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Connections

Official Publication of the Association of Texas Appraisers, Inc.



Ace "Curt" Myrick, ATA-R
ATA President

Hopefully everyone is having a good start to their 2018 with many more months of prosperity to come.

On February 16th, the Board of Directors of the ATA met in New Braunfels for our Mid-Year meeting to discuss current and past business from the end of 2017 and beginning of the new year.

As of March 1st, the ATA membership stands at 310 members. I would like to thank all the new members who signed up over the past year and of course, our current members for their continued support. ATA-L and ATA-R Designations are only at 25% of the membership so everyone who has not applied for designation should try and do so. Candidates for a designation must have two years' experience as a General, Residential or Licensed appraiser with TALCB and must be recommended by two designated or charter members or have 4 letters of recommendation from other appraisers (minimum of 2 by members; others may be from members or non-members) of the association.

We have several upcoming meetings in 2018 where we will be providing some very informative CE courses. On June 9th, our meeting will be in Houston and will be held at Heritage Texas Properties. We will be offering the 2018-2019 USPAP Update Course and the instructor will be Pam Teel. Our last meeting of the year will be held on August 2-4th at the Arlington Hilton in Arlington with the USPAP Update Course being offered on Thursday. Friday morning will offer the MCE Legal II course and Friday afternoon will be an updated version of "TALCB and the Appraisal Profession". We are currently looking at offering a split course on Saturday and will keep you updated when we have decided on which courses will be offered.

In conclusion, I hope everyone has a wonderful 2018 and I look forward to seeing everyone at the upcoming meetings. If any of you would ever like to be part of the ATA Board of Directors, on any of the ATA committees or provide content for the ATA Connections newsletter, please do not hesitate to contact Teresa Walker at info@txappraisers.org or you can call 210-837-7123.

Curt

Upcoming Industry Meetings:

- April 8-10—NAA's Appraiser's Conference and Trade Show (ACTS), Nashville, TN
- May 4—AQB Public Meeting, Seattle, WA
- May 4-6—AARO Spring Conference, Seattle, WA
- June 9—ATA Houston Area Meeting, Houston, TX
- August 3-4—ATA 13th Annual Meeting and Education Conference, Arlington, TX
- September 19-21—Appraisal Summit & Expo, Las Vegas, NV
- Nov. 1-3—Appraiser Fest, San Antonio, TX

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New and Designated Members

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

Rebecca Allen, Victoria
Collin Gray, Kerrville
Roger Gray, Arlington
Marcella Jimenez, San Antonio
Roy Lolcoma, Rancho Viejo
Mark Milliorn, Dallas
Gregory Reynolds, Pflugerville
Mikaela Schrader, Victoria
Gary Straach, McKinney

Welcome!

Congratulations to those who were recently awarded designations:

Kim Mitchell, ATA-R
Frank Santos, ATA-R

If you are interested in applying for a designation with ATA, please go to our website, www.txappraisers.org, and click on the Membership link and download the Designation Application.

Houston Meeting

Our Houston Area Meeting will be held on June 9, 2018 at the Heritage Texas Properties, 1177 West Loop South, Suite 1200, Houston, Texas.

We will offer the *2018-2019 National USPAP Update Course** from 8:00 a.m. to 4:00 p.m. **(Each attendee must have their own copy of the 2018-2019 USPAP Document—no sharing allowed).**

The instructor for this meeting will be Pam Teel, ATA-G.

ATA has reserved a few rooms at the Sheraton Suites Houston Near the Galleria, 2400 West Loop South. The room rate for meeting attendees is \$99 (\$129 for club level).

To make your hotel reservation, call (713) 586-5187 before midnight on May 28th and mention Association of Texas Appraisers/ATA.

For more details on the 2018-2019 USPAP changes that went into effect on January 1, 2018, go to <https://appraisalfoundation.sharefile.com/share?#/view/s305094efde84bbda>

To register for this meeting, go to www.txappraisers.org/meetings or use the registration form on Page 6.



13th Annual Meeting and Education Conference

ATA's next Annual meeting will be held August 3-4 in Arlington at the Hilton Arlington, 2401 E Lamar Blvd. The room rates for this meeting will be \$129. Attendees can make their reservations by calling (817) 640-3322 no later than Thursday, July 12. Mention ATA/Association of Texas Appraisers to get this special rate.

This hotel is in a prime location:

- Arlington Convention Center- ½ mile
- Six Flags Over Texas- ¾ mile
- Six Flags Hurricane Harbor- ½ mile
- Globe Life Park in Arlington, home of Texas Rangers- ½ mile

- AT&T Stadium, home of Dallas Cowboys- 2 miles
- DFW International Airport- 10 miles
- Downtown Dallas or Fort Worth- 15 miles

The proposed (**subject to change**) meeting schedule is:

Thursday, August 2:

7:30 a.m.: Breakfast
8:00 a.m. - 5:00 p.m.: *2018-2019 National USPAP Update Course*

Friday, August 3

8:00 a.m. - Noon: TREC Legal II
9:00 a.m. - 11:00 a.m.: ATA Board of Directors Meeting

12:30 p.m. - 1:00 p.m.: Welcome & Association Update
1:00 p.m. - 5:00 p.m.: *TALCB and Appraisal Profession—2018*
5:00 p.m. - 6:30 p.m.: Networking Reception

Saturday, August 4:

8:00 a.m. - Noon: *Mentorship Panel*
Noon - 1:00 p.m.: Lunch
1:00 p.m. - 5:00 p.m.: *Statistics and AO 37*

Stay tuned for details.



*ACE Approval #33326; MCE Provider #9974-Approval #33780)

A Lifelong Activity



Steve Kahane, ATA-R

A long time ago, I saw an interview with Harrison Ford that made an impression on me. He was asked what he did to stay in shape.

Tennis!

The interviewer appeared skeptical but Harrison went on to boast about how tennis is a great exercise. What interested me most though was his claim that tennis is a lifetime sport that can be played at any age. I never did take up tennis, but according to Harrison Ford, it's not too late.

It occurred to me that appraising is like tennis. It can be a lifelong activity. As long as I can drive and read a computer monitor, I can appraise; and with hybrid appraisals, I may not even need to drive. There are a lot of professions that force you out as you get older. Ever see a 70 year-old carpenter framing a house? It's rare to make it to 70 in corporate America. They will always find someone younger to work for less and with lower healthcare and benefit costs.

Next year my daughter will head off to college leaving my wife and I as empty nesters. That realization prompted us to discuss retirement. There are a lot of questions surrounding retirement. When to retire? Where will we live? What will we do with our time? Perhaps the toughest question is how much do we need to have saved? Financial planners or other retirement professionals can help you estimate how much savings you will need but since none of us know how long we will live there is always uncertainty. I don't like uncertainty. It makes me worry.

Appraising is a pretty good gig. This job allows for a great deal of flexibility, especially for those that work at home. We can, to a large extent, set our own hours. As such, retirement might mean picking up one or two

broadcast assignments a month. Just enough to maintain status and earn a bit here and there. If funds are running low, I can always take on a few more orders. Trip to Vegas? Sign up with a few AMCs and work full-time for a couple weeks. House needs a roof? Sign up for reviews or hybrid appraisals. If the car breaks down... you get the idea.

Knowing that I can continue to earn after I retire removes a lot of uncertainty from the retirement equation, but it does have a few strings attached. I'll have to maintain my license and keep up with continuing education. There will be some overhead; software fees, MLS dues, etc. It may influence where we decide to retire. It will be tougher to pick up work on a part time or inconsistent basis in a rural area where there are fewer orders. All in all though, appraising offers a great deal of flexibility and some peace of mind when it comes to retirement. It is a lifelong activity, and that's a good thing.



The Way Things Used to Be



Dustin Harris

With a good old-fashioned glue stick and literally paste the photos onto the paper!

It's a common complaint in our industry that real estate

appraisers haven't had a raise in two decades. The argument goes that twenty years ago, the standard fee for an appraisal was \$350. Fast forward twenty years and it's still \$350.

That's a great sound bite, but the actual logic is deeply flawed. In real terms, we've had a huge raise thanks to the massively reduced amount of time we spend on our appraisals. It's something I've written about before (Never Had a Raise in 20 Years), but I was reminded of it recently when I took a little trip to the real estate board office in my local city.

I was there to work on a divorce case that I'd successfully bid for, which needed some retroactive comps. Normally that's the kind of research I'd send one of my assistants to carry out, but because of the craziness that the holiday period often brings, that wasn't possible this time. So, I went to the office myself, dug out some dusty old sales books, piled them up on a desk and started going through them.

I guess that sounds pretty boring, huh? But you know what? It was great! As I pored over these historic volumes, I was overwhelmed by memories from the old days. I was reminded above all, of just how far our profession has come in a pretty short space of time. Now I know there are plenty of you out there with far more experience than me — the crowd that used to carry out inspections on horseback, dodging dinosaurs on the way there and back. I

have been in this business for over 20 years now though, so I'd like to think my little trip down memory lane has at least some value to the younger appraisers out there!

When I got started as a qualified real estate appraiser, back in February 1996, it was a very different job to the one we have now. There were no smartphones. There were no tablets. Every inspection was carried out with a clipboard, a pen, a 100 ft tape measure and a 35mm camera. Many of the smaller towns I covered didn't have MLS, or even a board of realtors. The only place you could find comps were in books that the real estate offices kept — in which they were reluctant to share with each other!

*There were no tablets.
Every inspection was
carried out with a
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tape measure and a
35mm camera*

A typical appraisal would look something like this; I'd go through my inspection, taking the photos on my good-old 35mm camera, then head to one of these real estate offices. They'd recognize me immediately and wave me over to the usual area where I'd dig out a comp book, sit down at a table and leaf through it. If I found a good comp, I'd need to photocopy the relevant page, or if that luxury wasn't available to me, scribble down all the information by hand; the address, the square footage, the year the property was built and so on. The next stop was the courthouse. If you wanted the deeds, you couldn't just ring up the staff there. Oh no! You had to go there and get all the information yourself. Bear in mind, the

courthouse could be 50 miles from the real estate office you were just in and trying to navigate around rural areas back then — without GPS or Google Maps — was no joke. After that, it was Walmart time. To any younger appraisers reading this today, you would not believe how much of my working life was spent in Walmart. I'd take my camera to the one hour photo booth there, hand over my film and simply spend the next hour wandering the aisles like a lost soul. I think that within a few years I'd gotten to know the aisles of every Walmart across three states by hand.

After I'd gotten the photos I would head back to my office and start putting together the actual report. Fortunately, I came along after the typewriter days, so at least I've always had a computer — along with a (primitive) copy of a la mode — to work with. I'd sketch the property, make the adjustments and so on, then print the whole thing out, take the photos and a good old-fashioned glue stick and literally paste the photos onto the paper! Finally, I'd photocopy the relevant map for the property from the phonebook (which usually had the best readily-available maps), add that in, staple the whole thing together and fold it, stuff it in an envelope and FedEx it off. And... that's how we did real estate appraisals, back in the day!

A single real estate appraisal back then would take me two or three days, working eight hours per day. Nowadays, at an extremely conservative estimate, I can do four times as many appraisals. That's what technology has done for our profession. This is why I take issue with people who say, "We haven't had a raise in two decades." Give me a break! Instead of complaining, we should realize just how far we've come in a short amount of time, be grateful for the technology we have access to now and in particular be mindful of the less fortunate appraisers who've come before us.

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.

New Contract Form Changes



Bobby Crisp, ATA-R

The Texas Real Estate Commission (TREC) has approved changes to the mandatory contract forms. The forms are available

for use immediately and will become mandatory on May 15, 2018.

This is important for appraisers in Texas. Under our USPAP Standards Rule 1-5(a), appraisers are required to analyze all agreements of sale, option and listings of the subject property current as of the effective date of the appraisal. Additionally, most appraisal forms ask the appraiser to discuss the results of their contract analysis.

Paragraph 2 is amended to clarify that any reservations of mineral rights must be done on a separate addendum. The analysis of a contract without reference to mineral rights in a state where much of the land is involved in mineral rights creates a void. It would be wise for the appraiser to add a clarification on what they analyzed. "The contract for the real property does not address the position of mineral rights. The appraiser has not been informed nor have they researched this potential divisible asset from the land. This value and contract analysis are based on the real property interest without consideration of any mineral rights."

Paragraph 5 is amended to require Earnest Money to be delivered within 3 days of the Effective Date. Seller may terminate the contract if buyer fails to timely deliver the Earnest Money within the time con-

straints. This creates opportunity for a voidable contract condition that you the appraiser may not be aware of. You may want to state that in your contract analysis you have assumed Earnest Money delivery and the voidable clause on behalf of the seller will not be exercised.

"Effective Date" is made a defined term throughout the contracts but is still tied to the final date of acceptance provided on the signature page. This is why that final date of acceptance becomes date of the appraiser's conclusion on the contract. Make sure you have all final amendments that host both signatures and dates.

There are new Addenda items that have been added to the contracts, one of which is Addendum Concerning Right to Terminate Due to Lender's Appraisal. This addendum has 3 options for the buyer and seller to agree upon. This is a voidable clause that opens the door to cancelations based on the appraiser's value opinion and/or other issues that the appraiser has

brought to surface that may not have been known at the time of the agreement. You the appraiser cannot be held responsible for a sale that does not close because of new information. Since this occurs after the effective date, it should not affect the appraiser. What it could affect are those comparable transactions used as support for the opinion when the appraisal report contains pending contracts. It would be advisable that



if those transactions are provided as additional support, there be a cautionary statement about the potential for the contract to be void upon the parties knowledge of the appraisal report.

There are other changes/edits to these contracts. Here is a link to all of the contracts showing the edits made which become **mandatory May 15, 2018**. As always, it is important to analyze all aspects of the contract. With the new changes and added addenda, appraisers will be required to analyze these new areas and how a subject contract compares to others seen in the market place.

The screenshot shows the TREC website with a navigation bar including a search box, home icon, and links for 'Renew License' and 'Become L'. The main content area features a headline: 'New Contract Form Changes Now Available For Voluntary Use'. Below this is a sub-headline: 'Mandatory Use Begins May 15, 2018 For All License Holders, Make Sure You Are Ready'. The text below the sub-headline states: 'The Commission adopted changes to the mandatory contract forms recommended by the Broker Lawyer Committee at its February 12, 2018 meeting. The forms are available for voluntary use immediately and will become mandatory on May 15, 2018. Redlined versions of the changes to the contracts can be found on TREC's website in the [Meeting Materials for the February meeting](#). Be sure to join us for our [Facebook Live event with our very own General Counsel Kerri Lewis](#), where we go over all of these changes and answer your questions. We have [published the full presentation](#) from the Facebook Live event.' At the bottom of the screenshot, it says: 'Below is a description of the changes to the contract forms. The changes apply to all contract forms unless specified otherwise. Paragraph numbers referenced are from the *One to Four Family Residential Contract (Resale)*.'

"Far and away the best prize that life offers is the chance to work hard at work worth doing." --Theodore Roosevelt

NAA/ATA Membership Benefits

Don't forget—ATA is a member of the NAA Board of Governors and as a result, all ATA members are "Affiliate Members" of NAA.

As a valued ATA member you are eligible to become a designated member (MNAA) with the NAA and your designation fee of \$50 is waived. Log into your profile at www.naappraisers.org and upgrade your Membership Level.

Current member partner benefits include:

- a la mode - Discount on education courses
- ABC's Appraisers Business Companion - \$40 off subscription price
- ANOW - 25% off subscriptions

- Appraisal Summit & Expo - \$30 off the registration fee
- Appraiser e-Learning - 10% off on their on-line courses
- Appraiser's Conference & Trade Show - \$100 of registration fee
- DataMaster - 38% off for 6 weeks
- Distagage (Disto Products) - 15% off all Disto measuring devices (exclude accessories)
- Legal Shield - Low cost legal protection plans
- Office Depot-Office Max - Up to 80% off products
- Solomon Adjustment Calculator - 10% off annual subscription
- Valuation Review - \$25 off 1-year subscription

NAA Benefits Testimonial:

Have you used your NAA Office Depot/Office Max Discount Card yet?

I purchased 4 packets of pocket folders yesterday. The bill came to \$23.96. I only paid \$8.32.

Wow...that's a savings of \$15.64 on just one small order.

How much could you be saving? Use your discount card today!

For more information about this discount and other discount programs, log on to www.naappraisers.org and click on the members only page.

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 <p>Do you want to study at your own pace? On your own schedule?</p>	 <p>Does saving money sound good?</p>

If you answered yes to these questions, we have the answer

The Price of Big Data Valuation Fiasco



Hamp Thomas

I Choose Not to Be Part of the Big Data Valuation Revolution

The big data and automated valuation explosion will ultimately destroy the

real estate industry and it will take decades for it to recover. The facts are, we live and work in a price-per-square-foot industry. The square footage data used in the so-called "official record" in local tax records is in error enough to alter home values and it's an equal opportunity offender – values can be too low or too high. And, it's wrong enough to dramatically change home values, ranging anywhere from as low at 10% to as much as 60% (and even more in some cases). That margin of error is just too high to ignore. Until someone comes up with a way to improve this square footage information, the one number that serves as the currency of real estate, all the big data in the world will never price real estate fairly or consistently. It may work in 10-20% of markets across the country, but in every other market the valuations can be a joke. Ask local bank managers about the quality of online real estate valuations. Ask appraisers. It's no secret. However, the local people dealing with consumers don't have to deal with stockholders and corporate boards, who are only concerned with raising profits. This massive online valuation push has nothing to do with improvements in technology, it only has to do with timing. Big Banks see this as their best opportunity to force feed the idea of better, faster, and cheaper valuations at a time when appraisal problems have been in the news.

This is not even a new discussion, even though many would like you to believe it is. They will argue we have all these great new data tools at our disposal we didn't have even ten years ago. And, armed with this new data and technology, home valuations are easier and more credible than ever. That's simply not true. The entire appraisal industry assault that started with the HVCC is all about the money.

It's nothing more than the Golden Rule at work. The banks have all the money and are doing a great job convincing Fannie Mae and Freddie Mac that online valuations are the way of the future. They argue they will do a better job and do it cheaper. Even if they allow appraisers to only work on the comparable selection and valuation process, they would have real estate agents or anyone else but an appraiser perform the onsite home inspection. If you take away the inspection process from the appraiser, you place an untrained person in charge of one of the most important parts of the process. Computer valuation or untrained inspection with limited appraiser participation, I argue the whole program is nothing more than smoke and mirrors and the ultimate loser will be the American home buyer, and the mortgage investor who relies on these unreliable systems.

This is not rocket science. For all their specialized mathematics, the most weight in each valuation comes down to price-per-square-foot, using inaccurate square footage details. When the largest part of the valuation process comes down to only two numbers – the sales price and the square footage – and one of those numbers is wrong (the square footage) – then every value created using this formula will also be wrong. It's not that complicated. I say show us your formulas used to create these "better" values, but no one wants to share. Behind the scenes, we hear it again and again, it still comes down to the price-per-square-foot in the vast majority of residential valuations.

Write this down. If online valuations replace living, thinking appraisers, the results will be an onslaught of unreliable mortgage loans based on a faulty data system. Home buyers will think they have a 10% equity situation only to learn they actually have two or three. Or, a mortgage loan for \$250,000 will discover the house is actually worth \$210,000 when they decide to sell. Who will pick up the tab? Not the big banks that knew all this going in. It will be the taxpayers who will pay the price, twice. It will be the taxpayers who will pay the price, twice.

The evidence is easy to see with just a little investigation. Appraisers, find ten home sales that went through the MLS where you did the appraisal and compare their online valuations (and their tax valuations). Get ten of your peers to try that in ten different markets. Two patterns emerge. First, the square footage numbers in the appraisals are different from those in tax records (and likely MLS); and second, the values don't come close to matching. There is over and under pricing with percentage errors all over the place. Don't trust my theory? Try it for yourself.

Real estate appraisers need more training to make their reports better and they do need to learn more about the latest tools at their disposal. They also need to do more research and analysis than ever, not less. Appraisers are charged with protecting people's single, largest, lifetime investment, and the place they will call home. And yes, the price of an appraisal might even go up a little. Consumers never complained about appraisal prices, only banks who wanted the money for themselves by using automated valuations they control. Think anyone is clamouring for doctors to lower their fees? How about new car prices – is anyone working hard to lower car prices? People want quality care and products and the price is the price. However, the "price" of this fiasco may be the downfall of the American real estate market.

About the Author

By Hamp Thomas, founder and president of the Institute of Housing Technologies. He is also the president of Carolina Appraisers & Real Estate. He is the author of the American Measurement Standard; the Size Matters – Residential Square Footage books, continuing education courses (for agents and appraisers), the course Inside the New Appraisal Process; ANSI, Home Measurement & the Power of Price-Per-Square-Foot; Understanding ANSI, and numerous other real estate courses, webinars, videos, and blogs. Hamp also authored the Professional's Dictionary of Real Estate Terms; Home Measurement Basics; Realtors and Square Footage; and his latest book Death of an Industry-Real Estate Appraisal.

Association of Texas Appraisers - Meeting Registration Form

Houston Meeting—June 9

Heritage Texas Properties, 1177 West Loop South, Suite 1200, Houston, Texas

Name: _____ Name for Badge: _____

Address: _____ E-Mail: _____

_____ Phone: _____

Registration Fee

Member	\$100
Non-Member	\$200
USPAP Book	\$75*
Guest Lunch (not for attendees)	\$20

Total Due \$ _____

(Registration Fees increase \$20 two weeks before the meeting date.)

Schedule

Saturday, June 9

7:30 a.m.	Breakfast
8:00 a.m. - Noon:	<i>National USPAP Update Course*</i>
Noon - 1:00 p.m.	Lunch (included with your registration fee)
1:00 p.m. - 4:00 p.m.	<i>National USPAP Update Course (con't)</i>

Don't forget to make your **Hotel Reservations**.

ATA has reserved a few rooms at the Sheraton Suites Houston Near the Galleria, 2400 West Loop South. The room rate for meeting attendees is \$99 (\$129 for club level).

To make your hotel reservation, call (713) 586-5187 before midnight on May 28 and mention Association of Texas Appraisers/ATA.

*(Each attendee must have their own copy of the 2018-2019 USPAP Document—no sharing allowed).

Mail Registration and Payment:

Association of Texas Appraisers

10730 Potranco Road, Suite 122-696
San Antonio, TX 78251

Register and Pay On-line:

www.txappraisers.org (Scroll down on the home page and select the appropriate meeting. Go to the bottom of the meeting page and it will take you to Pay Pal.)

Registration form and payment must be received by June 5th. No refunds after June 5th.

For more information, contact:
Teresa Walker at (210) 837-7123
(info@txappraisers.org)

TALCB Corner

Mark your calendar for the next TALCB meeting, scheduled for May 4th 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, they are broadcast live on the TALCB website.



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. The **Houston Area Outstanding Appraiser** nomination is due by **May 25th**. Here is a link for the guidelines and application form. <http://www.txappraisers.org/ATA%20Awards.pdf>. You can also self-nominate.

Also, if you'd like to nominate (or even self-nominate) for the **Pospisil Scholarship**, please click on this link for the guidelines, procedures and application. <http://www.txappraisers.org/Scholarship.pdf>. It only takes a couple of seconds to nominate someone.

RGV and SCT Outstanding Award Winners

Congratulations to our Rio Grande Valley Award Winner, Arturo Palacios, ATA-G and our South Central Texas Award Winner Candy Cooke, ATA-G.



ATA 2017-2018 Board of Directors

Curt Myrick, ATA-R, President
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Stacey Cartwright ATA-R, Secretary
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Laurie Fontana, Director
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Kathy Tredway, ATA-R, Director
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