

# Connections

Official Publication of the Association of Texas Appraisers, Inc.

### Mission Statement of the Association of Texas Appraisers

The Association of Texas Appraisers was organized to provide opportunities for continuing education and professional association for real estate appraisers and other interested parties within the State of Texas: to establish and maintain minimum requirements for membership; to confer membership designations to properly qualified appraisers; and to provide and maintain an organization that serves the needs of its members.

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# From the Desk of the President

It would appear that Spring has sprung. Just in case you've been "snowed under" with appraisal work and have managed to miss the budding trees and blooming flowers all around - it is now just about Springtime. Further evidence of this can be found in that precious hour of sleep that we all recently got to miss again this year.



Tom Shirley

Looking all the way back to the dead of Winter (last month) I wanted to give you all a recap of our Mid-Year ATA Meeting and Educational Conference. We started off Friday morning by offering TREC's Legal Update Course (3-Hours of MCE) required for Broker's and Agent's license renewal. The course was taught by Columbia Institute's Ernie Guerrero and we had 18 Appraiser/Realtor-Types in attendance. That afternoon's session was titled "Appraiser Independence" (4-Hours of ACE and MCE) and was presented by George Harrison and Bobby Crisp (Columbia Institute) and Deloris Kraft-Longoria (TALCB). Look for a write-up on this session from George on page 7.

Following the day's events, your Board of Directors held their Mid-Year Meeting. Minutes from this meeting along with Financial Statements are included in this newsletter. Highlights of the meeting include: the introduction of Teresa Walker as our new Executive Director, a membership update (as of the weekend of the conference ATA's membership stood at 112 members, 28 of which hold one of ATA's Appraiser Designations), briefings on our next few upcoming educational conferences, a vote to increase our conference fees from \$75 to \$85 for members and from \$150 to \$170 for non-members, a vote to do away with pro-rating annual membership dues for new and returning members, discussion regarding a potential change to our association's bylaws to restrict appraiser trainees to Associate Member status, discussion regarding Appraiser Coalitions, and formation of the 2010 Nominating Committee. (Please contact Tom Shirley, Candace Cooke, or Bobby Crisp if you are interested in serving as an ATA Director. Elections will be held at our Annual Meeting in August of this year.)

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# 2009-2010 Board of Directors

Tom Shirley, President Candy Cooke, Vice President Michael Braught, Treasurer Eileen Brown, Secretary Frank Baker, Director Ken Becker, Director John Macy, Director Bill Render, Director Bobby Shafer, Director Bridgett Blankenship, Past President

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Immediately following the meeting, a group of us and some of our families converged on Friesenhaus Restaurant for some authentic German food and after-hours fellowship. About 36 of us were there to dine on every kind of sausage imaginable and bid Gale and Vladimir Pospisil a fond farewell. Yes, sadly this was Gale's last meeting with us as our association's Executive Director.

Saturday morning greeted us at the McKenna Events Center with a nice hot breakfast and record attendance for an ATA Conference. We started off our class time with the presentation of a thank you gift for Gale Pospisil commemorating her years of service as the ATA's first Executive Director. After introducing our new Executive Director, Teresa Walker, and several of our newest ATA Members, Bobby Crisp, AQB Certified USPAP Instructor, taught the class of 88 appraisers on behalf of Columbia Institute. How many instructors have you ever met that could actually hold your attention throughout 7-hours of USPAP? In addition to having a record turnout for the class, ATA is proud to report that we took over a \$2,000 loss on the conference. Truth be told, we did it on purpose. In light of the Appraisal Foundation's new pricing and policy regarding (not) sharing USPAP Books, ATA elected to underwrite \$25 of the \$60 book fee for each member in attendance. As they say, membership has its privileges. A special thanks to Columbia Institute for providing the materials to us at their cost.



Looking forward now, it's not too soon to mark your calendars for our Fifth Annual Membership Meeting and Educational Conference that will be held in Fredericksburg, Texas. We're set up with Fredericksburg Inn & Suites for August 13 & 14, 2010. The conference will be held on-site and a block of hotel rooms has been secured. More details about this meeting will soon be posted to our website and will be announced in the June edition of The Connection Newsletter.

And, now let's look all the way into next year... As I have mentioned in previous newsletter articles, two educational conferences per year would just about do it for a typical ATA year. A February gathering in New Braunfels and an August get-together somewhere else in central or south Texas. Your Board of Directors and your new Executive Director are working diligently on the details of offering a third educational offering in 2011 in the Houston/Katy, Texas area. The rationale for this experiment is that a conference in this part of the State would serve the needs of our membership (especially those residing east of the Brazos River) and potentially increase our membership as we venture into a new geographic area. At this point we are targeting a weekend in mid June of 2011. More details about this offering will be available on our website and we will give a status update at our Meeting and Educational Conference this August in beautiful downtown Fredericksburg, Texas.

## **Congratulations to ATA's Mid-Year Conference Door Prize Winners**

This go 'round we had an "all Hardware Store theme" for our Door Prize Table. It just so happens that New Braunfels is home to Henne Hardware– the self-proclaimed oldest hardware store in Texas. Judging from their selection, I believe it. They have everything from Grandma's Homemade Lye Soap to a Rain Gauge big enough to see from your kitchen window.



Congratulations to all of our winners: Don Brillhart, Jo Ann Clawson, Jeanne Crane, Carol Harris, Nester Leamon, Laura Stehling, Tony Palacios, Ken Pruett, Pauline Rabe, Buster Sherry, Quincy Simon, and Paul Smith. Congrat's also to Bill McAllister for winning the "cell phone lottery" at the end of our conference. It seems like it wasn't that long ago when those two dollars would have been enough to buy Bill a cup of coffee for the trip back home!

The only people you should ever want to get even with are those who helped you.

John Honeyfeld

















ATA Mid-Year Educational Conference Feb. 19-20, 2009 McKenna Events Center New Braunfels











## Fact on FACT By: Eileen Brown



When I volunteered to write this article at our February meeting, I did not realize I was volunteering for the March newsletter, therefore I was at a real loss as to what my topic would be in such short notice. Luckily, I procrastinated just long enough to let my mind wander and rest upon an easy but great solution. At our board meeting and in our class the Foundation Appraisers Coalition of Texas (FACT) was discussed. The suggestion that our association might consider joining either FACT or a similar entity was made. Some of you may have already researched or already be familiar with this group or groups such as this, others may not be. As a member of ATA, I thought it important to educate myself on this group.

If the rest of you are like me I have the best intention of visiting or reading all the websites, articles, literature, etc that are suggested or sent down the line to me but believe it or not I just don't get to all of them. Therefore maybe I will do some of you a favor by giving a quick overview of FACT with most of the following info being derived from FACT's website.

Fact was created in 1991 after the 72<sup>nd</sup> Legislature when it was realized that it was important to have an organization to advocate for the interests of Texas Appraisers. Since it was created, FACT has maintained a legislative presence, offering statutory changes, testifying in front of countless committee hearings, responding to requests from state leadership for information and viewpoints on appraisal issues, and most importantly establishing and maintaining a presence at the state capitol.

Prior to each legislative session, the FACT Board of Directors adopts a legislative agenda and through the help of legislative advocates and FACT leadership volunteers, actively pursues that agenda at the Legislature. Money is raised to hire lobbyists to represent the group.

FACT represents many chapters of organizations across the state. Currently they represent many Texas chapters of the Appraisal Institute, 2 Texas chapters of NAIFA, the Texas chapter of American Society of Farm Managers and Rural Appraisers (ASFMRA), as well as the Dallas-Fort Worth chapter of American Society of Appraisers (ASA). Overall they represent approximately 1400 individual appraisers.

It is important to research this organization on your own time (<u>www.factexas.org</u>) and to read in full their roots and process by which they decide what to go to legislature with. May I suggest even visiting the legislature website (<u>www.capitol.state.tx.us</u>) to decide whether this organization is one we would be interested in representing us. We may be able to find other organizations such as this one that we feel would represent our members well. One thing is for sure, we have an impressive and steady growing number of members of ATA. Together we can try to have an impact on where our industry is headed by continuing to organize and educate ourselves on these processes.



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.

# USPAP ISSUES Automated Valuation Model (AVM) By: Bobby Crisp AQB Certified USPAP Instructor #10287



Just hearing the words "Automated Valuation Model" or the term "AMV", will make most appraisers frown, wrinkle their nose, press their lips together, shift their mouth to one side, and contort their entire face to something unrecognizable. I think it's safe to say that the majority of appraisers don't get a good feeling when someone brings up an AVM. Most of us have preconceived ideas about AVMs. Let's face, we don't like them. Why is that?

Back when Automated Valuation Models were first introduced, there were very few appraisers that knew anything about AVMs or what they was supposed to do. The more we heard about them, the less we liked them. Stories of how a computer generated program could takes sales data and provide a value based on that data. Who's doing the analysis - a computer? You have to be kidding, right? Where's the data coming from – MLS or other appraisal reports – or is somebody making it all up? Is an AVM an appraisal? Texas is a non-disclosure state – where are these companies getting the sales data? Is it even legal for them to provide that information without the consent of the home owners? How reliable are AVMs? What does USPAP say about AVMs? Questions...Questions! It just seems a lot easier to not deal with them rather than learn about them and how to use them.

Advisory Opinion 18 (AO-18) to USPAP goes into great discussion regarding this issue. Since I'm quite sure that not everyone has read this AO, it's important to know that many of the questions you have about AVMs are addressed here. Here are few of the major points (but, may I suggest reading this AO for yourself):



What is an AVM? It's a computer software program that takes data and puts it in a specific format so that information can be analyzed.

Is an AVM an appraisal? Not by itself, but can be used as a piece of the puzzle by an appraiser, if the information is believed to be reliable. Remember - USPAP defines "appraisal" as the act or process of developing an opinion of value; an opinion of value. A computer cannot give an opinion. It can only spit out data.

What are some examples of an AVM? Here are a few examples: adaptive estimation, artificial intelligence, expert reasoning, neural network, and regression analysis. With any type of computer software program, the output is only as good as the information input. Those of you that attended the ATA Meeting in New Braunfels on February 19th may remember a part of the presentation where we talked about regression analysis. That's an AVM!

How does Competency fit in with an AVM? The appraiser must ensure that he/she can comply with the COMPETENCY RULE prior to accepting the assignment and during the course of performing it. In other words – the appraiser has to know how to do it! What if you want to use a regression analysis (an AVM) in your assignment? You will have to ask yourself if it's appropriate. Will the output be credible? You will have to know how to use one in order to answer those questions.

How does an appraiser communicate an AVM output in the appraisal report? One must remember that the AVM is not an appraisal and the AVM output is not an appraisal report. If an appraiser decides to use a

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regression analysis, information from that AVM must be consistent with the type of report (Self-Contained, Summary, Restricted Use Appraisal Reports). The appraiser should cite the name and version of the AVM software and provide a brief description of its methods, assumptions, and level of allowed user intervention. The report should identify the database used (e.g. MLS) and the data analyzed. OK – I can hear it now! "I'm going to have to put all of that in my report?" It's another analysis just like the Cost Approach or the Sales Comparison Approach. Don't we discuss those approaches to value in our reports and how we came up with our opinions within those approaches? If not, we sure should be!

During our last ATA Meeting, the regression analysis that was introduced is a software package programmed by Jeff Bradford, Mark Linne, and the entire team at AppraisalWorld (<u>www.appraisalworld.com</u>) called "CompCruncher". Many of you met Jeff Bradford in New Braunfels at the February 2009 ATA Meeting where he was a guest speaker. He actually introduced "CompCruncher" to the audience without saying so, in so many words. "CompCruncher" offers hands-on training on how to use their AVM service. There are other vendors available that provide regression analysis software. Even Microsoft Excel has a regression analysis. But, you will need to have competency if you choose to use any of these programs and offer their output as a source for rendering an opinion of value.



Freddie Mac posted a statement in February 2010 that all residential loans are going to be subject to a quick review through the statistical loan prospector and must be within 10% of their Home Value Explorer®. Statistical modeling is here. It's time for appraisers to educate themselves and learn to use these AVMs. The "art of appraising" is quickly moving toward the "science of appraising".

Now, I haven't been talking about those programs available where someone can type in an address and the computer will spit out four fictitious sales, one that sold 4 years ago, and one with the wrong sale price – then pop out a value for the subject. But, by definition, those are AVMs, too. Again, our analysis must render credible results. Appraisers must have the knowledge and understanding of any AVM that is used. The AVM must be considered credible – some are not! This is why I truly like the idea of using the regression analysis AVM because the data is entered by the appraiser, the data is controlled by the appraiser, it allows appraiser intervention, and the appraiser is the one analyzing the output. After all – isn't that the way it's supposed to be?

Food for thought!

Bobby Crisp

#### P.S.

ATA President, Tom Shirley, asked if I would bring up some of the websites/email addresses that were discussed during the last ATA Meeting. Here are some good sources of information to help you keep up with what is going on out there:

- <u>www.AppraisalScoop.com</u> (newsletter format of recent events affecting appraisers)
- <u>www.DataMasterUSA.com</u> (provides a service transferring MLS data to your software package)
- <u>http://www.naihp.org</u> (National Association of Independent Housing Professionals) This is a new organization for all real estate professions.

Some States that have formed Appraisal Coalitions: <u>http://www.icapweb.com</u> (Illinois) <u>http://www.azcoaa.us</u> (Arizona) <u>http://www.ocapweb.org</u> (Ohio) <u>http://www.nvappraisers.org</u> (Nevada)

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During the Appraisal Summit held December 2009 in Las Vegas, NV, there was discussion of forming a national organization for appraisers. Appraisers across the country have made comments that they feel like there is no representation when it comes to the appraiser. Many in attendance during the Appraisal Summit expressed the same sentiment. Mike Brunson, of Las Vegas, NV, is putting together a database of appraisers that are interested in forming a new national appraisal organization that will focus on representing appraisers. If you would like to add your name to this database, send your email address and contact information to Mike at <u>asap@lvcoxmail.com</u>.

More food for thought (a little desert!)

## Presentation at ATA Feb 19, 2010 "Appraiser Independence" By: George Harrison

Friday featured a four-hour presentation titled "Appraiser Independence." Presenters included Deloris Kraft-Longoria, George Harrison and Bobby Crisp.

Ms. Longoria, Director of Enforcement for the TALCB, gave a presentation on status of the TALCB's enforcement efforts. She explained that her staff includes four full-time investigators in addition to her position, and now has an attorney. In the past the enforcement unit had many fewer resources and was falling behind its ASC mandates on investigating complaints. She gave an oversight of complaints and sanctions. She

cautioned appraisers to be sure to do what they say they are doing in the report. As an example, if you say you used Marshall & Swift, be sure you did and know how to do it, since TALCB may challenge you on it. She also emphasized the need for consistency throughout the report.

George Harrison referenced the HVCC and "Re-engineering the Appraisal Process." The latter is a comprehensive document published by the Collateral Risk Network. A copy is available on the Columbia Institute's website at <u>www.columbiainstitute.org</u>. He emphasized the need for appraisal organizations to work for appraiser advocacy at both the state and national levels. He encouraged ATA to establish a relationship with FACT (Foundation Appraisers' Coalition of Texas) to work in concert toward governmental actions in Texas. A major goal would be to enact legislation to regulate AMCs by the TALCB.

Bobby Crisp summarized some of the earlier presentations, then focused on the need for appraisers to take control of the industry. He compared the current appraisal practice to an old steam-driven rail locomotive, while we should be working toward a modern, high-speed, high-tech process. He gave an oversight of what is happening in the industry to include data gathering, computerized aids to analysis, and how we can do a better, quicker job, and how that many software vendors are working toward that end.

## **Sponsor Needed**

Amir Faghih (Round Rock), one of ATA's newest members, is looking for a sponsor. If you are looking for a trainee, you can contact him at <a href="mailto:amosapproved@yahoo.com">amosapproved@yahoo.com</a>.





# Board of Directors Draft Meeting Minutes February 19, 2010



President, Tom Shirley, called Board of Directors meeting to order at approximately 5:22pm at McKenna Events Center in New Braunfels, Texas. All directors were present except Candy Cooke and past president Bridgett Blankenship.

Bobby Shafer motioned to wave the reading of the minutes of August 2009 meetings as they had been previously approved via email. This was seconded and passed.

#### Financial Reports:

Treasurer Mike Braught presented the financial report covering September 1, 2009- February 15, 2010, copy of which is attached to minutes. The board also was presented with an outline of estimated income/ expenses for February 2010 meeting, copy of which is attached to the minutes. It detailed expenses such as the cost of underwriting the USPAP books which caused ATA to have an overall loss for this meeting. These figures did not include last minute registrations but was a good estimated outline.

#### Old Business:

It was reported that ATA now had 112 members with 4 new members as of the meeting.

The proposed June 2010 meeting in Katy was then discussed. John Macy, Gale Pospisil and Tom Shirley had all done research of the possible hosting sites for this event with the best lead being the Merrill Center which was unfortunately booked for the desired period of time. The location, cost and time left to recruit attendees from the Bay area were all in question. Eileen Brown motioned to cancel June 2010 meeting. Bobby Shafer motioned to push it back to June 2011. John Macy seconded and it was passed.

Next, the August 2010 meeting in Fredericksburg was discussed. Gale confirmed the Fredericksburg Inn and Suites had been booked and they would be offering a special room rate although they did not offer onsite catering. Therefore Gale found an off-site caterer, My Own Catering, which will cost ATA more than usual but appears to be one of the best options.

A list of the most recently offered courses by ATA was then handed out to assist in choosing August 2010 course options. Frank Baker made a motion to offer another "Appraisers Issues" type class on Friday, this was seconded and passed with the details of course material and approval for credit to be figured out via email in the near future. FHA, having not been offered since 2007, was suggested for Saturday. It was brought up that this was the course that was desired for the Bay Area meeting but it was then recognized that as long as it was taught by 2 different providers, appraisers would be allowed credit for each. Then a raise in meeting fees was discussed. Board was unanimously against raising fees too much at any one time therefore there was a motion by Mike Braught to raise meeting fees for members by \$10 and non -members by \$20 beginning with the August 2010 meeting. This was seconded and passed.

#### New Business:

President Tom Shirley announced the results of the Executive Director's hiring process and indicated that Teresa Walker was chosen and that she and Gale would coordinate the transition before the end of February. She will be starting at Gale's \$400/month salary with reevaluation of these terms in the near future. Frank Baker volunteered to conduct the annual audit of the ATA accounts. Bobby Shafer volunteered to write article for June newsletter and Eileen Brown volunteered to write for March newsletter.

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The nominating committee was the next topic. Normally the past president, president, and vice president act as the committee but with Bridgett Blankenship unavailable, the past, past president, Bobby Crisp will sit in. Therefore, the nomination committee will consist of Bobby Crisp, Tom Shirley and Candy Cooke. Any of these people should be contacted for nominations.



Gale Pospisil then addressed board with the issue of prorated dues. Many people in past have only joined for one meeting to take advantage of member prices and then never returned therefore she suggested we do away with prorating of membership dues. Bobby Shafer motioned to no longer prorate dues to newly joining members. This was seconded and passed.

It was then suggested by Gale Pospisil that a change to ATA bylaws was in order. The change in question was that trainee members be considered as associate members. There was a consensus to address all members of ATA with this change of status for trainees before further action is taken.

Next the possibility of joining FACT (Foundation Appraisers Coalition of Texas) or some similar entity, as an association was discussed. Bobby Crisp addressed the board and relayed the success of a recent appraisers meeting in Las Vegas where there was much interest in starting a nationwide appraisers association. These non-profit associations provide representation of appraisers by lobbyists. These coalitions of appraisers have succeeded in getting laws passed within their own states, such as regulation of AMCs. Bobby Crisp strongly suggested all members visit the websites of these coalitions such as FACT.

Last order of business was suggestions for February 2011 meeting dates. First choice being 11<sup>th</sup> and 12<sup>th</sup>, next choice being 25<sup>th</sup> and 26<sup>th</sup>. The availability of these dates are to be researched by Teresa Walker.

With no further business to discuss, Tom Shirley made a motion to adjourn, this was seconded and passed. Meeting was adjourned at 6:33pm

Respectfully Submitted, Eileen Brown, Secretary





## **Proposed Bylaws Change**

At its February meeting, the ATA Board discussed a change to the Bylaws regarding appraiser trainees. The proposed change is Article II—Membership, Section 1a (the strikeouts would be removed and the underlines would be added):

*1a:* There shall be two (2) membership categories: Appraiser (voting) members shall include all real estate appraisers who are either certified or licensed by the Texas Appraiser Licensing & Certification Board (TALCB) or who are trainees registered with the TALCB. Associate (non-voting) members shall include all others who are eligible for membership (including appraiser trainees).

This change will be voted on at the General Membership Meeting, August 13, in Fredericksburg.

If you have any questions or concerns, please contact an ATA board member.



New Members

Joseph Benes, Sugarland Dona Buie, Granbury David Cale, Marion Paul "Cookie" Cooper, Austin Rob Cunningham, Abilene Bianca Dulfer, San Antonio Donald "Gene" Ender Mineral, Wells Amir Faghih, Round Rock David Jauer, San Antonio Robert Keeney, Corpus Christi Jack Kiser, Abilene Mike Plumlee, Houston Randy Posey, San Marcos John Robins, Austin Quincy Simon, Hutto Howard Eugene Six, Abilene Ronald Thibault, Ingleside Helen Kathy Young, Weatherford

## Mark Your Calendar for August 13-14 in Fredericksburg!

Don't miss the Fifth Annual Meeting and Educational Conference to be held August 13-14, 2010 at the <u>Fredericksburg Inn and Suites</u>. While the Friday afternoon class has not yet be finalized, we will be hold-ing an FHA class on Saturday.

We will be conducting our annual General Membership Meeting and electing three new officers on August 13. If you are interested in running for a director position, please contact Tom Shirley, Candace Cooke, or Bobby Crisp.



A block of rooms has been reserved at the rate of \$119 single/double. Make your reservations early! Call (800) 446-0202 and mention Association of Texas Appraisers.

Look for more details in the June edition of ATA Connections.

## **Congratulations Bobby Crisp**



ATA Past President, Bobby Crisp, was one of 13 seasoned and qualified Texas appraisers appointed to TALCB's Peer Investigative Committees (PIC). According to TALCB Chair James Ratliff "PIC's are a unique opportunity for dedicated industry professionals to work side-by-side with governmental agencies in order to ensure industry and regulatory standards are being met and maintained."

TALCB is still accepting applications, so if you are interested in serving, log on to <u>www.talcb.state.tx.us/</u> <u>agencyinfo/pic.asp</u>.



#### Treasurer's Report Feb. 15, 2010

9/1/2009 through 2/15/2010

Category Description	9/1/2009- 11/30/2009	12/1/2009- 2/15/2010	OVERALL TOTAL
INCOME			
Designation Fees	25.00	0.00	25.00
Interest	103.43	0.00	103.43
Meeting Fees	-50.00	5,540.00	5,490.00
Membership Dues	6,150.00	4,050.00	10,200.00
TOTAL INCOME	6,228.43	9,590.00	15,818.43
EXPENSES			
Board Of Directors Meetings	0.00	-50.00	-50.00
Executive Director	1,200.00	1,200.00	2,400.00
Meeting Expenses	475.00	129.32	604.32
Pay Pal	44.70	46.08	90.78
Postage	17.52	10.45	27.97
Supplies	27.06	0.00	27.06
Website	0.00	225.00	225.00
TOTAL EXPENSES	1,764.28	1,560.85	3,325.13
OVERALL TOTAL	4,464.15	8,029.15	12,493.30

## February 19-20, 2010—Mid Year Meeting Income and Expenses

Income	Registration	\$6,915.00
\$ Expenses	Columbia Institute McKenna Events Center Door Prizes	\$6,245.00 \$2,614.28 \$129.32 \$8,988.60
Net Loss		-\$2,073.60

(The \$2,073.60 loss was primarily due to ATA's decision to underwrite the USPAP books for 79 attendees at a rate of \$25 each.)

## **About Your New Executive Director**

Teresa Walker has been involved in association management and/or appraisal education for 30 years. Prior to moving to Texas, she served as membership manager for the American Council of Engineering Companies (Washington, DC) for 17 years and worked in the meetings department at the American Society of Appraisers (Herndon, VA) for five years. After moving to San Antonio, she was Executive Director of the National Association of Master Appraisers for three years and has served as an independent consultant for several appraisal schools for the past five years.



She and her husband Terry reside in San Antonio and together they have eight children and five grandchildren.

*New Website:* The ATA website is being updated. We have been asked by a few members to include email addresses on the website. If you **do not** want your e-mail address listed, <u>let us know</u> before March 31.