received by January 21, 2020. After this date, reservations will be accepted on a space and rate availability basis. Call (800) 769-8380 and mention ATA.

### ACE/MCE Hours:

This meeting has been submitted for 11 ACE and MCE hours. Approval pending.

### Mid-Year Registration Fees:

The fee to attend this meeting is \$150 for ATA members and \$300 for non-members. Fees increase \$20 14 days before the meeting. (Fees include opening reception, breaks and lunch on Saturday.)

Registration with payment must be received at least five business days in advance of the conference to guarantee your registration. If you have not received an e-mail confirmation one week prior to the conference, please call ATA at (210) 837-7123, M-F, 9:00 a.m.-4:00 p.m. to confirm your registration.

### Exhibitors/Sponsors:

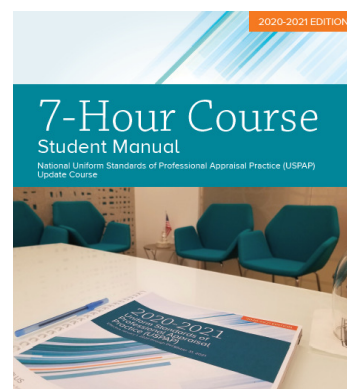
If you are interested in exhibiting or sponsoring, please contact [info@txappraisers.org](mailto:info@txappraisers.org) or download the exhibitor/sponsor form here.

### Cancellations/Refunds:

Written requests received **three business days prior-full refund**; fewer than three business days prior-no refunds will be issued.

### Who Should Attend:

Anyone who needs to stay on the leading edge of appraisal issues, as well as professionals who are responsible for keeping appraisal processes in compliance.



## 2019-2020 Dues

Your 2019-2020 Dues notices were emailed to you in early August. If you have not paid your dues yet, you are no longer a member.

If you have any questions, please email [info@txappraisers.org](mailto:info@txappraisers.org). Your continued support of ATA and its efforts are sincerely appreciated.

Don't forget to Like Us on Facebook

<https://www.facebook.com/AssociationofTexasAppraisers>

# Turn and Face the Strain... an Appraiser's Life



Ashley Wolthuis

On a rainy, cold November morning, I found myself in a run-down part of town, standing in front of a vacant fourplex, taking photos for an up-

coming report. A car came barreling down the street screeching to a stop in front of the subject. A man exited, leaving the engine running and the car door flung open, though I think I noted those facts secondarily to the guns and pepper spray resting on each hip.

He quickly asked if I was the appraiser of the property and informed me that he was a bounty hunter and had reason to believe that a criminal he was seeking was holed-up in one of the units. He asked my permission to observe my entrance into each unit to make sure the building was in fact vacant. I handed him the keys and told him to be my guest; I wasn't getting paid enough for this job as it was!

After a quick sweep of the building and determining the person he was after was no longer around, he started to make his exit. Before he left I asked him, "By the way, how did you know I was an appraiser?" Usually, when found taking pictures of a house from the street, the first assumption made by the public is not that I'm an appraiser. "Oh," he stated, "I used to be an appraiser but the pressure got to me." LOL, right?!?

And that is it, isn't it? That's the piece that no one talks about. I've read countless articles, listened to endless presentations and viewed Congressional hearings about why the number of appraisers

nationwide is decreasing. We're aging out. There's too much education required. The amount of work experience is excessive. It's too difficult to find a mentor. I've heard all of these excuses and more, yet never once have I heard any expert ask the real question: why do people leave a profession that they worked so hard to join? Why are appraisers, who have already completed the education and experience requirements, found a mentor, passed the test and have no further hurdles ahead, choosing to give up their licenses? And they aren't leaving the workforce in general; they are abandoning our profession. Why? Because it is a profession rife with high stress, low fees and an overall lack of support and respect.

Instead of listening to the "experts," I've been listening to the appraisers actually completing the work and what they are saying. How am I expected to complete this type of appraisal assignment with the given limitations placed on me and still be expected to put out quality work? How can I be expected to make a living, support my family and provide credible results when my fees are so vastly reduced and expected turn times so short? What if I make an error? Will I lose my livelihood and ability to support my family because I relied on information provided by someone else, or was too rushed trying to meet unrealistic timelines? Can I afford to accept the low fees being offered? Can I afford not to accept them? Who can I turn to for help? How do I deal with this pressure and is working in this profession worth it any longer?



## Time for Change

Those with the loudest voices in the real estate industry are saying that appraisers are to blame for excessive fees and long turn times and that it is our performance, or our poor performance, that has forced them to develop new valuation products to limit or replace the role of the appraiser. They want faster appraisals, cheaper appraisals, or sometimes no appraisal at all. While at the same time, appraisers continue to ask questions such as, "Who is looking out for the public trust?" and, "We have vital insight into the real estate industry; is anyone listening to us?"

The first thing that needs to change is who is being listened to. Our profession is solitary by nature. Most independent appraisers are just that, independent. We have been left at the mercy of other professions and special interests because we are the easiest to intimidate. Without a loud and united voice, we will continue to have others dictate the terms of our own profession.

The lack of support in my day-to-day business was one of the leading causes that convinced me to join my state appraiser coalition. Joining the Utah Coalition of Appraisal Professionals (UTCAP) was one of the best decisions I have made since starting my own appraisal firm. For the first time in the appraisal sphere, I found fellowship among a group of professionals who had many of the same concerns and questions. The pressures associated with modern appraising were growing and I knew changes needed to be made. I also realized that the fastest way to make legislative decisions concerning our profession is at the state level. This is how joining a state coalition can make the biggest impact.

Coalitions that are registered and recognized by the state, with strong member-

*(Continued on page 8)*

# Conservation Easements



Jeff Kauttu  
Kattu Valuation

Every corner of the United States is home to important and diverse habitats that deserve to be protected; many hold awe-inspiring

natural beauty. What is equally important and just as rare is environmentally important land that also has significant development potential. It is this type of high-value development land that is ideally suited for the consideration of a conservation easement, an important tool used to protect valuable ecological resources for future generations.

The old axiom about land is that there is no more where that came from, which is acutely true when discussing sensitive habitat and wetlands. Once eliminated, it is prohibitively difficult and expensive to return land to its natural state.

It is often the case that sensitive habitats such as wetlands have little value in terms of potential development. They may be too remote or the costs associated with developing them are significantly higher than land a short distance away. For instance, a plot of land that is miles from the nearest town and is home to an endangered salamander has obvious ecological importance but little development potential.

Likewise, land that holds significant development value often has little if any ecological value. This could include a cleared city block in downtown Washington, D.C. that was previously home to a gas station. The potential value in building a mixed-use development is high, and there is little new environmental impact.

Conservation easements are a tool that is most effective when land is identified that has both ecological and development potential. Without the easement, the land would almost certainly be developed, and the environ-

ment would almost certainly suffer as a result. This type of land is rare.

When a person, family or partnership of individuals place a conservation easement on a tract of land, they give up the development rights forever. In return, Congress has created incentives in the tax code to encourage more conservation. Without these incentives, land conservation would be restricted to a select few, as the financial repercussions of giving away their development rights forever would prevent most from doing so.

Since conservation easements are forever, appraisers examine what is termed "highest and best use" (HBU) when conducting appraisals on these lands. During a regular real estate transaction, the value of the land is solely the most that one party is willing to pay another party for it. When conserving land forever, the value of the land reflects the fact that development rights are forfeited in perpetuity. And through the incentives created by Congress, the difference between the initial price and the Fair Market Value



HBU appraisal is the value of the charitable donation that is tax deductible.

## IRS Blinders

Unfortunately, some at the Internal Revenue Service (IRS) do not seem willing to fairly apply this standard and are forcing taxpayers into costly litigation. A recent donation I was involved in provides a perfect example. This property had entitlements for 2,200 high-end residences in a booming market. The owner abandoned

the development project and instead placed a conservation easement on the bulk of the property, restricting development to only 15 tracts. The value of the donation was large based on the fundamentals of the project. The IRS vigorously contested the appraisal, a contest which it ultimately lost.

This isn't the fault of the IRS entirely. In some instances, it seems the IRS does not have appraisers on hand with the experience necessary to evaluate the nexus between HBU and environmental value. Too often it appears the default position of the IRS is that large donations are inherently bad and they are willing to put taxpayers through costly litigation to prove they are right.

This line of thought is particularly obvious in coverage of conservation easements that compare a valuation on one tract of land with a seemingly similar tract of land nearby. First, many real estate transactions are not made at fair-market value because the buyer and/or seller did not do all due diligence to establish HBU before and after, and thus cannot be considered "knowledgeable" buyers/sellers as the IRS (and others) define fair-market value.

Second, short distances can mean a significant difference in land value. If a piece of land is being considered for development of a mine, for instance, the depth of the mineral, the level of the water table and the haul distance by truck or distance to a rail line could make one tract of land ideally suited for development and another tract of land only a short distance away comparatively worthless.

Conservation easement appraisals involve some of the most sensitive, unique and scarce resources in the nation. The opportunities for large conservation easement donations are equally sensitive, unique and scarce.

The perception that "land is land" and that land well-suited for conservation easements is plentiful leads some to the mis-perception that large donations are a result of over-valuation.

*(Continued on page 8)*

# New ACE Provider Rules

TALCB recently starting approving Education providers and adopted the following rules regarding their approval:

- (a) *This rule is effective September 1, 2019.*
  - (b) *Audits.*
    - (1) *Board staff may:*
      - (A) *conduct on-site audits without prior notice to a provider; and*
      - (B) *enroll and attend a course without identifying themselves as employees of the Board for purposes of auditing a course.*
    - (2) *An audit report indicating noncompliance with AQB requirements, the Act, or Board Rules is treated as a written complaint against the provider concerned.*
  - (c) *Complaints, investigations and hearings.*
    - (1) *The Board will investigate complaints against providers or that allege violations of the AQB requirements, the Act, or Board Rules.*
    - (2) *Complaints must be in writing, and the Board may not initiate an investigation, or take action against a provider, based on an anonymous complaint.*
    - (3) *Board staff may initiate a complaint for any violation of AQB requirements, the Act, or Board Rules, including a complaint against a provider, if a document submitted to the Board provides reasonable cause to believe a violation occurred.*
    - (4) *The Board shall provide a copy of the complaint the provider named in the complaint.*
    - (5) *Proceedings against a provider will be conducted in the manner required by the Act, the Administrative Procedure Act, Chapter 2001, Government Code, and Chapter 157 of this title. Venue for any hearing or proceeding conducted under this section will be in Travis County.*
  - (D) *Cooperation with audit or complaint investigation. A provider shall provide records in his or her possession for examination by the Board or provide such information requested by the Board not later than the 20th day after the date of receiving a request for examination of records or information.*
  - (e) *Grounds for disciplinary action against an approved provider.*
    - (1) *The following acts committed by a provider are grounds for disciplinary action by the Board:*
      - (A) *procuring or attempting to procure approval for a provider or course by fraud, misrepresentation or deceit, or by making a material misrepresentation of fact in an application filed with the Board;*
      - (B) *making a false representation to the Board, either intentionally or negligently, that a person attend-*
    - (2) *The Board may initiate a complaint against a provider if the Board receives a complaint, or is presented with other evidence acceptable to the Board alleging that a provider has failed to:*
      - (A) *teach the curriculum standards required by the AQB or Board Rules; or*
      - (B) *meet the course delivery requirements required by the AQB or Board Rules.*
    - (3) *If after an investigation the Board determines that a provider engaged in any of the acts listed in this subsection, or failed to follow the curriculum standards or course delivery requirements of the AQB or Board Rules, the Board may take one or more of the following disciplinary actions against a provider:*
      - (A) *reprimand;*
      - (B) *impose an administrative penalty; or*
      - (C) *suspend or revoke approval of a provider or an ACE course offered by the provider.*
  - (f) *Probation. The Board may probate an order of suspension or revocation issued under this section upon reasonable terms and conditions.*
- ed a course or a portion of a course for which credit was awarded, that a person completed an examination, or that a person completed any other requirement for course credit;*
- (C) *aiding or abetting a person to circumvent the requirements for attendance established by the Board, the completion of any examination, or any other requirement for course credit;*
  - (D) *failing to provide, not later than the 20th day after the date of a request, information requested by the Board as a result of a complaint alleging a violation of AQB requirements, the Act, or Board Rules;*
  - (E) *making a materially false statement to the Board in response to a request from the Board for information relating to a complaint against the provider; or*
  - (F) *disregarding or violating an AQB requirement or provision of the Act or Board Rules.*

ATA will no longer issue course completion certificates and you will not have to complete the classroom registration forms. **You will be required to sign in on TALCB's approved course roster. This roster will be forwarded to the state within 10 days of the course completion.**

# Small Questions – Big Responsibility



Richard Hagar, SRA,  
The Hagar Institute

Questions often start off simple enough: “Can the house be rebuilt in case it’s destroyed?” or “The contract price was changed after you delivered the appraisal;

can you change the information on the appraisal and send us a new copy?” these together with hundreds of other questions or demands are often posed by our clients. When I was new to appraising, I gave the banks what they wanted...quick simple answers that solved **their** problem. Later, as I was earning my SRA designation, I began questioning my response to their demands, so I began searching for the correct answers, the ones that are legal and USPAP compliant.

All of us face questions and demands by our clients, the problem is - do we have the correct...legal or USPAP compliant answer to their questions?

For instance: “Can the house be rebuilt in case it’s destroyed?”

**Simple Answer:**  
Yes, No, and Maybe.

Unfortunately, there is no simple answer to this question. This isn’t an appraisal question, it’s really a legal or hypothetical question. Unfortunately, many clients consider appraisers “disposable pawns” that can be sacrificed if a problem occurs. Many want to shift legal responsibility to the appraiser instead of answering their own questions. So, while appraisers can answer, it also places them at risk so be very careful.

**Detailed Answer:** The reality is that the appraiser is being asked a question about a **hypothetical condition** of the property (if destroyed), and although not stated, possibly its impact on value.

This question is also asking the appraiser for a legal opinion concerning zoning and building codes. This goes beyond the scope of work for a standard bank appraisal and the limiting conditions as prescribed by FNMA. A simple Yes or No answer is not possible.

Different cities and counties have varying requirements concerning rebuilding of structures. These requirements are based on time limits, degree of destruction, and use verses underlying zoning. Here’s an example of a zoning code in my area:

- If any non-conforming building is [completely] destroyed, every future use of land on which the building was located shall conform to "current zoning."
  - A nonconforming building damaged to the extent of not more than 50% of its market value, may be restored and occupied in its previous use.
  - Rebuilding will be allowed only when a permit application is submitted within six months of the property’s destruction.

In this example if the building is destroyed then it can **not** be rebuilt the way it was. However, if the building’s damage is less than 50% of its value then it can be restored. Does this statement mean 50% of the building or the property’s value? Does this mean the depreciated value at the time of the fire or the structure’s cost new? Both are legal questions; is the appraiser competent enough to answer?

As indicated above, the ability to rebuild improvements that have been partially or completely destroyed

would depend on the jurisdiction (county or city), degree of destruction, and how soon after the destruction of the building the owner applied for a building permit.

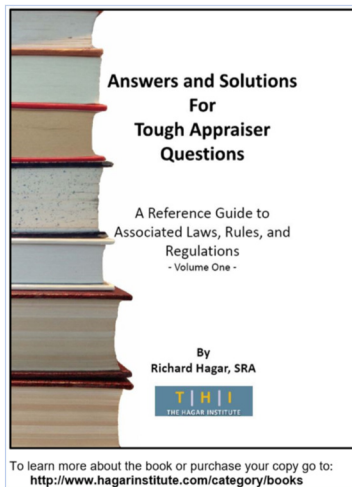
In other words, local jurisdictions would decide on a case by case basis the ability to rebuild a structure. Factors like this are far beyond the normal scope of work for an appraisal and exceed a typical appraiser’s knowledge. If an appraiser attempts to answer a question like this, it could be viewed as the appraiser offering a legal opinion regarding a governmental decision - at a minimum a high-risk legal question and answer.

In several areas the local land use and building departments charges \$400-\$1,700 for a written answer to the “rebuild” question; why are appraisers providing the answer for free?

In Phoenix Arizona a house was destroyed by fire and the appraiser is being sued by the lender because the house cannot be rebuilt. I’ve been told the legal bills and liability exceed \$500,000. Are you sure you want to answer the lender’s question with a simple yes?

## Solutions:

- Try not to answer since it increases your scope of work, liability, and potentially may be considered providing legal advice.
- Answer only if you are absolutely sure you know the answer and have the solution in writing and in your work file.
- Make sure your source of information is not rumor or what some non-official person said. Make absolutely sure that the information leading you to a conclusion is in your work file and/or appraisal report or letter.
- Provide a letter with the above information, applicable to your area, and inform the client that you are not in the habit of providing legal opinions based on hypothetical conditions.



(Continued on page 8)

# 3 Tips for Dealing With Your Current Home When Downsizing in Retirement

Is downsizing the right retirement move for you? Well, if you've already answered this question, one of the hardest decisions is made, but you may still have some tough choices to make. One of these tricky downsizing choices is deciding what to do with your current home. That decision can come down to personal preferences and financial needs, but here are some suggestions to make dealing with your current home before downsizing a little easier.

## Downsizing to Assisted Living? Consider Renting Your Home

Assisted living is meant for seniors who need some extra help, whether that's with medications, meals, or other daily tasks. But these seniors may not need any extra medical care, as they would receive in a nursing home. So if you are moving to an assisted living facility, instead of another home, you should tour your local facilities and make sure the setup will fit your lifestyle and needs.

In San Antonio, assisted living facilities can average anywhere from \$1,500 to \$7,778 <https://www.aplaceformom.com/assisted-living/texas/san-antonio> per month, and those expenses typically need to be paid out-of-pocket. You may find that renting out your home for a profit <https://www.mashvisor.com/blog/how-much-profit-should-you-make-on-a-rental-property/> makes better sense in terms of helping to pay for your new community. Plus, your home may build value while it is being rented, which means more profits if you decide to sell later.

Keep in mind that assisted living facilities are set up like apartment complexes, which means you will likely be living in a one-bedroom or studio-sized home. To declutter and downsize your belongings to fit into your new, smaller apartment or home, you may need to search for a local storage unit <https://www.moving.com/tips/a-first-timers-guide-to-renting-a->

[storage-unit/](#) if there are items you can't take but don't want to get rid of.

## Moving in With Family? Think About Giving Your Home to Them

Whether you want to hold onto the family home or need a larger space to live with family <https://money.usnews.com/money/retirement/aging/articles/when-your-elderly-parents-move-in-with-you>, gifting your home to relatives can be a good choice. Before you make this decision, talk with your family to make sure that they will be comfortable living in your home, if your main reason for gifting it is to avoid selling it outright. If your family members do want to assume responsibility for your home, you may want to consult with an attorney

to ensure that the deed is transferred <https://budgeting.thenest.com/transfer-real-estate-property-someone-elses-name-21561.html> without any issues. Without the help of an attorney, you or your relatives could end up dealing with additional financial burdens <https://www.thebalance.com/the-gift-of-real-estate-generosity-can-be-taxing-3973972>, like capital gains tax if your home sells for a substantial profit in the near future. Before you get settled together in your home, you should also make sure that any needed aging-in-place upgrades <https://www.aginginplace.org/home-modifications/> are completed in each room you'll be using. For instance, you may need to makeover bathrooms with grab bars (it typically costs \$140 <https://www.fixr.com/costs/grab-bars-installation> for grab bar installation), or you may want to enhance lighting <http://www.bellacor.com/blog/aging-eye-lighting-solutions> throughout.

## Downsizing to a New State? Consider Selling Your Current Home

Renting out or gifting your home may make the most sense in a handful of situations, but if you are planning a

long-distance move <https://www.thespruce.com/planning-a-long-distance-move-2436351>, you may be better off selling your home before you go. While you can definitely rent your home out for profit from afar, dealing with maintenance and other landlord issues can be stressful. You could use a property manager to lessen that stress, or you could just make a clean break by putting your home on the market. To ensure your home sells quickly, find a real estate agent <https://www.moneycrashers.com/find-real-estate-agent-realtor/> who has enough experience and expertise. If your home is older, you may need to make a few improvements to add value <https://www.bankrate.com/real-estate/home-renovations-that-return-the-most-at-resale/> or appeal, so be sure to factor these renovation costs into your overall downsizing budget.

It helps to stay practical when deciding what to do with your old home, but that doesn't mean that emotions won't come into play. So use the tips above to stay objective so you can make the best decision for you and any loved ones involved, and so that you can get the most out of the golden years ahead.

Photo Credit: Unsplash <https://unsplash.com/photos/PJMbzWAZ26M>

About the author:

*Mr. Jim Vogel focuses on helping ensure seniors are able to thrive throughout their golden years by sharing pertinent resources and information.*



## Turn and Face the Strain... an Appraiser's Life (con't)

(Continued from page 3)

ships, have the ability to advance the corrections and safeguards our profession needs. If you want to see change, you need to start getting involved. In addition to state coalitions, there are several national coalitions that work on behalf of the independent appraiser. Research these coalitions; talk to members; find one or several that appeal to you and join forces with the people in your profession who share your concerns. As a current co-chair of the Board of Governors for the National Association of

Appraisers, I work firsthand with state coalitions from across the nation. If you need help contacting your state coalition, or would like to start a recognized coalition in one of the states currently without one, contact us at [info@naappraisers.org](mailto:info@naappraisers.org). The stress of our profession can be overwhelming, especially when you feel alone. Having the support of a coalition can be a lifeline in an otherwise solitary career.

*About the Author: Ashley Wolthuis, MNAA is an active real estate agent Ashley and a Certified Residential Appraiser in northern Utah, with over*

*20 years combined experience as both a real estate agent and real estate appraiser.*

*She appraises for national lending institutions, local banks, neighborhood credit unions, and private money lenders.*

*In January of 2016, Ashley was awarded the coveted distinction of Best Real Estate Agent in the publicly nominated and voted Indie Ogden Awards. Over 8,000 people voted in the awards and Ashley was honored to be recognized by the community.*

## Conservation Easements (con't)

(Continued from page 4)

My experience is not that the IRS lacks expertise, it is that their expertise is colored by a bias toward low donation value. It is incumbent on conservation easement donors to explain and demonstrate how each project meets the very specific re-

quirements that set the project apart. It would be helpful if the IRS and Congress would approach these situations with the understanding that what is being conserved is a precious resource that is being preserved in perpetuity and not a gimmick being used to defraud the government.

*Jeff Kauttu is an authority in environmental appraisals with more than 25 years of experience*

Send your story submission/idea to the Editor: [isaac@orep.org](mailto:isaac@orep.org)

## Small Question—Big Responsibility (con't)

(Continued from page 6)

More than five years ago I assembled a list of the top 110 questions clients have asked me and began searching for the correct, USPAP compliant... and legal answers, what I found confirmed my fears. I discovered that the versions of the answers some banks or AMCs want are often a violation of Fannie Mae Guidelines, not USPAP compliant, and/or downright illegal.

I have placed my research findings in a manual ***Answers and Solutions to Tough Appraiser Questions (and pesky client demands)***. The manual contains answers for more than 110 questions clients, lenders, and AMCs often ask appraisers. Each answer includes the applicable federal or state laws, USPAP references,

and Fannie Mae/Freddie Mac Guidelines that supports the appraiser's response to the question.

**Download a copy of the questions and the Table of Contents by clicking on this link:**

[www.americanappraisals.com/tableofcontents.pdf](http://www.americanappraisals.com/tableofcontents.pdf)

**Download a sample question and answer by clicking on this link:**  
[www.americanappraisals.com/samplequestion.pdf](http://www.americanappraisals.com/samplequestion.pdf)

**To purchase your copy of the Answers Manual click here:**

<https://hagarinstitute.webconnex.com/answersmanual>

*Richard Hagar is an educator, speaker, consultant, author, and president of the Hagar Institute. He is a life-long student and has developed an extensive background in all aspects of real estate. His experience includes land development, real estate investing, appraising, sales and agency management, training, and consulting. Richard is a licensed real estate agent, certified real estate appraiser, and a certified real estate instructor. He also provides litigation support to attorneys (real estate appraisals), profiles real estate and mortgage fraud cases for law enforcement and helps other professionals understand the intricacies of the real estate industry. He serves as a key resource for States' Attorney Generals and has been an expert witness for State & Federal courts.*

The opinions and statements expressed herein are those of the individual authors and do not necessarily reflect the viewpoints of the Association of Texas Appraisers or of its individual members.



## Office Help Needed

We are looking for an office staff member, primarily for clerical work. However, if they work out AND if they want to become Certified, that's a possibility. If you or anyone else knows of someone who is inter-

ested, please let us know. We are North Central San Antonio, near 1604 & 281. Flexible hours, and a laid back environment. We work hard, but have fun.

Bill and Stephanie Streep  
**Appraisal Associates of Central Texas, LLC**  
210.481.5085

## Appraiser Awards/Scholarship

Don't forget ATA's **Regional Outstanding Service Awards**. If you feel someone is deserving of one of the Awards, you can nominate them for an Outstanding Service Award. You can also self-nominate.

Also, don't forget about the **Pospisil Scholarship Award**. You can nominate (or self-nominate) to receive \$100 toward your education.

[Click here](#) for links to the Outstanding Service Award Nomination and Pospisil Scholarship Award forms.

## TALCB Corner

Mark your calendar for the next TALCB meeting, scheduled for Feb. 28 at 10 a.m. at the Stephen F. Austin Building, Room 170, 1700 North Congress, Austin, TX.

Log on to <https://www.talcb.texas.gov/> and download the agenda and meeting materials.

If you can't make the meeting in person, it will be broadcast live on the TALCB website.



## A big thank you to our Abilene meeting sponsors:

Facility—AAoR:



Breakfast—Smick Fletcher, Rate.com



Lunch—Andy Arledge, Freedom



Thank you to Gene Six and Rob Cunningham for hosting the group on Thursday evening.

New members  
in attendance:



## ATA 2019-2020 Board of Directors

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